



MEDIA RELEASE

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FOR MORE INFORMATION

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ENVIRONMENTAL ORGANIZATIONS TO ASK COURT FOR PROTECTION AGAINST UNLAWFUL DECISIONS BY LDEQ

LANDFILL ORDERS BY LDEQ CONFLICT WITH FEDERAL STATUTES

NEW ORLEANS – The Sierra Club’s Delta (Louisiana) Chapter and the Louisiana Environmental Action Network will ask the court to stop the unlawful decisions regarding landfills made by Mike McDaniel, secretary of Louisiana’s Department of Environmental Quality.

The suit charges that the state agency has enabled the disposal of hurricane debris containing household hazardous waste in unlined landfills in inappropriate locations. For more than a year, the agency has issued consecutive 60-day emergency orders authorizing disposal of demolition waste such as asbestos, carpets, and finished furniture products in landfills that were designed to accept only inert waste such as unfinished wood. As a result, there are several problematic landfills accepting waste in Orleans Parish with more expected.

“Louisiana residents deserve the same rights to clean drinking water and a safe community as the rest of the country,” says Leslie March, chair of the Delta Chapter.

“The rebuilding of New Orleans offers us an opportunity to do what’s right and necessary to protect the health and safety of people and their neighborhoods, and the state should

take advantage of this opportunity to dispose of hazardous waste in a safe manner that will not come back to haunt the city.”

The suit claims the state’s emergency order is unlawful because it authorizes practices that conflict with the Resource Conservation and Recovery Act, the Clean Water Act, and the Clean Air Act. The suit claims the state order violates the constitutional right to protection under the federal laws.

“The Chef Menteur landfill illustrates the extent of the problem,” says Marylee Orr, executive director, Louisiana Environmental Action Network. “Chef Menteur is located within a mile of a large Vietnamese-American community and next to the Bayou Sauvage National Wildlife Refuge, the largest urban wildlife refuge in America and. The landfill is expected to receive enough debris to form an 80-foot-tall pile.”

The two environmental organizations say the state of Louisiana is making a bad situation worse by using the tragedy of Hurricane Katrina as an excuse to ignore environmental laws that protect people and the environment.

“For DEQ to authorize landfills that violate federal health and safety standards is like kicking Louisiana residents when they are down,” says Adam Babich, director of the Tulane Environmental Law Clinic and the lead attorney in the lawsuit. “The people of Louisiana deserve a recovery that meets the same standards for public protection that apply in the rest of the United States.”

It is time for DEQ to stop issuing orders with no opportunity for public comment or involvement, says Andrea Issod, attorney with the Sierra Club and co-counsel on the lawsuit. “Everyone should share the goal of a safe, speedy and lawful cleanup,” says Issod. “The way to get there is through open dialogue and consensus.

Trying to cut off debate and force substandard landfills down residents' throats is not the answer."

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The Sierra Club's 750,000 members work together to protect communities and the planet. The Club is America's oldest, largest and most influential grassroots environmental organization. The Delta (Louisiana) chapter of the Sierra Club has more than 3,500 members and has been active in local conservation projects for more than 30 years. For more information, contact the organization's website: www.louisiana.sierraclub.org.

The Louisiana Environmental Action Network is a statewide coalition of more than 100 groups and several thousand individual members. LEAN provides these member groups, as well as individual citizens, with the support and resources required to accomplish their environmental goals. LEAN works to improve the environment for the benefit of all citizens of Louisiana. For more information, contact the organization's website: <http://www.leanweb.org/>.