

11-24-2005 04:55

GWEN DUFRENE 9857587510

Council (for 12/29/05 to address the Council) Council

PETITION TO ADDRESS THE COUNCIL

2006-0005

St. Charles Parish Council Chairman
P. O. Box 302
Hahnville, LA 70067
(885) 788-6000
Fax # 193-2067
Dear Chairman:

Today's Date: 12/29/05

Please place my name to address the Council on:

DATE: January 9, 2006

SPECIFIC TOPIC: Public Records Act

one subject only
(*see specific
guidelines on
reverse and
refer to
Parish Charter-
Article VII, Sec. 1.)

DOCUMENTS, IF ANY: YES NO

NAME: Gwen Dufrene

ADDRESS: 3551 Hwy 306
Bayou La Batre, LA 70030

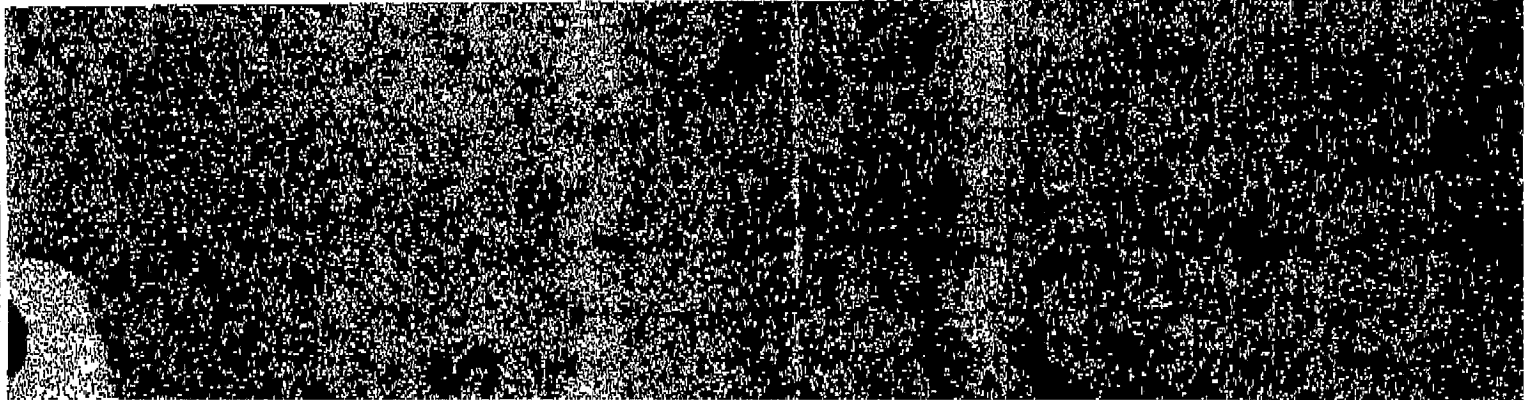
PHONE: (983) 758-5533 (DAY)

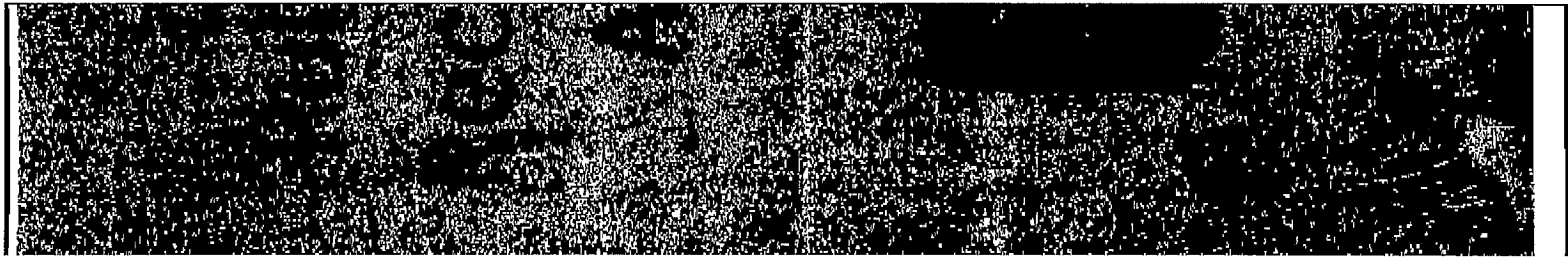
SIGNATURE: Gwen Dufrene

CEXAE

11-24-2005 04:55 GWEN DUFRENE 9857587510

PAGE2





~~X~~ **PROVIDED; FEES**

A. The custodian shall present any public record to any person of the age of majority who so requests. The custodian shall make no inquiry of any person who applies for a public record, except an inquiry as to the age and identification of the person and may require the person to sign a register and shall not review, examine or scrutinize any copy, photograph, or memoranda in the possession of any such person; and shall extend to the person all reasonable comfort and facility for the full exercise of the right granted by this Chapter; provided that nothing herein contained shall prevent the custodian from maintaining such vigilance as is required to prevent alteration of any record while it is being examined; and provided further, that examinations of records under the authority of this Section must be conducted during regular office or working hours, unless the custodian shall authorize examination of records in other than regular office or working hours. In this event the persons designated to represent the custodian during such examination shall be entitled to reasonable compensation to be paid to them by the public body having custody of such record, out of funds provided in advance by the persons examining such record in other than regular office or working hours.

B. If any record contains material which is not a public record, the custodian may separate the nonpublic record and make the public record available for examination.

C. (1) (a) For all public records, except public records of state agencies, it shall be the duty of the custodian of such public records to provide copies to persons so requesting. The custodian may establish and collect reasonable fees for making copies of public records. Copies of records may be furnished without charge or at a reduced charge to indigent citizens of this state.

(b) For all public records in the custody of a clerk of court, the clerk may also establish reasonable uniform written procedures for the mechanical reproduction of any such public record. Additionally, in the parish of Orleans, the recorder of mortgages, the register of conveyances, and the custodian of notarial records may each establish reasonable uniform procedures for the mechanical reproduction of public records in his custody.

(c) The placement of mechanical

reproduction, microphotographic reproduction, or any other such imaging, reproduction, or photocopying equipment within the offices of the clerk of court by any person, individual, or enterprise described in R. S. 44:31 [FN1] is prohibited.

(d) Any such person of the age of majority, as provided for in R.S. 44:31, may request a copy or reproduction of any public record and it shall be the duty of the custodian to provide such copies to the person so requesting.

(2) For all public records of state agencies, it shall be the duty of the custodian of such records to provide copies to persons so requesting. Fees for such copies shall be charged according to the uniform fee schedule adopted by the commissioner of administration, as provided by R.S. 39:241

Copies shall be provided at fees according to the schedule, except for copies of public records the fees for the reproduction of which are otherwise fixed by law. Copies of records may be furnished without charge or at a reduced charge to indigent citizens of this state

or the persons whose use of such copies, as determined by the custodian, will be limited to a public purpose, including but not limited to use in a hearing before any governmental regulatory commission

~~X~~ (3) No fee shall be charged to any person to examine or review any public records, except as provided in this Section, and no fee shall be charged for examination or review to determine if a record is subject to disclosure, except as may be determined by a court of competent jurisdiction. ~~X~~

D. In any case in which a record is requested and a question is raised by the custodian of the record as to whether it is a public record, such custodian shall within three days, exclusive of Saturdays, Sundays, and legal public holidays, of the receipt of the request, in writing for such record, notify in writing the person making such request of his determination and the reasons therefor. Such written notification shall contain a reference to the basis under law which the custodian has determined exempts a record, or any part thereof, from inspection, copying, or reproduction.

33. AVAILABILITY OF RECORDS

A. (1) When a request is made for a public record to which the public is entitled, the

official, clerks of court and the custodian of notarial records in and for the Parish of Orleans excepted, who has responsibility for the record shall have the record segregated from other records under his custody so that the public can reasonably view the record.

(2) If, however, segregating the record would be unreasonably burdensome or expensive, or if the record requested is maintained in a fashion that makes it readily identifiable and renders further segregation unnecessary, the official shall so state in writing and shall state the location of the requested record.



B. (1) If the public record applied for is immediately available, because of its not being active use at the time of the application, the public record shall be immediately presented to the authorized person applying for it. If the public record applied for is not immediately available, because of its being in active use at the time of the application, the custodian shall promptly certify this in writing to the applicant, and in his certificate shall fix a day and hour within three days, exclusive of Saturdays, Sundays, and legal public holidays, for the exercise of the right granted by this Chapter.

(2) The fact that the public records are being audited shall in no case be construed as a reason or jurisdiction for a refusal to allow inspection of the records except when the public records are in active use by the auditor.

34. ABSENCE OF RECORDS

If any public record applied for by any authorized person is not in the custody of the person to whom the application is made, such person shall promptly certify this in writing to the applicant, and shall in the certificate state in detail to the best of his knowledge and belief, the reason for the absence of the record from his custody or control, its location, what person then has custody of the record and the manner and method in which, and the exact time at which it was taken from his custody or control. He shall include in the certificate ample and detailed answers to inquiries of the applicant which may facilitate the exercise of the right granted by this Chapter.

35. ENFORCEMENT

A. Any person who has been denied the right to inspect or copy a record under the provisions of this Chapter, either by a final



determination of the custodian or by the passage of five days, exclusive of Saturdays, Sundays, and legal public holidays, from the date of his request, without receiving a final determination in writing by the custodian, may institute proceedings for the issuance of a writ of mandamus, injunctive or declaratory relief, together with attorney's fees, costs and damages as provided for by this Section, in the district court for the parish in which the office of the custodian is located.

B. In any suit filed under Subsection A above, the court has jurisdiction to enjoin the custodian from withholding records or to issue a writ of mandamus ordering the production of any records improperly withheld from the person seeking disclosure. The court shall determine the matter de novo, and the burden is on the custodian to sustain his action. The court may view the documents in controversy in camera before reaching a decision. Any noncompliance with the order of the court may be punished as contempt of court.

C. Any suit brought in any court of original jurisdiction to enforce the provisions of this Chapter shall be tried by preference and in a summary manner. Any appellate courts to which the suit is brought shall place it on its preferential docket and shall hear it

without delay, rendering a decision as soon as practicable.

D. If a person seeking the right to inspect or to receive a copy of a public record prevails in such suit, he shall be awarded reasonable attorney's fees and other costs of litigation. If such person prevails in part, the court may in its discretion award him reasonable attorney's fees or an appropriate portion thereof.

E. (1) If the court finds that the custodian arbitrarily or capriciously withheld the requested record or unreasonably or arbitrarily failed to respond to the request as required by R.S. 44:32, it may award the requester any actual damages proven by him to have resulted from the actions of the custodian except as hereinafter provided.

In addition, if the court finds that the custodian unreasonable or arbitrarily failed to respond to the request as required by R.S. 44:32 it may award the requester civil penalties not to exceed one hundred dollars per day, exclusive of Saturdays, Sundays, and legal public holidays for each such day of such failure to give notification,

(2) The custodian shall be personally liable for the payment of any such damages, and shall be liable in solido with the public body for the payment of

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the requester's attorney fees and other costs of litigation, except where the custodian has withheld or denied production of the requested record or records on advice of the legal counsel representing the public body in which the office of such custodian is located, and in the event the custodian retains private legal counsel for his defense or for bringing suit against the requester in connection with the request for records, the court may award attorney fees to the custodian.

F An award for attorney fees in any suit brought under the provisions of this Chapter shall not exceed the amounts approved by the attorney general for the employment of outside counsel.

36. PRESERVATION OF RECORDS

A All persons and public bodies having custody or control of any public record, other than conveyance, probate, mortgage, or other permanent records required by existing law to be kept for all time, shall exercise diligence and care in preserving the public record for the period or periods of time specified for such public records in formal records retention schedules developed and approved by the state

archivist and director of the division of archives, records management, and history of the Department of State. However, in all instances in which a formal retention schedule has not been executed, such public records shall be preserved and maintained for a period of at least three years from the date on which the public record was made. However, where copies of an original record exist, the original alone shall be kept; when only duplicate copies of a record exist, only one copy of the duplicate copies shall be required to be kept. Where an appropriate form of the microphotographic process has been utilized to record, file, and otherwise preserve such public records with microforms produced in compliance with the provisions of R.S. 44:415, the microforms shall be deemed originals in themselves, as provided by R.S. 44:39(B), and disposition of original documents which have been microphotographically preserved and of duplicates and other copies thereof shall proceed as provided in R.S. 44:411.

B. All existing records or records hereafter accumulated by the Department of Revenue and Taxation may be destroyed after five years from the thirty-first day of December of the year in which the tax to which the records pertain became due; provided that these records shall not be

destroyed in any case where there is a contest relative to the payment of taxes or where a claim has been made for a refund or where litigation with reference thereto is pending

C. All existing records or records hereafter accumulated by the various services of the state or its subdivisions which participate in federal programs or receive federal grants may be destroyed after three years from the date on which the records were made in those cases where this provision is not superseded by guidelines for the operative federal program or grant requiring longer retention periods for the records in question, provided that these records shall not be destroyed in any case where litigation with reference thereto is pending, or until the appropriate state or federal audits have been conducted.

D. All existing records hereafter accumulated by the Department of Public Safety and Corrections, Corrections Services, pertaining to any adult offender may not be destroyed until after fifteen years from the date the full term sentence imposed upon such offender expires.

E. (1) The public records of a prosecuting agency, pertaining to a criminal prosecution that results in a conviction, in a manner

other than a plea, shall be retained for a period of three years from the date on which a court of appeal affirms the conviction, the Louisiana Supreme denies writs, or the Louisiana Supreme Court makes its final ruling on the appeal, whichever occurs last.

(2) The provisions of this Subsection shall not apply to any records expunged as provided by law.

(3) Nothing in this Subsection shall be construed in any manner to affect or alter the provisions of R.S. 44:3 regarding the records of prosecuting agencies.

~~37.~~ **PENALTIES FOR VIOLATION BY CUSTODIANS OF RECORDS**

Any person having custody or control of a public record, who violates any of the provisions of this Chapter, or any person not having such custody or control who by a conspiracy, understanding or cooperation with any other person hinders or attempts to hinder the inspection of any public records declared by this Chapter to be subject to inspection, shall upon first conviction, be fined not less than one hundred dollars, and not more than one thousand dollars, or shall be imprisoned for not less than one month, nor more than six months.

(kn)

Upon any subsequent conviction he shall be fined not less than two hundred fifty dollars, and not more than two thousand dollars, or imprisoned for not less than two months, nor more than six months, or both

**39. MICROFILM AND ELECTRONIC
DIGITIZED RECORDS; USE AS
EVIDENCE**

A.(1) All persons and public bodies having custody or control of any public records of the state of Louisiana or any of its subdivisions may utilize any appropriate form of the microphotographic process, or an electronic digitizing process capable of reproducing an unalterable image of the original source document, for the recordation, filing, and preservation of all existing public records, forms, and documents or records, forms and documents hereafter accumulated which pertain to their functions and operations in order to maintain efficient and economical records management programs and to conserve storage space, provided that the use of such microphotographic or electronic digitizing processes are not otherwise prohibited by law and that all microforms produced comply with standards established by the division of archives, records management, and history of the

Department of State in accordance with the provisions of R.S. 44:415.

(2)(a) However, when electronic digitizing is utilized, the original source document or microfilm of such source document shall be maintained until such time as electronic digitizing is recognized as an acceptable means of records preservation.

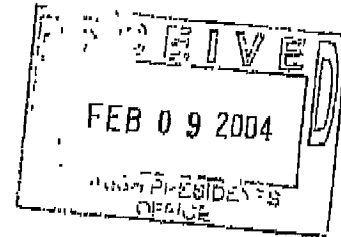
(b) Notwithstanding the provisions of this Subsection, the agencies and entities set forth in this Subparagraph shall not be required to maintain the original source document or microfilm thereof when such document has been preserved utilizing electronic digitizing pursuant to written operating standards providing for retention and back-up schedules in accordance with recognized computer operating practices which at a minimum provide the technical equivalent of back-up copies:

(i) Public safety services within the Department of Public Safety and Corrections

(ii) All public retirement systems, plans, and funds

(iii) Any further exceptions to the

3551 Hwy. 306
Des Allemands, LA 70030
(985) 758-7510
February 6, 2004 *A.D.*



Albert Laque
St. Charles Parish
Parish President
P. O Box 302
Hahnville, LA 70057

Dear Mr. Laque,

This is a Public Records Law Request for a copy of any and all advertisements, letters, or other correspondence used in trying to secure engineers for the Parish's Wastewater and Public Works Department. Please refer this request to the appropriate department.

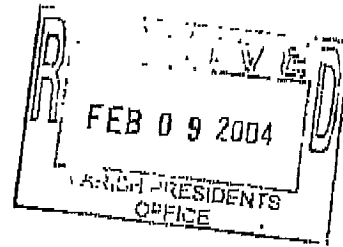
I would appreciate a timely response to this request. If the file is too thick, I would appreciate being notified and allowed to view the file in order to pick what I want to copy.

Please leave a message on my answer machine, if I'm not home.

Yours truly,


Gwen Dufrene

3551 Hwy. 306
Des Allemands, LA 70030
(985) 758-7510
February 9, 2004



Albert Laque
St. Charles Parish
Parish President
P. O Box 302
Hahnville, LA 70057

Dear Mr. Laque,

This is a Public Records Law Request for a copy of all documentation regarding the Aquatic Ecosystem Restoration.

This study is referred to in the April 28, 2002 attached letter.

I would appreciate a timely response to this request. If the file is too thick, I would appreciate being notified and allowed to view the file in order to pick what I want to copy.

Please leave a message on my answer machine, if I'm not home.

Yours truly,

Gwen Dufrene

3551 Hwy. 306
Des Allemands, LA 70030
(985) 758-7510
February 9, 2004

Albert Laque
St. Charles Parish
Parish President
P. O Box 302
Hahnville, LA 70057

Dear Mr. Laque,

This is a Public Records Law Request for any and all documentation for the grant and any other funding gotten for the Luling Oxidation Pond and the Wastewater Regionization Project since January 2000. I would also like documentation of the status of the funds for the grant and any other funding for the Luling Oxidation Pond and the Regionalization Program.

If the files are thick, I would like to be called so that I can view it and get copies of the documents I want.

Please, answer this request in a timely manner. You can leave a message on my machine if I can't be reached.

Yours truly,

Gwen Dufrene

3551 Hwy. 306
Des Allemands, LA 70030
(985) 758-7510
February 25, 2004

EASTERN DISTRICT OF LOUISIANA
U.S. ATTORNEY JIM LETTEN
500 POYDRAS STREET, 2ND FLOOR
NEW ORLEANS, LA 70130

Dear U. S. Attorney Letten,

Enclosed are two Public Records Request concerning projects that have dealings with federal agencies, the EPA and The Army Corps of Engineers. It also involves federal funds.

These Public Records Law requests were submitted in person by myself, stamped received and copied. As of this date, I have not received any information from this request. When I inquired about them on February 18th, I was told by Parish President Laque's secretary that they were placed on Public Works/Wastewater Director Greg Bush's desk. Supposedly he was on vacation until February 16, 2004. He has an assistant director, who was probably in charge, and I feel there was no reason for my request to be placed on Mr Bush's desk instead of being satisfied.

I have also made a Public Records request to Councilman Faucheaux by registered mail regarding items in his speech at the Special Projects Committee meeting on February 2. Unfortunately, I can't find a copy of it. He mentions at the February 16 council meeting, which is being replayed until the next council meeting on COX Channel 6.

I would appreciate any help from your office to get the St. Charles Parish administration to satisfy my requests.

Please feel free to contact me.

Sincerely,



Gwen Dufrene

cc: St. Charles Parish President Albert Laque
Councilman Faucheaux



U.S. Department of Justice

*Eastern District of Louisiana
U. S. Attorney's Office**Stevens E. Moore
Assistant United States Attorney
Deputy Chief, Civil Division**Hale Boggs Federal Building
501 Magazine Street, Second Floor
New Orleans LA 70130**Telephone 11. (504) 580-3061
Fax 11. (504) 580-3602*

March 3, 2004

Gwen Dufrene
3551 Hwy 306
Des Allemands, LA 70030

Re: Your February 25, 2004 to Jim Letten,
United States Attorney for the
Eastern District of Louisiana

Dear Ms. Dufrene:

This letter responds to your February 25, 2004 letter to Jim Letten, United States Attorney for the Eastern District of Louisiana. In your letter to Mr. Letten, you requested that this office assist you in obtaining information from Albert Laque, Parish President of St. Charles Parish. You also noted in your letter to Mr. Letten that the information you sought concerns projects that have dealings with federal agencies.

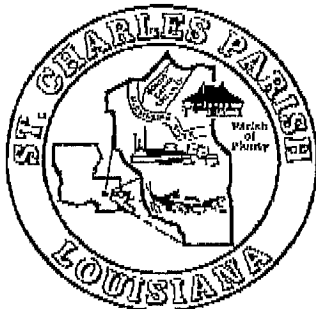
If you seek information from federal agencies, you may submit requests to those agencies pursuant to the Freedom of Information Act. As to Louisiana parish government information, this office is not in a position to assist or advise you how to acquire that information. You may seek advice from the Louisiana State Attorney General's office or seek the assistance of private counsel.

Sincerely,

JIM LETTEN
UNITED STATES ATTORNEY

STEVENS E. MOORE
Assistant United States Attorney
Deputy Chief, Civil Division

SEM:lan



ST. CHARLES PARISH

DEPARTMENT OF WASTEWATER

P.O. BOX 705 • LULING, LOUISIANA 70070
 (985) 783-5102 • (985) 783-5104 • FAX (985) 785-2207

ALBERT D. LAQUE
 Parish President

GREGORY E. BUSH, LTC, USA, Retired
 Director

March 3, 2004

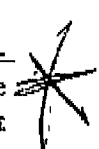
Ms. Gwen Dufrene
 3551 Hwy. 306
 Des Allemands, LA. 70030

Dear Ms. Dufrene:

I sincerely apologize for the delay in responding to your requests. I was in fact on vacation and subsequently attended the LA DOTD Transportation Engineering Conference and the U.S. Army Corps of Engineers 2004 Partnering Conference. Parish holidays during Mardi Gras compounded the problem.

Your request for any and all documentation for the Luling Oxidation Pond and the Wastewater Regionalization project since January 2000 is staggering. In addition, many of the files contained in your request are located in various locations outside this building and possibly in other departments.

"If the files are thick" does not adequately describe the nature of your request. I will be more than happy to allow you access to the files. I have instructed my Administrative Assistant to contact you regarding this access.

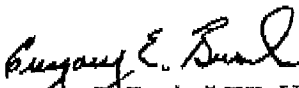
Please be advised that you will have to compensate the Parish for the employee's man-hours associated with your request. We can minimize this cost to you if you could be more specific in the nature of your request. In addition, any copies you may request during this review will be invoiced to you in accordance with applicable Parish Ordinance. 

The same parameters apply for your requests for any and all documentation for the Aquatic Ecosystem Restoration. Even more monumental is your request for any and all advertisements, letters, or other correspondence used in trying to secure engineers for the Parish's Wastewater and Public Works Departments. Without being specific as to project or projects, budget years or other definite time frame, or some other defining parameter, this department does not have the manpower or the resources to comply with your requests.

However, I will provide you full access to all of the above and invoice you accordingly. Please understand the magnitude of your request. The files you are requesting are contained in 68 individual file drawers, 90 map file drawers, and over 100 archived boxed files. These files are just for this department.

Again, I apologize for the delay in responding. When my staff realized the magnitude of your request, they chose to wait for my return for the appropriate guidance to properly and accurately respond to your request. They were reluctant to try to satisfy your request and possibly leave out something where you would feel your concerns were not adequately addressed.

Sincerely,


Gregory E. Bush, LTC, USA, Retired
Director of Public Works/Wastewater

GEB:red

cc:

~~*~~ Mr. Jim Letten, U.S. Attorney
Mr. Albert D. Laque, Parish President
Mr. Bobby Raymond, Director of Legal
Mrs. Lorie Toups, Director of Finance
Mr. Lance Marino, Councilman-at-Large, Division A
Mr. Snookie Fauchaux, Councilman-at-Large, Division B
Mr. Poochie Cheramic, Assistant Director of Public Works
Mr. Sammy J. Accardo, Assistant Director of Wastewater

St. Charles Parish Department of Public Works

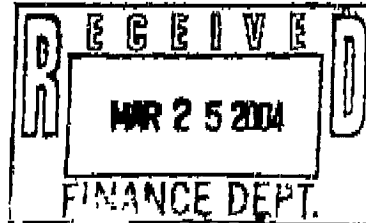
Invoice No 1

P.O. Box 705
 Luling, LA 70070
 Phone Number (985) 783-5102


INVOICE

Mrs. Gwen Dufrane
 3551 Hwy. 306
 Des Allemands, La 70030

Date 3/23/2004



RE. Public Records Request on Wednesday, March 10, 2004

| Description | TOTAL |
|--|-----------------|
| * 22 Photocopies from various project files \$ 0.25 | \$ 5.50 |
| 1 Hour (Administrative Assistant services) \$ 21.84 | \$ 21.84 |
| Total Invoice | \$ 27.34 |
| Please issue a check made payable to: The Parish of St. Charles P.O. Box 705 Luling, LA 70070  Gregory E. Bush, LTC, USA, Retired, Director of Public Works and Wastewater | |



ST. CHARLES PARISH

DEPARTMENT OF WASTEWATER

P.O. BOX 705 • LULING, LOUISIANA 70070
(985) 783-5100 • (985) 783-5102 • FAX (985) 785-6503

ALBERT D. LAQUE
Parish President

GREGORY E BUSH, LTC, USA, Retired
Director

March 22, 2004

TO: Mr. Lance Marino
Councilman-at-Large, Division A

FROM: Gregory E. Bush, LTC, USA, Retired
Director of Public Works/Wastewater

SUBJECT: Questions from Ms. Gwen Dufrene

Reference the questions provided to you on the Petition to Address the Council dated March 15, 2004. The following answers are provided:

- Question 1: No, rerouting all flows from the pond to the Hahnville Plant does not violate Louisiana Department of Environmental Quality Regulations. In fact, on November 19, 2002 the United States Environmental Protection Agency endorsed this concept.
- Questions 2, 3, and 4: The information and documentation requested in these three questions has previously been made available to Ms. Dufrene. On Wednesday, March 10, 2004, Ms. Dufrene was given complete and unrestricted access to all Parish files for the Luling Oxidation Pond and the Hahnville Wastewater Treatment Plant. She was also provided a Parish employee to assist her in obtaining any document she may have wanted from these files.

GEB:red

3551 Hwy. 306
Des Allemands, LA 70030
(985) 758-7510
March 22, 2004

Mr Greg Bush
St. Charles Parish
Public Works/Wastewater Director
P. O Box 302
Hahnville, LA 70057

Dear Mr. Bush,

At the March 10, 2004, Operations, Maintenance and Construction Management Committee meeting you mentioned **12 separate projects** in attempt to bring the pond into compliance.

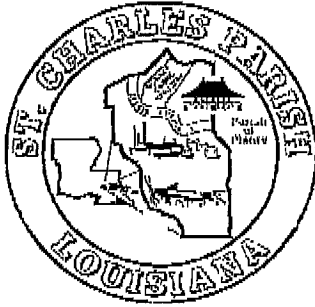
This is a Public Records Law Request for documentation showing a **breakdown of the projects by:** who did the project, dates, costs, and results if possible.

Please, answer this request in a timely manner. If you have any questions, you can leave a message on my machine if I can't be reached.

Yours truly,



Gwen Dufrene



ST. CHARLES PARISH

DEPARTMENT OF WASTEWATER

P.O. BOX 705 • LULING, LOUISIANA 70070
(985) 783-5102 • (985) 783-5104 • FAX (985) 785-2207

ALBERT D. LAQUE
Parish President

GREGORY E. BUSH, LTC, USA, Retired
Director

April 1, 2004

Ms. Gwen Dufrene
3551 Highway 306
Des Allemands, LA. 70030

SUBJECT: Public Records Request


Dear Ms. Dufrene:

Reference your public records request for documentation showing a breakdown of the 12 separate projects we have accomplished to bring the pond into compliance. Enclosed is a list of improvements to the Luling Pond and approximate dollar amounts which were successfully completed in the past three years. It should be noted that some projects were done in house and others were contracted out. For in house projects, the department does not track individual employees or their hours worked. For maintenance and repair projects, the department does not track individual employees or their hours worked and does not track equipment usage. Therefore, the total actual cost for in house projects or maintenance and repair projects cannot be determined.

Regarding your requests for documentation showing results. Enclosed is our most recent Discharge Monitoring Report.

The enclosed information should satisfy your public record requests. Since you have shown so much interest in the Luling Oxidation Pond, I would be more than happy to give you a tour of the pond to show you first hand the improvements we have made. Please contact my Administrative Assistant, Mrs. Ruby E. Dennis, at 783-5102, if you would like such a tour. *

Sincerely,


Gregory E. Bush, LTC, USA, Retired
Director of Public Works/Wastewater

GEB:red

Enclosure

cc:



Mr. Albert D. Laque, Parish President
Mr. Timmy Vial, Chief Administrative Officer
Mr. Bobby Raymond, Director of Legal
Mr. Snookie Fauchoux, Councilman-at-Large, Division B
Mr. Sammy J. Accardo, Assistant Director of Wastewater

Luling Oxidation Pond

| | |
|--|--------------|
| Built new outfall Structure | \$ 12,000.00 |
| Repaired 2 of three curtains to restore plug flow | \$ 25,000.00 |
| Constructed levee around 7 acre cell in pond & planted Hyacinths | ---- |
| Reworked Sand Filter | \$ 5,000.00 |
| Added 5 additional aerators | \$ 10,000.00 |
| Installed Chlorine Vacuum System for Safety | \$ 15,000.00 |
| Reduced Chlorine from 12 tons to 6 tons | ---- |
| Injected chemicals into 7 acre cell for algae control | \$ 5,000.00 |
| Periodic cleaning of chlorination basin | ---- |
| Periodic cleaning of dechlorination basin | ---- |
| Maintain pond levee system | ---- |
| Daily inspection of aerators | ---- |

3551 Hwy. 306
Des Allemands, LA 70030
(985) 758-7510
April 5, 2004

Mr. Gregory Bush
St. Charles Parish Director
Public Works/Wastewater
P. o. Box 705
Luling, LA 70070

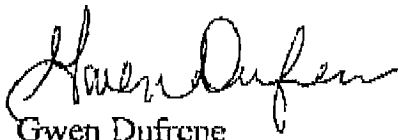
Dear Mr. Bush,

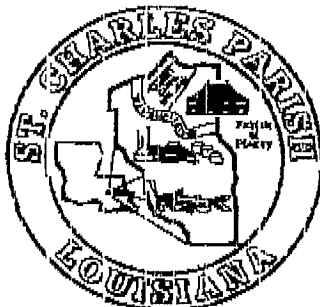
Thank you for your letter and information you sent on April 1, 2004.
Unfortunately it did not satisfy my Public Records Law Request.

You stated in your letter: "It should be noted that some projects were done in house and other were contracted out." I'm interested in the ones that were contracted out. I would like documentation showing contractor's name, dates, costs, and documentation of results (if possible). If there were ordinances involved, I would appreciate a copy of those.

I would appreciate an answer to this request in a timely manner.

Sincerely,


Gwen Dufrene



ST. CHARLES PARISH

DEPARTMENT OF WASTEWATER

P.O. BOX 705 • LULING, LOUISIANA 70070
 (985) 763-5100 • (985) 783-5102 • FAX (985) 765-5506

ALBERT D. LAQUE
 Parish President

GREGORY E BUSH, LTC, USA, Retired
 Director

May 10, 2004

Ms. Gwen Dufrene
 3551 Highway 306
 Des Allemands, LA 70030

SUBJECT: PUBLIC RECORDS REQUEST

Dear Ms. Dufrene:


Reference your public records request dated April 16, 2004, to provide documentation for Luling Pond "contracted out" work.

As requested, the information below includes the contractor's name, dates of payment and amounts paid.

| DATE | VENDOR | AMOUNT PAID | DESCRIPTION |
|--------------------------|------------------|---------------|------------------------|
| <u>2001 THROUGH 2003</u> | COMITE RESOURCES | \$ 120,000.00 | ORD 00-11-10 |
| <u>3/11/2002</u> | JPS INDUSTRIES | \$ 27,752.00 | CURTAINS |
| <u>6/1/2001</u> | PARSON SANDERSON | \$ 26,700.00 | CHLORINATION EQUIPMENT |
| <u>2/23/2001</u> | PRECISION PSI | \$ 10,697.06 | DISCHARGE JUNT |

The above information should satisfy your public records request.

Sincerely,


 Gregory E. Bush, LTC, USA, Retired
 Director of Public Works/Wastewater

GEB:cjt

Mr. Albert D. Laque, Parish President
 Mr. Tim Vial, Chief Administrative Officer
 Ms. Loric Toups, CPA, Finance Director
 Mr. Sammy Accardo, Assistant Director of Wastewater



ST. CHARLES PARISH

DEPARTMENT OF WASTEWATER

P.O. BOX 705 • LULING, LOUISIANA 70070
(985) 783-5100 • (985) 783-5102 • FAX (985) 785-8503

ALBERT D. LAQUE
Parish President

March 31, 2004

GREGORY E. BUSH, LLC, USA, Retired
Director

Ms. Vivian Hare
Water Enforcement Branch (61EN-WC)-EPA Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Subject: Revised Administrative Order Docket No. CWA-06-2003-1758
Luling Oxidation Pond - LA0032131

Dear Ms. Hare:

In response to our telephone conversation of March 31, 2004 regarding the April 1, 2004 quarterly progress report I submit the following information:

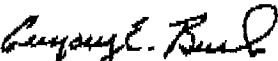
As of January 31, 2004 St. Charles Parish was to initiate construction of improvements to transfer all flows from the Luling Oxidation Pond and make improvements to the Hahnville Wastewater Treatment Plant. However, after reviewing the design drawings and a cost analysis of the said projects it was determined not to be within our financial means. During this same period we received the final analysis of a Wetland Use Attainability Study from Comite Resources, LLP, commissioned through our Council by Ordinance #00-11-16 that shows a wetlands discharge is both possible and feasible. We are at this time reviewing cost factors relative to this report.

Through discussions with the Louisiana Department of Environmental Quality, permits section, we were advised that by using the surrounding wetlands our discharge limits would be higher. We understand that Comite Resources, LLP has been successful in permitting several locations in the State with higher discharge limits.

Because the previous objective was not attainable due to excessive cost we feel that this alternative, wetlands discharge, is the most cost effective method of compliance. Although we are still reviewing all possibilities we feel that this particular method is our only option at this time.

We are actively pursuing the wetlands discharge possibilities and will keep you informed as to the progress. We understand that it is very important that we achieve a solution to our oxidation pond problems within the original time frame.

Sincerely,


Gregory E. Bush, LTC, USA, Retired
Director of Public Works/Wastewater

attachment

cc: Ronnie Bean, LA Department of Environmental Quality



ST. CHARLES PARISH

DEPARTMENT OF WASTEWATER

P.O. BOX 705 • LULING, LOUISIANA 70070
(985) 783-5100 • (985) 783-5102 • FAX (985) 785-6503

ALBERT D. LAQUE
Parish President

June 17, 2004



GREGORY E. BUSH, LTC, USA, Retired
Director

Ms. Sonia Cantu
Water Enforcement Branch (6EN-WC)-EPA Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

**Subject: Revised Administrative Order Docket No. CWA-06-2003-1758
Luling Oxidation Pond - LA0032131
Toxicity Reduction Evaluation (TRE)
Reporting Date July 1, 2004**

Dear Ms. Cantu:

In response to the above referenced Administrative Order we are submitting our report due July 1, 2004.

St. Charles Parish has decided to implement the recommendations submitted in the Wetland Use Attainability Analysis by Comite Resources, Inc. in lieu of the original plan. The Parish is in the process of contracting with Comite Resources, Inc. to obtain the necessary permit for the wetland discharge. The landowner has agreed to the use of his wetland for discharge purposes.

Attached you will find the letter addressed to Ms. Vivian Hare dated March 31, 2004 explaining our position.

Should you have any questions, comments or need additional information, please contact me at (985) 783-5102.

Sincerely,

Gregory E. Bush
Gregory E. Bush, LTC, USA, Retired
Director of Public Works/Wastewater

11-24-2005 05:00 GWEN DUFRENE 9857587510

cc: Ronnie Bean, LA Department of Environmental Quality
Albert Laque, St. Charles Parish President
Sammy J. Accardo, Assistant Director of Wastewater
L.J. Brady, Wastewater Superintendent
Diane C. Troxler, Laboratory Coordinator
Adam Faschan, Ph.D., P.E., Camp Dresser & McKee, Inc.
Barbara Jacob, St. Charles Parish Council Secretary