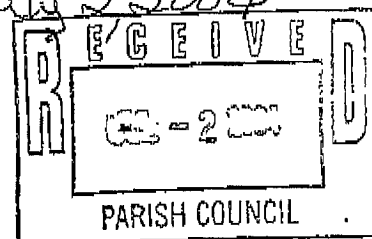


PETITION TO ADDRESS THE COUNCIL

2004-0278

St. Charles Parish Council Chairman
P. O. Box 302
Hahnville, LA 70057
(985) 783-5000

Today's Date: July 2, 2004



Dear Chairman:

Please place my name to address the Council on:

DATE:

SPECIFIC TOPIC:

one subject only

(*see specific

guidelines on

reverse and

refer to

Parish Charter-

Article VII., Sec. I.)

DOCUMENTS, IF ANY: YES / NO

NAME:

ADDRESS:

PHONE:

SIGNATURE:

Dear Constituent:

Thank you for your active participation. Your views and comments will be considered by the Council in making our decisions. The Council has a considerable amount of business to conduct in a limited amount of time, therefore, please note the following items that are expected of you:

- > The Home Rule Charter provides for citizens to address the Council. It makes no provision for initiating debate, discussion, or question and answer sessions with Councilmembers or Administration Officials. Your right is also guaranteed to examine public documents as you prepare your presentation. Should you have any questions for Councilmembers and/or Department Heads as you prepare, please forward such inquiries to the Council Office to insure a timely response. Should you wish to speak to any Official or Department personally, a complete list of contact information will be furnished at your request.
- > Please be brief and limit your comments to the specific subject matter on which you have requested to address the Council.
- > Please forward supporting documents to the Council Secretary for distribution to the Parish Council before your scheduled appearance in order for the Council to prepare themselves, if necessary.
- > Upon completion of your allotted time to address the Council, please respect the time given to Councilmembers to respond to your comments by not interrupting or interjecting remarks.
- > **Slanderous remarks and comments will not be tolerated.** If slanderous remarks or comments are made, your opportunity to address the Council will end, regardless of the remaining time left to address the Council.
- > Repetitious comments and subject matter will be strictly limited.

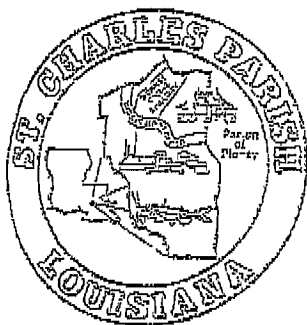
A confirmation letter will follow when your name is placed on the agenda.

Sincerely,

A handwritten signature in cursive script that reads "Lance Marino".

LANCE MARINO
COUNCIL CHAIRMAN

(OVER)



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, LTC, USA, Retired
Director

Ms. Vivian Hare
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**

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:

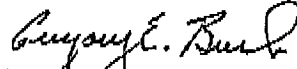
As of January 31, 2004 St. Charles Parish was to initiate construction of improvements to transfer all flows from the Luling Oxidation Pond and make improvements to the Hahnville Wastewater Treatment Plant. However, after reviewing the design drawings and a cost analysis of the said projects it was determined 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, LTC, USA, Retired
Director of Public Works/Wastewater

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

**TRANSCRIPT OF ST. CHARLES PARISH
OPERATIONS, MAINTENANCE AND
CONSTRUCTION MANAGEMENT COMMITTEE
MARCH 10, 2004**

Mr. Bush: "The Luling Pond Lift Station Development. Again That's on hold pending further review of our administration order requirements.

Mr. Ram: "Yesterday ??? at the Council meeting , Gwen Dufrene was talking about the position of why this is not being fixed, and that maintenance, a few weeks ago, there was funding from Federal government 2001, 2002, 2003. Can you explain what happened, why this is not fixed.

Mr. Bush: "The funding received from the EPA grant, is not specifically to fix the pond, its a common misconception. The funding from EPA was a grant to assist the Parish in solving the administrative order for the Pond. All the funds spent on fixing parts of the Pond came from the Wastewater (internal) budget. The rest of the grant money was used to pursue additional grant money with Mr. Faucheux efforts and Mr. Fabre and likewise permitting and ??

Mr. Ram-"Did we get around ??? Million?

Mr. Bush;" No we did not. When you receive a grant from the EPA that dollar amount might be \$1.1 million. They then subtract their administrative costs and other costs associated with administration of the grant. So we came back , I think with roughly \$820,000 out of the original grant amount. The same was true with the second year when they gave \$240 something thousand. Once you subtract out all of their fees, to the administer the money they're going to give to us, we're lucky if

we have 70 or 80% left. It is that money that we used to pursue. how we were going to solve problem with the administrative order of the pond.

Ramchandran: "?????"

Mr. Bush: "1999 "There was the original order. Then there was subsequent orders issued. Each time we go through a series of discharge violations a new order is administered. So 1999, and in 2000, 2001 we keep having new orders issued. Each new order lists all the violations "

Mr. Ramchandran: "This is the monthly discharge non-compliance?"

Mr. Bush: Right "The same report we sent to you. All these then show up on the next administrative order.

Mr. Ramchandran: "Administrative Order issued by EPA saying you shall ??????Luling Pond that what you are making a statement ??

Mr. Bush: That's the truth.??? a treated facility you are issued a permit. Because of that permit you are required to submit monthly reports that which shows your discharges.

Ramchandran: "That is standard procedure. The question is when did we decide we're not going to use the Oxidation Pond or when did the EPA say thou shall not use the oxidation pond because of your non-compliance's That where the problem is.... The Administrative Order.... Steven ? was telling me

Mr. Bush: "That was2002"

Mr. Ramchandran: "2002"

Mr. Bush: "That's correct."

Mr. Ram: (this is section is hard to understand)"Why can't we fix this with maintenance and make this oxidation " when all the Why was it not maintained. All the things not met. What you sent to me 1997, 1998,, 1999.

Mr. Bush: "Mr. Ram, the pond was not maintained prior to the year 2000. And the pond was allowed to go into a state of decay, in 2000 and from 2000 to the present time, this administration has taken dramatic steps and has done 12 separate projects in attempt to bring the pond into compliance . Each of the steps were taken and during the winter months, December January, February, sometimes in March we are in compliance . But as soon as the warm weather comes back the algae comes back and we are now back into noncompliance. We have added aerators, we have added curtains, we have built levees, to try to separate, we have used chemicals to control the algae. That did not help. ???outfall?? They have all failed???. It became, in my mind, economically unfeasible to continue any attempts to bring the pond into compliance. At that point, I wrote a letter, I briefed the council, and I went to Dallas to talk to the EPA about that and we came away with a plan to take the pond out of treatment process. In other words, it would no longer have its own permit..

Ramchandran: "So we volunteered to do that, not that EPA told us we should do that".

Mr. Bush: "We volunteered that based on a mutual understanding between the EPA and the Parish they. They concurred completely with our plan to get out of the pond.

At that point the administrative order will change. That's the plan, and that's the plan we want you to follow. Because we made that agreement the grant money started to flow. There's no doubt in my mind even with the efforts of Mr. Faucheux and Mr. Fabre, I don't think we would have gotten that money if we had tried to precis and maintain the pond or tried to bring it back. Exactly.

Ramchandran: "Are we in compliance? "maintain whatever we could?"

Mr. Bush: "Yes, we're in compliance, because its cold. "

Mr. Ramchandran: "So, our discharges are meeting right now. And we have a deadline for 2006 for which we should be in compliance.

Mr. Bush: "In Full Compliance."

Mr. Ramchandran: "In full compliance, what is the scope. ??

Mr. Bush: " The initial plan to completely reroute the pond and to take everything to Hahnville is between \$12 to \$14 million. Unfortunately, that did not take into account future growth of the Parish. All it did was take the pond away from the administrative order and bring the parish into compliance. The result, the cost of that, the administration choose to come up with a subsequent plan on how we could fund and also take care of future growth. As part of that plan, we developed an economic plan to support that. We will probably approach the council the next month with that plan, with how we intend to fund it and how it will satisfy the future growth of the west bank and also eliminate the pond as a future problem. I have already discussed that plan with several council members, I discussed with many developers.

I believe, I'm starting to get a concurrence among all those people that that is the way to go.

Ramchandran: "The people with the knowledge says that's the way to go. My concern?????????"

Mr. Bush: "We're just pumping into the canal, the canal takes it back to the lake. It does not goes near the houses except the edges of the canal. What Comite, has suggested is actual discharge pipes and a pumping station that would take it across the canal and discharge at certain points within those two areas???"

Mr. Ramchandran: "???send it to the swamp."

Mr. Bush: "No! No! Comite does not treat, Comite accepts what we have treated. If we have not treated to a proper level, then they're study is somewhat in doubt."

Mr. Ram: "?????discharge

Mr. Bush: "We made a real attempt to fix the pond and bring it into compliance.

???????????tape goes off then back on

Mr. Ramchandran: "EPA did not tell you can????

Mr. Bush: "What the EPA did, was take the plan we submitted, and attached it to

Mr. Ramchandran :"It is our plan, we volunteered to spend that money. We volunteered to fix it that way. It never came from EPA.

Mr. Bush: "We volunteered a plan to bring the pond into compliance which was to make it a viable treatment facility. The EPA accepted that, endorsed that and added that to the administrative order.

???????

Mr. Bush: "Fix the pond by a certain date or be fine \$27,500 per violation per day.

Mr. Duhe: " So really EPA has you over a barrel.?????

Mr. Bush: 'Don't forget, EPA issued the initial order in 1999. They will be more that happy to cooperate over a period of time. But at some point that time limit ends. If you don't have an effective plan in place, or have shown you have made an attempt, they're not going to keep giving you extensions. There was no attempt to fix the pond until the year 2000 when the new administration took over. Since that time, we have proven to the EPA that we will go to any extent in an attempt to fix the pond. They have seen the failures, because everything we do we record in writing to the EPA. We record the results. Several times they have asked for additional precedent to help us determine why it failed. I think again it was a mutual concurrence between the Parish and the EPA that the best way to solve this problem was to eliminate the pond as a treatment facility. Certainly if Comite had finished their study in a timely manner, in accordance with their original contract we probably could have used part of that as part of our plan. But they didn't it took them an extra year to finish everything. We didn't have time and EPA wasn't willing to give us additional time while they waited on maybe if the report would come back.

Mr. Ramchandran: "So the Army Corps???????/we would probably be in compliance. ??? much cheaper. \$100 to \$200,000 is cheaper than \$15,000,000.

Mr. Bush: "At the time, the report Mr. Fall had, did not recognize the degree of decay the pond had gone into. He thought, based on his (initial?) analysis that that money could be better spent to do certain things of which we did. Chlorinating, bergs, aerators and it failed. So I came in, I tried several things I that thought based on my experience, Mr. Accordo tried several things he thought might work. And nothing worked. to bring the Pond into compliance.

Councilman Fauchaux: "Mr. Ram I understand where you are going." But you said something was done in 1999 that other things tried to accomplish. What was that.

Mr. Ram: goes on to explain ????

Mr. Bush: "What you are referring to is a process called blending. (he goes on to explain the process) They discuss I.

Mr. Ram- talks about the population growth and the capacity of the Hahnville plant capacity.

Mr. Ram-"You got a copy of the **Montgomery Watson Report?**

Mr. Bush: "Yes, I do. I have CH2Hill report, I've have the report by CDM, I have the report from Hartman, I have report from the Army Corps of Engineers, and the report from Comite."

Mr. Ramchandran: "Basically, what I was looking roughly into was Montgomery Watson Report. Concept with the Parish

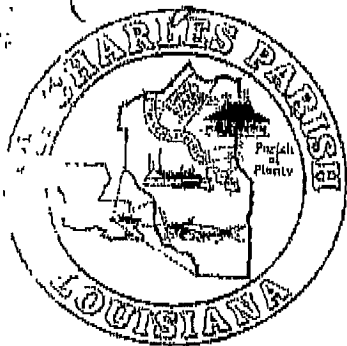
maintaining chlorination??????improve the quality of discharge???

Mr. Bush: "The MW suggested improvements have been made. It does not work,"

Mr. Ramchandran: "Actually, I have a problem with that. I don't understand why they don't keep it up. Why its not being maintained."

Mr. Bush: "I'll explain why. The previous administration allowed the pond to reach the stage that , since 2000, two operators everyday in an attempt to bring that pond into compliance. Every other week "

SPW (Luling Oxidation Pond)



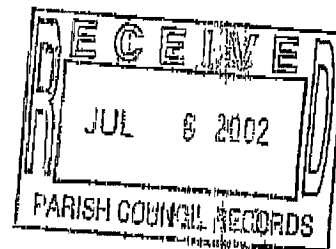
ST. CHARLES PARISH

OFFICE OF THE PARISH PRESIDENT

P.O. BOX 302 • HAHNVILLE, LOUISIANA 70357
(985) 783-5000 • FAX (985) 782-5015

ALBERT D. LAQUE
PARISH PRESIDENT

May 17, 2002



U. S. Army Corps of Engineers
New Orleans District
ATTN: Mr. Shawn Vicknair, Project Manager (CEMVN-PM-W)
Post Office Box 60267
New Orleans, Louisiana 70160-0267

Dear Mr. Vicknair:

I am in receipt of your letter dated April 26, 2002. This is to advise that on November 20, 2002, our Parish Council adopted Ordinance No. 00-11-16 approving and authorizing the execution of a contract with Comite Resources, LLP, to conduct a Use Attainability Analysis relative to Effluent discharge for the Luling Oxidation Pond into adjacent wetlands.

* Our position now is the same as it was then - "When the study is completed and results are reported by Comite Resources we will make a decision as to the options available for the Luling Oxidation Pond discharge."

We will cooperate with the Corps in any way possible, but we cannot state at this time whether or not we will be able to transport all Westbank area sewerage to the Hahnville Wastewater Treatment Plant or upgrade the Luling Oxidation Pond *

As always it is a pleasure doing business with your office; however, until we receive commitments for the necessary monies available and needed to achieve either one of these projects we cannot obligate ourselves to any particular project.

I will keep you advised as to our feasibility study results being analyzed by Comite Resources, LLP. Current information suggests that it will take approximately 12 to 18 months from this date before any results are forthcoming.

As always, I appreciate the Corps working with St. Charles Parish. Please do not hesitate to contact me at 985-783-5000 if further information is needed.

Sincerely,

Albert D. Laque,
Parish President