

*VERONICA White
- apt. 501
- San. Suite*

**EXHIBIT
4**

CITY OF NEW ORLEANS



**CITY COUNCIL DISTRICT "A"
JOHN A. BATT, JR.**

1300 PERDIDO STREET
ROOM 2W80
NEW ORLEANS, LA 70112

FAX (504)658-1016
PHONE (504)658-1010

October 28, 2005

TOTAL PAGES: 9
TO: Rob Thomas
FAX NUMBER: 225-219-3158
FROM: J. Nicole Webre, Legislative Aide
SUBJECT: Resolution



State of Louisiana

Department of Environmental Quality



KATHLEEN BABINEAUX BLANCO
GOVERNOR

SEP 19 2005

MIKE D. McDANIEL, Ph.D.
SECRETARY

Orleans Parish Council
1300 Perdido St.
Rm. 2E09
New Orleans, LA 70112

RE: Emergency Disaster - Pre-approved Construction and Demolition Debris Disposal Site
Operation and On-Site Closure Approval
AI Number# 83580
Katrina AI# 130534
Orleans Parish

Dear Sir:

The Louisiana Department of Environmental Quality (hereafter referred to as "Department") hereby approves the temporary disposal of construction and demolition debris (C&D) and the closure of C&D sites resulting from the widespread damage caused by Hurricane Katrina at the location identified below. Operation and closure of the site shall be in accordance with the specifications contained in the Interim Operational Plan. (Attachment 1)

- Old Gentilly Road Landfill

This approval will allow for more efficient and expeditious management of the high volumes of storm debris resulting from Hurricane Katrina and will remain in effect until December 31, 2005. However, the Department reserves the right to reduce or extend the timeframe of this temporary approval based upon the progression of the clean-up efforts associated with the aftermath of Hurricane Katrina.

The Department would like to reiterate that the commencement of the operation of at the designated location is contingent upon the approval of the affected property owner.

Only those C&D wastes generated as a result of Hurricane Katrina are to be disposed at this location. It is imperative that the debris collected as a result of this emergency event be managed not only in an environmentally sound manner but also in accordance with the appropriate LDEQ rules and regulations governing the storage, processing and disposal of this type of waste. Operation and closure of the site shall be in accordance with the specifications contained in the Interim Operational Plan. (Attachment 1)



Pre-approved Construction and Demolition Debris Site
Page 2

The materials acceptable for disposal at this location consist of the following:

- Nonhazardous waste generally considered not water-soluble, including but not limited to metal, concrete, brick, asphalt, roofing materials (shingles, sheet rock, plaster), or lumber from a construction or demolition project;
- Furniture, carpet, painted or stained lumber contained in the demolished buildings;
- The incidental admixture of construction and demolition debris with asbestos-contaminated waste. (i.e., incidental asbestos-contaminated debris that cannot be extracted from the demolition debris); or
- Yard Trash

The following materials shall not be disposed of in this location's pre-approved construction and demolition debris disposal site, but segregated and transported to an LDEQ approved staging area for eventual management, recycling and/or disposal at a permitted Type II Landfill:

- White goods
- Putrescible Waste

The management of Hurricane Katrina generated debris at permitted and pre-approved C&D locations shall be between the hours of 7:00 am to 7:00 pm Central Standard Time (CST) (unless alternate hours of operation are approved by the Department).

In accordance with Act 1074 of the 1990 Regular Session, the Department will provide written notice to the local governing authority of this authorization that allows the on-site disposal of solid waste.

At least five (5) days prior to the initiation of on-site closure, the Department requires that you provide written notification to:

Louisiana Department of Environmental Quality
Office of Environmental Assessment
P.O. Box 4314
Baton Rouge, La. 70821-4314
Phone:(225)219-3236
FAX: (225)219-3239
Email: deqoea@la.gov

Within thirty (30) days after completion of on-site closure, the Department requires that you submit: (1) a letter certifying that closure was conducted in accordance with the Interim Operational Plan; (2) a copy of the public notice required upon closure of the site, (Attachment 2); and (3) a copy of the deed recordation as certified by the Clerk of Courts Office, (Attachment 3). These document should be sent to:

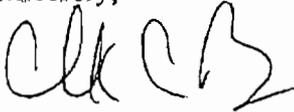
Pre-approved Construction and Demolition Debris Site
Page 3

Louisiana Department of Environmental Quality
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, La. 70821-4312
Phone: (225)219-3700
FAX: (225)219-3708
Email: deqoec@la.gov

The Department will notify the local governing authority regarding the final closure of the C&D site.

If you have any questions regarding this matter, please contact Mr. Rob Thomas or Ms. Beth Scardina of the Water and Waste Permits Division at (225) 219-3070.

Sincerely,



Chuck Carr Brown, Ph.D.
Assistant Secretary

Pre-approved Construction and Demolition Debris Site
Page 4

ATTACHMENT 1
AUTHORIZED EMERGENCY SITES FOR DISPOSAL
CONSTRUCTION/DEMOLITION DEBRIS, WOODWASTE, YARD TRASH & EXEMPT
MATERIALS LANDFILLS

Hurricane Katrina Debris Interim Operational Plan

The operation of the disposal facility governed by this authorization will comply with the following requirements:

1. Provide adequate supervision and security of the site to control disposal of materials, allowing disposal of construction/demolition debris, woodwaste, yard trash and exempt materials as defined by LAC 33:VII.115 and as authorized for the site. Disposal of unauthorized waste is strictly prohibited and must be prevented.
2. Post a sign at the entrance to the facility listing acceptable wastes and prohibited wastes including, but not limited to, liquid waste, volatile waste, hazardous waste, flammable waste, infectious waste, domestic waste, friable asbestos and putrescible waste (garbage).
3. Personnel will maintain a daily inventory documenting each truck load of waste received and each truck load rejected at the gate. Such documentation will include some form of identification of source of generation, transporter, the approximate volume of waste received, and a general description of the waste. Also, a reason for rejecting a load of waste should be documented in the daily log.
4. All records required by this authorization will be maintained on site and available for inspection by representatives of the Department.
5. Wastes shall be dumped under supervision in the smallest practical area, spread and compacted daily. The wastes shall be deposited in such a manner as to allow daily compaction of the waste. The wastes shall be covered with twelve (12") inches of silty clays at least every fourteen (14) days, if possible. Records will be maintained to substantiate compliance with this requirement.
6. Unauthorized waste should be segregated and placed in a container as required by LAC 33:VII.703. The unauthorized waste will be removed at least every seven (7) days, if possible. Records documenting removal and disposal of unauthorized waste as required here must be maintained for inspection.

Pre-approved Construction and Demolition Debris Site

Page 5

7. Access to the facility shall be by all weather roads that can meet the demands of the facility. Roads within the facility shall be maintained as all weather roads or the facility will provide an operational change to implement during wet weather conditions as well as a means of dust control.
8. An annual report must be submitted to the administrative authority indicating quantities and types of solid wastes (expressed in wet-weight tons per year), received from generators, during the reporting period. All calculations used to determine the amounts of solid waste received for disposal during the annual reporting period shall be submitted to the administrative authority. Annual reports shall be submitted to the administrative authority by August 1st of each reporting year.
9. Open burning shall not be practiced unless authorization is first obtained from the administrative authority and any other applicable federal, state and local authorities. Should any fire start, procedures will be initiated immediately to control and to extinguish it.
10. No solid waste shall be deposited in standing water. Before any water is pumped or drained from the site, a water discharge permit must be obtained from the Office of Environmental Services, Water and Waste Permits Division.
11. Unapproved salvaging shall be prohibited and prevented. Scavenging shall be prevented.
12. Litter both within the site and along the entrance to the site shall be controlled by use of litter fences and/or regular policing of the site.
13. Adequate equipment and personnel must be provided to achieve the operational requirements of the facility as stated here and in LAC 33:VII.721. Backup equipment shall be provided in the event of equipment breakdown. Personnel will be adequately trained in the recognition of unauthorized materials, segregation procedures, and emergency procedures.
14. In the event of unauthorized disposal or deposit at the facility the Department must be notified immediately.
15. Final compacting and grading will be completed before capping. Final cover will be completed within 90 days after final grades are reached. The side slope should be no steeper than 4(H):1(V) (for above ground) and must have a minimum of a 4 percent slope on the top of the final cap. The final cover must consist of a minimum of 24 inches of silty clays, or Department approved equivalent and 6 inches of topsoil sufficient for supporting vegetative growth.

Pre-approved Construction and Demolition Debris Site
Page 6

16. After closure inspection and approval, ground cover will be planted to prevent erosion and return the facility to a more natural appearance.
17. Parish mortgage and conveyance records will be updated as required by the Louisiana Statutes and state regulations. A certified true copy will be submitted as required.
18. The integrity of the grade and cap must be maintained for no less than three years after the date of administrative authority's approval of the closure of the facility. Annual reports concerning the integrity of the cap will be submitted for a period of three years after closure.

Pre-approved Construction and Demolition Debris Site
Page 7

**ATTACHMENT 2
PUBLIC NOTICE**

I, _____, of _____, received authorization from the Louisiana Department of Environmental Quality, for the operation and closure of an emergency authorized construction and demolition debris disposal site. The site contains approximately _____ tons of _____. It is located in Section _____, Township _____, Range _____, in _____ Parish, Louisiana. Closure activities commenced on _____ and were completed on _____.

Pre-approved Construction and Demolition Debris Site
Page 8

ATTACHMENT 3

**DOCUMENT TO BE FILED IN THE PARISH RECORDS UPON
FINAL CLOSURE OF A SOLID WASTE DISPOSAL FACILITY**

_____ (Name of authorized facility owner or permit owner)

hereby notifies the public that the following described property was used for the disposal of solid waste. The site was closed on _____ (date) in accordance with the Louisiana Administrative Code, Title 33, Part VII. Inquiries regarding the contents of the facility may be directed to _____ (name of person with knowledge of the contents of the facility) at _____ (address of person with knowledge of the content of the facility).

Property Description:
(Provide the specific description of the location of the facility)

(Signature of Person Filing Parish Record)

(Typed Name & Title of Person Filing Parish Record)

(A true copy of the document certified by the parish clerk of court must be sent to the Louisiana Department of Environmental Quality, Office of Environmental Compliance, Enforcement Division, Post Office Box 4312, Baton Rouge, Louisiana 70821-4312)