GOVERNOR OFFICE

APR 18 1985

April 15,1985

Mr. Charles Darby
[redacted]
Denham Springs, La. 70726

Dear Governor Edwards,

Sir, this may not be an appropriate time to write you with my problems, however after more than 14 years, I believe its time for some type of positive approach by your office.

It has to do with a waste oil reclamation site out from Denham Springs. This is not a site that was discovered by accident. It is a site that has been allowed to operate despite years of reporting spills and odors so bad you could not open the doors of our homes at times. It has burned twice.

Through the years, every State Department, Agency or however identified, having to do with health environment, fire and law enforcement were contacted many times. The Federal Department of EPA also was contacted.

We attended meetings of the Department of Wildlife and Fisheries only to be mostly laughed at and to hear how State Engineers had assisted in the construction of this Facility. Also, how that Department had aided with the acquirement of a loan for the initial owner.

For a year or more, I was naive enough to believe this just could not go on. The spills and odors were so bad, we were certain the Health Department, Fire Marshall, (after the 2nd burning), Department of Rivers and Streams, EPA or The Attorney Generals Office would step in and stop this operation. Nothing was done. Everyone contacted said they could do nothing. Is there a possibility someone was being protected?

Some time in the early 1970 s the initial owner acquired some land away from the Facility in a powerline right-of-way. There they dug numerous pits, settling ponds, or some type of separaters. Aided by someone with the State obtained a discharge permit. These pits discharged into a canal some 200 feet on the east side of my house. The facility being some 200 feet on the west side of my house put me in the middle. They were discharging via the road ditch, Facility and canal, which, with any rain and many times with no rain whatever type of materials they were using flooded me from 3 sides.

Having often wondered why the Utilities Company would permit these pits, I have to ask, did the Utilities Company have the people operating this site dumping transformer oils in these pits?

After a few years, the itital owner spread out a little too far and seemed to have

gotten into financial trouble and had to sell.

The new owners came in trying to operate the Facility at a rate too great for the used and what seemed to be obsolete equipment. The odors were still there. The spills were not as large or as frequent, but the noise, smoke and smell from some type of cooking devise was terrible. There was a question at one time, about them handling a material called "bar wash". I am not sure of the exact chemical name.

In 1979 and 1980, they began to slow their operation down. There was talk about them starting another operation in Enterprise Mississippi. The Facility here almost stopped and finally did about 2 years ago.

In mid 1984, I decided to sell my home and listed it with a Real Estate Company. In late August or September, they had a party that was interested in the house. Interested enough for a second look because it fit their needs. The weekend of their return, they Denham Springs News had a picture of the Facility on the front page, stating its contamination of PCB cancer causing chemicals. Naturally the people lost all interest. The site seemed to termed abandoned and recommended for the superfund list. The paper also stated that the location had changed hands many times. Not true, there have only been 2 owners.

I was out of State at the printing of this article. The news came to me a week or so later. Having being a little more than upset about the article, I phoned the State Official giving out the information. He conveyed his sympathy for me. But, when asked what could be done, he said his Department was broke and had no money. Finally, I called the Secretary of EQC and got the same response, Broke. I asked about soil sampes on my property and they had no money for sampling. After constant calling and bickering, they found the money for the sampling. The samples turned out positive. I asked what could be done and got the same answer, nothing. The only help would have to be through the EPA Superfund because the EQC is broke. The EPA evidently said no, although I understand, they got a grant for some sampling at this site a while ago. Some sampling at the pits, but not the Facility.

How about the initial and current owners? According to one State source, they are both bankrupt. Not true. The initial owner operates a waste and contaminated oil products Company in Biloxi, Mississippi. There are possible records of him being in trouble with the EPA. The EQC shold have or can obtain such records.

The current owner claims now the site is not abandoned but inactive. There seems

be some of materials stored in these tanks. No one will say what and if there is something stored in the stanks. In the early 1980's word is the current owner obtained two million dollars from the SBA and has constructed another facility in Enterprise and is still receiving SBA money. Some of this could be going toward location in Texas. They have filed for Chapter II Bankruptucy in Miss..

The Department of EQC seems to be trying to conduct business for the current owners. One EQC representative said current owners say they had a possible buyer. Seems now their proposed buyer is in financial trouble, with cleanup estimates at two million dollars who would consider buying it.

Mr. Governor, something bad wrong somewhere. Here is some questions that need to be answered by someone.

1. Why wasn't this place stopped years ago before it became so bad?

2. Why does the SBA continue to finance and continue to give money for these dangerous locations?

3. Is the Enterprise Mississippi location operating?

4. If not, are they really getting more money for a Texas location?

5. Isn't dumping hazardous waste on private property criminal?

6. How does a company file for Chapter II Bankruptcy and avoid prosecution for these sites?

7. Why does the EQC protect these people involved with hazardous waste sites?

8. Why is the taxpayers money used to finance, protect and then clean up these sites?

9. Do they pay any taxes of any type even when operating?

10. I've heard the current owners owe the State for permits. When I asked EQC Representatives about if he said they don;t have any permits they have to pay for. What is correct?

11. Who is going to compensate me and my family for all the years of dispair and anguish?

12. Who is going to clean the contamination from my property?

13. After living in the contamination all these years, who will pay for doctors and medical examination and test, if my health has been injured?

14. Why should we have to suffer for mismanagement, fraud and waste that has occurred in all levels of Government?

15. Why pay independent Laboratories huge prices (From estimates EQC quotes) for sample analysis? Why not LSU?

16. Why pay huge prices for drilling rigs for core samples? With the water table being so high. Why not a good post hole digger? (Bought from a local hardware store, please)

I could go on with questions forever. But would it be worthwhile?

Mr. Governor Sir, I have almost a lifetime of work and money invested in my house and land. The maintenance and upkeep, which is done in a civilized manner requires lots of work, without the hazardous waste. Now under the present conditions, I cannot sell it.

Sir, after watching this being allowed to continue after all these years. There are four responsible parties, The State Dept. of EQC and the Federal EPA.. Seems between the four, somewhere money could be found to clean up this site and surrounding area.

Mr. Governor, I have been pleading and almost begging someone to help me with this for years. Now again, I am begging you or any concerned persons for help in cleaning up this site.

In a TV interview, Vice President Bush, said don't worry about it, but I live in it and have to worry about it.

Sometimes I get the feeling of being punished by the State of Louisiana for living in Livingston Parish and by the Federal Government for living in the State of Louisiana.

Thank You,

Mr. Charles Darby
[redacted]
Denham Springs, La. 70726

cc: Vice President Bush-Sec. EPA , Lee Thomas
US Senators-Russell B. Long
J. Bennett Johnston
US Representative: W. Henson Moore
Kathy Long
State Senators-Joseph A. Sevario III
State Representative-Julius Bloung

METRO/STATE

MORNING ADVOCATE Baton Rouge, Louisiana Tuesday, July 22, 1986

Suit filed in hazardous waste case

Florida parishes bureau

LIVINGSTON — More than 50 defendants have been identified in a $10 billion lawsuit filed Monday morning against individuals and companies who allegedly dumped hazardous wastes at the Combustion Inc. site.

Springfield attorney Hobart Pardue filed the suit in 21st Judicial District Court on behalf of more than 450 Walker residents. Last week, a $1 billion class-action suit was filed by Denham Springs attorney Calvin Fayard in connection with the site.

The Combustion Inc. site is an abandoned hazardous-waste dump that has been recommended for placement on the federal Superfund cleanup list, according to the U.S. Environmental Protection Agency.

The state's Department of Environmental Quality has identified contaminants at the site that include PCBs, or polychlorinated biphenyls, as well as lead, mercury and styrene.

Pardue said the suit also names the Livingston Parish Police Jury as a

SEE LAWSUIT, 2B

Lawsuit

CONTINUED FROM 1B

defendant because "they've known about it since 1976 and they haven't done anything to stop it."

He said that while the Police Jury is a plaintiff in last week's lawsuit, "my clients do not want the Police Jury to represent them in this matter. My clients feel the jury should have done something years ago and did not do anything.

"This is a group of concerned people who live in the area and who feel that their property has been damaged because of the site. I've had a number of people tell me they've lost animals and that they've had vegetable gardens where they can't get anything to grow," Pardue said.

"We also feel there's a good possibility the ground water is messed up," he said.

The site drains into Beaver Bayou, which flows into West Colyell Creek and then into the Amite River, "so the pollution could reach all the way to French Settlement," Pardue said.

The defendants in the $10 billion lawsuit include Earl G. Dubose, the original owner and operator of the site, as well as more than 50 companies or individuals suspected of dumping at the site.

The $1 billion class-action suit also names Dubo[illegible] major corporations such as Browning-Ferris Industries, BASF Wyandotte, Dow Chemical Co., Gulf States Utilities and Louisiana Power & Light Co.

The plaintiffs in the class-action suit include the Police Jury and George Lockhart, the juror for the Walker area.