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Special Committee on Aging

United States Senate

WASHINGTON, DC 20510

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VIA FACSIMILE AND U.S. MAIL IMMEDIATE ATTENTION REQUESTED

Secretary Mike McDaniel
Louisiana Department of Environmental Quality
P.O. Box 4301
Baton Rouge, Louisiana 70821

The Honorable C. Ray Nagin
Mayor, City of New Orleans
1300 Perdido Street
New Orleans, Louisiana 70112

Gentlemen:

I write to urge in the strongest possible terms that the Louisiana Department of Environmental Quality (LDEQ) and/or the City of New Orleans (City) close the Old Gentilly Landfill and ensure that AMID/Metro Partnership, the entity currently running it, is no longer involved in landfill operations in any way.

As you know, it was recently disclosed that two Morial cronies, Stan "Pampy" Barre and Roy Rodney, had hidden financial interests in AMID/Metro Partnership, the entity that received the contract to operate the landfill from the Morial Administration. But these interests were never disclosed to the public or LDEQ in the contracting or permitting process. All of this is of particular concern since Barre has pled guilty to felony charges, admitting to making large sums of money off another Morial Administration contract for his connections and not his work. Rodney has been named as an unindicted co-conspirator in that matter. Their involvement in the reopening of the Old Gentilly Landfill certainly suggests that it is a similar example of corruption and cronyism at work. The suggestion, as yet unproven, that Barre and Rodney have not actually received their pay-off from the landfill dealings because of their own oversights certainly does not cure the situation.

Previously, Mr. Secretary, I have communicated to you my strong concerns regarding the landfill, particularly: 1) the fact that the contract with AMID/Metro Partnership is such a raw deal for the citizens of New Orleans, and 2) the long-term environmental harm the landfill poses. The above recent disclosures raise these concerns to a new high.

The Old Gentilly Landfill is clearly a raw deal for the citizens of New Orleans. As owner of the landfill, the City of New Orleans retains all long-term liability associated with current and future environmental hazards and contamination. Yet the City only receives a three percent royalty payment for operations at the landfill. By comparison, the recently-closed Chef Menteur Landfill provided a 22 percent payment to the City of New Orleans for landfill operations while the facility was privately owned. The City had no financial investment in Chef Menteur – but the citizens of New Orleans received a return 700 percent more than they do from the City-owned Old Gentilly Landfill. Experts have echoed these doubts in regard to the return on investment

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provided to the citizens of New Orleans through the City's questionable partnership with AMID/Metro Partnership and Barre and Rodney.

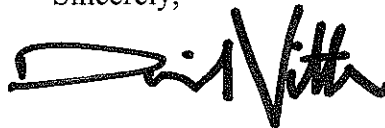
The Old Gentilly Landfill also poses serious environmental threats, which makes the retained liability of the City particularly problematic. As you will recall, the landfill was designated an open dump and ordered closed just a few decades ago. To re-open a landfill on top of the environmentally unsound dump adjacent to the Intracoastal Waterway raises a number of safety issues, including undermining nearby levees. You may recall that I joined U.S. Senator James Inhofe, the ranking Republican on the EPW Committee, in previously raising concerns about reopening old landfills such as Old Gentilly. In a September 26, 2005, letter to EPA we questioned the environmental impact of reopening old facilities that fall short of modern standards when other, newer landfills, which charge lower fees and meet tougher environmental regulations are available in the New Orleans area.

I recognize the extraordinary waste stream caused by Hurricanes Katrina and Rita and oppose any efforts that would delay our recovery or threaten the safety of our citizens. This is a challenging task, and I appreciate that LDEQ was unexpectedly forced to manage one of the largest disaster debris streams in our history. The extraordinary 2005 hurricane season clearly requires an extraordinary debris management plan. However, it does not require extraordinary contracts to felons, extraordinary payments to landfill operators, or extraordinary risks to our citizens.

Given the hasty nature in which the landfill was put into operation under an emergency order, the cloud of corruption that now surrounds the site's operators, the questionable financial terms involved, and the long-term threat to the health and safety of our citizens, the site's operation should be ceased immediately and AMID/Metro Partnership should not be allowed any further involvement or profit.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "David Vitter". The signature is stylized and cursive, with a large initial "D" and "V".

David Vitter
U.S. Senator

cc: Jim Letten, Esq.
United States Attorney, Eastern District of Louisiana