

BATON ROUGE / REGION

Attorney general's office wants IT permit hearings dismissed

By Tim Talley,
River Parishes Bureau

The Louisiana Attorney General's Office this morning said the IT Corp. has not proven that its proposed hazardous waste treatment plant is needed and asked environmental officials to dismiss permit hearings for the plant.

Assistant Attorney General John Sheppard asked IT hearing officer George Cramer to involuntarily dismiss the hearings after IT rested its case to build the \$135 million waste treatment plant along the Mississippi River south of Baton Rouge.

At Sheppard's request, Cramer, head of the groundwater protection division of the state Department of Environmental Quality, took the motion under advisement until IT's opponents present evidence against the proposed plant.

A coalition of environmental groups challenged the proposed plant's permits in court shortly after the state issued them in 1981. Witnesses for the plant's opponents began

testifying this morning.

The attorney general's office intervened in the IT hearings as a public trustee when they were reconvened in September. A motion filed by the agency said intervention was needed to assure that the state's natural resources were protected.

Sheppard, who heads the attorney general's environmental division, said evidence produced by IT did not meet the guidelines that were laid down in a landmark state Supreme Court ruling on the proposed plant's state operating permits.

The high court said state environmental agencies must have a cost-benefit analysis of the environmental and non-environmental factors to show that issuance of the permits to IT is compatible with environmental protection, Sheppard said.

Sheppard said IT had not demonstrated a need for the hazardous waste plant, which the company has touted as the world's largest. IT also failed to rebut presumptions arising from a number of state court rulings that selection of the proposed Ascension Parish plant site was based on

availability and not suitability.

Environmental groups have argued that the plant site, located in the Burnside community near the historic Houmas House antebellum home, is not suitable and will result in groundwater contamination and other problems.

They have also argued that IT's waste treatment plant is not needed because existing waste facilities can already do the job.

The first witness to testify today was the Rev. Henry Gautreaux Jr., pastor of St. Joseph Catholic Church in Cross Lake and an expert on the Houmas Indians, a South Louisiana tribe that occupied the Burnside area before it was settled by Europeans.

Gautreaux said his research indicates that numerous artifacts from the Indian tribe have been discovered on and around IT's proposed plant site. The artifacts include skeletal remains, beads and pottery.

"There's no doubt that the Great Houmas Village was on this site," he said. "It would be tragic if there was not an opportunity, at least, to investigate further."

Richard Weinstein, an archaeologist with Coastal Environments, took issue with an archaeological survey of the site performed by IT in 1980. Although the survey said the property could be the site of the historic village, Weinstein said the survey lacked detailed historical research and analysis of the findings of researchers.

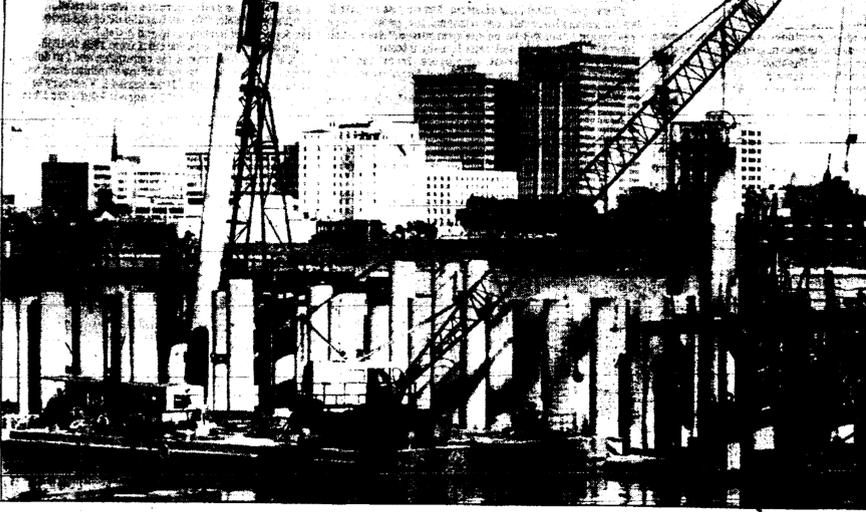
"There were some questions about the adequacy of it," Weinstein said. He said he would like a more detailed analysis of the IT property, including subsurface digs.

The IT permit hearings were originally convened in 1980 and were reconvened in 1986.

IT obtained air and water discharge and hazardous waste permits from the state in 1981 but the permits were challenged in a lawsuit filed by environmentalists. The suit claimed the site of the proposed plant was unsuitable.

The state Supreme Court remanded the case to environmental agencies for more study after ruling that the agencies failed to perform their duty to protect the environment when they issued the permits to IT.

What's going up



Charles Gerard photo/State Times

Downtown Baton Rouge provides the backdrop for construction at the Greater Baton Rouge Port, which is expanding its docking facilities along the Mississippi River's west bank. As part of the work to connect the port's two cargo docks, Raymond International Builders Inc. crews are driving giant concrete piers into the river. The dock connection will be 715 feet long and 60 feet wide. When the work is completed, the port will have 3,000 feet of

continuous docking space, according to Gary Pruitt, the port's executive director. The additional space will provide an extra ship berth, and at certain stages of the river, will allow a ship to use its own loading cranes, Pruitt said. Contractor on the \$8.58 million project is Coastal Bridge Construction Inc. of Baton Rouge. Pruitt said the contract was let in June, the work began about September and completion is expected by next November.

Roemer says up to 200 will lose jobs in DOTD

By Marsha Shuler,
Capitol News Bureau

Up to 200 employees will lose their jobs at the Department of Transportation and Development as part of budget cuts needed to make up a projected \$7 million deficit, Gov. Buddy Roemer said Monday.

Roemer said he believes DOTD can make the cuts without jeopardizing federal highway funds which have been held because of poor performance by the department under the past administration.

The governor said DOTD Secretary Neil Wagoner would be announcing details of the budget-cutting plan later this week. Wagoner was in Wichita, Kan., and unavailable for comment Monday.

Meanwhile, Commissioner of Administration Dennis Stine said DOTD is not alone in its fiscal woes.

The Department of Health and Hospitals will go to a legislative committee today with a proposal to offset a potential \$140 million deficit — \$15 million of which involves state funds, Stine said.

"After tomorrow all these (DHHS) problems should be resolved," the commissioner said.

Stine said the proposal involves shifting some funds and "use of more federal dollars."

Previously, the Department of Wildlife and Fisheries announced its revenues were not keeping pace with projections, necessitating the layoff of 116 employees effective Jan. 2.

"If we had budgeted a comfortable amount of money this year then no departments would be having a

problem, but we have a very tight budget here," said Stine.

Stine said it is not unusual making budget adjustments as the year progresses. "The revenues assumed may be something less. Expenses may be something more," he said.

Stine vowed that the state will end the year with a balanced budget.

Neither Roemer nor Stine would fill in specifics of the DOTD budget plan.

"They are lagging behind their budget," Stine said. "What they have is roughly a \$7 million problem. In essence what we have projected is that they will overspend their budget at this particular time."

Roemer said DOTD must "tighten its budget and perform better."

But, he added, "we are pretty near rock bottom on what we can get away with spending" to improve state maintenance of the federal highway system and provide adequate staffing to oversee construction of such projects.

"The federal government is checking our system again this year. They have approved some of our regions. They are checking others," Roemer said.

Roemer said the layoffs will occur in a department that has more than 5,000 employees.

The governor said DOTD officials are looking at moving some operations into the private sector in an economy move — "radical things like picking up trash."

The Roemer administration's original budget had projected a decline in DOTD employee ranks of 653 during the current fiscal year — 162 by layoff and 491 by attrition.

Civil Service reports showed that few of the layoffs have been implemented.

Crawfish

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repairman.

Basically, the pneumatically operated machine works like this: An operator puts crawfish one at a time, on the machine's rotating turntable in a certain position and the device does the rest — straightens the tail and clamps it down, knocks off the head, blows the meat into one chute and then blows the shell into another.

While the device is high-tech, "When you see it, you wonder why somebody didn't think of it before," Waid said.

But almost 20 years of development has gone into the Jet IV peeler, so named for its four air jets and its number of patents.

The company was founded in 1969 by Ed Ingalls, who developed and refined the machine through the years. After he died in 1979, others took over the work. The basic principles in the Jet IV are the same as the original, Waid said, with some changes and streamlining.

Why a mechanical crawfish-peeler? Well, a number of factors are involved.

For one, the pool of available labor fluctuates, not only from season to season but also from day to day.

"You can't be sure that you're going to even have the labor supply," Waid said, adding that she heard that half of the hand peelers left the state this past year.

"People who are doing hand peeling of crawfish cannot peel crawfish day after day, week after week, because their hands get sore," she said. A peeler may work a few days, then take a few days off to recuperate, she said.

Hand peelers also are paid by the pound of meat, she said. "As they're peeling, if they find a crawfish that's a little bit smaller than the others, then they won't waste their time peeling it. They'll pick up the bigger one and just pitch that one," she said. Processors don't have a good idea of just how much is tossed aside and wasted, she said, but they know an awful lot of small ones are just discarded.

The mechanical peeler, however, peels big and small alike, Waid said.

Besides this obvious waste of meat, processors lose meat that isn't fully extracted from the shell by the peelers, she said.

"Basically, we don't lose any meat," Cowser said.

And a hand peeler can go only so fast for so long.

"It's true that this will peel a lot faster than any hand peeler can peel," Cowser said. "A good hand peeler may be able to become a terrific machine operator."

Skill tests have shown that the variable-speed machine can be operated to handle about 60 crawfish per minute. "It's certainly not the top limit of the machine," Waid said. But based on human skills tests, Southern Research Institute of Birmingham, Ala., which helped develop the machine, predicted a person would be able to load the machine at that rate, she explained.

"It will run a lot faster than that, and it's a heckuva lot faster than somebody can peel them by hand," she said.

Duzital aims to turn peeling into a skilled job, not necessarily put hand peelers out of work.

"Kinda like in the Middle Ages," Cowser explained. "You had a lot of monks sitting around copying the Bible, other literature... hand-copying it. The typewriter didn't really put a lot of people out of work, it just made the

people that were there much more productive and gave them different types of jobs, and that's what we're really looking at."

"Now we have a machine that we believe is commercially viable, and that will be reliable, and that incorporates the latest state-of-the-art technology," Waid said.

Waid said the crawfish industry is still primitive as far as technology goes. "It hasn't had the major piece of technology which has really made it commercial. For example, with cotton, it was the cotton gin that made it commercial. With sugar, it was the sugar refinery and the cane harvesters. With wheat it was the combines," she said.

"It's actually amazing that in this day and age that there's still an industry out there that's not yet had its technological breakthrough, and that's what we believe that this is," she said. The crawfish-peeler "essentially brings the technology of our age... to the industry."

Processor Fred Trappey of Whiskey Bay Fish Co. in Jackson said the machine demonstrated and tried it out.

He said the machine "is well thought out, and it has its place in the industry," but he doesn't feel the prototype that he saw will be the final version.

Trappey, who for 3 1/2 years also has been working on an extraction process, expects more modifications once the machine gets into the plant and processors find out how long it will take for workers to learn to feed the machine, how long someone can operate it at a stretch, what the waste factor is and whether the machine will be worth its lease cost.

"I know a lot of thought and money has gone into it, and I just wish them the best of luck," he said.

Frank Williams, president of Ecrivisse Acadienne of New Orleans, also has reservations about the machine.

"I think it's a good machine except for the fact that it must be hand-fed, and that is my biggest objection to it," he said.

Williams said his idea of mechanical crawfish-peeling is tossing a huge hopper of cooked crawfish in and letting the machine do the rest.

"I think it has real potential," he said, in providing relief for human peelers. After five days, a peeler has to stop because his fingers get too sore, he said. Also, shells get harder at the end of the season, and "it's murder on those people."

A good machine operator should be able to do 15 to 20 peels an hour without getting sore fingers, he said. "To me, that is the great potential of it," he added.

Williams investigated the machine as a means of having his seafood processing company do its own peeling instead of contracting out the peeling. But after seeing it in action, Williams said, he decided contract peeling will have to continue for now.

"There's so many factors that go into the crawfish business," Cowser explained. "From the farmer's standpoint, when the supply of wild crawfish gets high, the farmers can't meet their overhead, so they stop producing. They drain their ponds. The supply gets high, and the processors, if they're getting more supply than they can peel or that they can use, of course the price drops out of the market. It bottoms out to the point that eventually the fishermen don't think it's worthwhile to go out and catch the wild crawfish."

"So this is one of those peculiar industries that when the most is available and could be available, they cut it off."

"We suspect that our machine is going to drastically change this," Cowser said, by providing stability and holding up prices for fishermen, processors and

farmers, and perhaps allowing them to pursue new markets that they couldn't go after before.

Duzital is planning a coming-out party for the machine Friday. Then, only time will tell whether the machine will fulfill the dream of the company's crawfish logo: Boocoo Deaux.

Christmas Fund contributions

The following is a list of the contributions to the Christmas Fund:

In memory of Jerry and Audrey Leggio	\$50.00
Court Regina Coeli No. 2023 - Catholic Daughters of America	20.00
Mr. and Mrs. Minor F. Wright Jr.	25.00
In loving memory of Preston Gordon and Mr. and Mrs. Preston Gordon	100.00
David and Brenda Caillet Stephan and Margaret Bailey	10.00
Dr. and Mrs. James T. Bernard	50.00
In memory of Addie Davis Guichet	25.00
Betty W. Davis	25.00
In memory of Earl M. Hubert	25.00
In loving memory of D. D. Grumble	100.00
LADOTT - Bridge Design - Room 202	55.00
Par Family	50.00
The EZM	50.00
In memory of R. E. Pogg Matt Center	25.00
The Matron's Club	50.00
In memory of David Talbot	20.00
For Holly, Ray, Eve and Rosalie from Granddad and Grandpa	100.00
Louisiana Companies	200.00
In memory of Mr. and Mrs. W. H. Wright Sr.	50.00
In memory of Mr. and Mrs. H. H. Percy	50.00
Bill Heard Wright IV	10.00
Bryan Wright	10.00
Jonathan Wright	10.00
Casey Hightower	10.00
Daniel McKnight	10.00
Scott McKnight	10.00
Ellis McKnight	10.00
William McKnight	10.00
Total Received Today	\$1,275.00
Previously Received	1,255.00
TOTAL RECEIVED	2,525.00

Bonanno — Hymel recuses himself from hearing Guste motion on jury probe of Bush

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"If a committee was to be set up for public safety, then individuals from each department ought to be included," he said.

Metairie's public safety committee will be chaired by Metropolitan Councilman Ake Belton and includes Bonanno, state Trooper Russell Cook, volunteer Struman Chuck Langlois, school bus attorney and former councilman Guyver Eddie Edwards, former councilman A.R. "Cotton" Harris, restaurateur owner Lyman White, former Angola warden and current Bonnet Councilman Frank Blackbore, Edward Teasby, Bobbie Ned, Wilson Bonds, Leon Robinson, Exxon engineer Don Pidgeon, Carl Ford, sheriff's chief of operations Bill Doyle, Skip Bredesen, former city policeman Bruce Childers, former state police commander Wiley McCormick, retired firefighter Don Skelton, Tony Perkins and Zachary Fire Chief Doug Gleason.

The committee will be broken into four subcommittees which will review the operations of all areas of public safety in Baton Rouge. Area physicians will be added to the committee to address emergency medical service, Henagan said.

"We're not going on a witchhunt or anything," Henagan said, adding all areas of public safety will be scrutinized.

District Judge L.J. Hymel has recused himself from hearing an attorney general's motion seeking the appointment of a grand jury to consider evidence on the operations of District Attorney Bryan Bush's office.

In removing himself, Hymel said he served as chief prosecutor for the attorney general for six years.

Hymel, who was subpoenaed the motion Monday evening, said he would send the file back to the clerk's office so the case could be allotted to another judge.

Nothing that the case will deal with the issue of criminal jurisdiction of the district attorney and the criminal jurisdiction of the attorney general, Hymel said he would feel better having the matter handled by another judge who hasn't been associated with the attorney general.

The clerk of court's computerized case-allocation system assigned the motion to Hymel Monday evening after judges of the 19th Judicial District met to determine how to handle the case.

Criminal court judges seemed to think it is a criminal matter, while civil court judges appeared to believe it is a criminal matter. It was allotted first to a criminal section judge — Hymel.

District Judge Bob Downing brought up the possibility of a judge ad hoc being appointed to handle the case, but was told such a request would be premature.

District Judge Frank Sals pointed out that East Baton Rouge Parish cannot have more than two grand juries operating at one time and in order to eventually name a special grand jury, one will have to be dismissed.

Attorney General William Guste said he has evidence of the misuse of more than \$14,000 in public funds from the special investigative and narcotics funds.

Bush has "potential personal criminal culpability" in a list of offenses that include misuse of funds, malfeasance and filing false records that should be presented to a special grand jury, Guste said.

Local judges would have grounds to recuse themselves from acting on Guste's request because Bush's assistants work in the criminal court sections. With Hymel recusing himself, the clerk's computer will pick another section of court to handle the motion, and that judge will decide whether he can handle it.

Guste said "Bush may be culpable for the following criminal offenses:

— The misuse of at least \$14,072 of public funds (special investigative fund and/or narcotics fund)

— Malfeasance in office in that he "intentionally failed to properly budget and revise budgets for expenditures of public funds, to wit, the Special Investigative Fund, as was his statutory duty."

— Malfeasance in office by the failure to keep a complete and full record for expenditures in the narcotics fund and special investigative fund.

— Malfeasance in office by the failure to comply with the statutory duties of the public bid law in the purchase of computers for the district attorney's office, specifically a \$22,800 computer system purchased from Mesa Data Technologies.

— Malfeasance in office, by instructing and permitting his investigator to prepare falsified public bids on four automobiles purchased from Graves Chevrolet when such bids were requested by the Morning Advocate.

— Filing false records or injuring public records in relationship to the falsified bids.