Section IV
Fluidized Bed Incinerator

CONSENT DECREE SECTION VIII, PARAGRAPH 15. CLEAN AIR ACT REMEDIAL MEASURES

Paragraph 15. This paragraph requires the Board to operate its fluidized bed incinerator as per the Operation and Maintenance Plan for the Fluidized Bed Incinerator for the East Bank Plant, Exhibit 1 of the Decree. This paragraph also requires the Board to comply with the requirements of the Incinerator Plan and submit reports as required by Paragraph 61 (c) to document proper compliance with the Incinerator Plan.

Work Accomplished

- The Board contracts with Veolia Water North America Operating Services, LLC to operate the East Bank Sewage Treatment Plant. On the following page, the Board has provided a letter from Veolia addressing the status of the FBI and detailing the current sludge disposal process.

Paragraph 61(c) requires that the quarterly report contain information related to the following four areas:

1. Periodic Inspection of the FBI's Wet Scrubber for integrity and function
2. Periodic Inspections of Monitoring Devices
3. Dates of Calibration of Monitoring Devices
4. Verification that the FBI is conducted in accordance with the FBI O&M Plan. (also required in Paragraph 15; see above)

Work Accomplished:

- The FBI was severely damaged during the flooding and devastating winds associated with Hurricane Katrina. The FBI repair work began on September 24, 2007 and returned to service on August 8, 2008, well ahead of the established December 15, 2008 deadline. An initial 180-day start up period is allowed under our existing air permit #2140-00089-02 general condition VIII and IX.

- A successful Emission Compliance Test (FBI stack test) was completed on January 27, 2009 satisfying all conditions of the Louisiana Department of Environmental Quality's air permit #2140-00089-02. The test was conducted using EPA methods 1-5, 6C, 7E, 10, 25A & 29.

- DEQ has not finished evaluating these results, but the Board's consultants are engaged with DEQ on this issue and have reported that only slight revisions to the Title V permit might be made. Nevertheless, because the FBI has now

been operating for a "full quarter following approval by the State," as specified in Paragraph 56(c) of the draft Modified Consent Decree, the Board has included FBI operation and maintenance reports in Appendix D of this report.

- The Board submitted the Interim Fluidized Bed Incinerator Operation & Maintenance Plan on July 31, 2009.