

This report has been prepared by Louisiana Investment Group, LLC to submit on January 29, 2007, to The Florida Department of Environmental Protection as part of the Modified Order of Temporary Injunction, Critical Path Plan.

Week One

The official Critical Path Plan start date was January 1, 2007. Work began Tuesday, January 2, 2007 using the Topographical Map that is sectioned off in Cells, Areas "A" and "B", Compass Direction, Not Included, English Property, and Stormwater Management Area. By the end of first week the employees at Saufley Landfill have successfully removed the debris and covered with the appropriate amount of dirt, Cell 1, as shown on the Topographic Survey. This cell area is in compliance. The southeast section of the hill adjacent to Cell 1 is sloped 3:1 and covered, bringing this area, also in compliance. This fulfills the requirements of the Modified Order of Temporary Injunction for Week 1.

The crew was able to dig out and haul dirt from Area "A" one full day and three hours when the Dump Truck broke down due to loss of power. Parts were ordered from Pensacola Fuel Injection Co. on Thursday, January 4, 2007. The day previous was spent working on the fuel system and affecting a diagnosis as the Dump Truck has had many drivability problems. This truck is essential for the completion of Area "A" that is supposed to be completed by Monday, January 29, 2007. In Area "A" excavation can continue without hauling. Excavation efforts were hampered due to rain and lightening on Friday, Jan. 5 and Saturday, Jan. 6 2007.

The Saufley work force has been cut in half due to a January 3rd, early morning fire, breaking out at Joiner Landfill in Milton, Florida. Two essential Saufley employees were called out in this emergency situation. The Joiner fire has made it necessary to have workers on 24-hour watch posted there to combat the fire. The Joiner and Saufley men have been working, on average, sixteen-hour shifts, fighting the fire and smoke at Joiner.

The loss of these two employees for the Joiner fire, for four days has set back progress at the Saufley Facility. The Critical Path Plan was agreed to based on Saufley having four people and four pieces of equipment, as was said many times in the deposition, this is a "best case scenario" plan.

The 345 Excavator Pins and Bushings replacement began in December 2006, and was due to take four days. The parts were ordered from Thompson Caterpillar in Pensacola, Fl. on Tuesday, December 26, 2006, and they arrived on Friday, Jan. 5, 2007 and the Excavator was repaired six hours later. The parts had to be fabricated at the factory. These are rather common parts and are usually in dealer stock. This unusual occurrence led to a delay of one week and three days.

However, due to the mechanical repairs, the rain, and the loss of personnel, the

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remaining employees focused their efforts on moving some equipment, and working on Cell 2 that was not due to begin until Monday, Jan. 8, 2007.

Week Two

Week two began Monday, January 8, 2007. The crew was working in Cell 2 and fire broke out. They spent 6 hours today fighting the fire. This cell is very hot and work was slow, as they had to roll and wet the debris. Many hours were lost due to the fires in Cell 2 on Monday, Tuesday, and Wednesday.

Work began on Cell 3 Thursday, January 11, 2007 and was interrupted the next day to fight a fire that broke out on the *English property*. On Saturday, January 13th Cell 3 work again came to a halt when the D-10 went down for fuel problems.

Dirt was not hauled on Monday because the ground was too wet to dig or haul. On Tuesday, twenty-eight loads of dirt were excavated out of Area "A", thirty-one loads on Wednesday, thirty-five loads on Thursday, forty-five loads on Friday, and sixty-five loads on Saturday, (as both dump trucks were operating).

The Aqua Bio product had been on back order and finally arrived this week. The crews have been working on a device to apply the product to the debris pile. One container of Aqua Bio was taken to Joiner Landfill on Thursday, January 11, 2007 as requested by DEP personnel.

The equipment is downed every day for at least three hours to clean out the radiators and coolers. There were also many equipment breakdowns and repairs this week. On Monday the 345 was down for broken bolts. Dump Truck #1 would not start. The starter for Truck #1 was removed and rebuilt. Truck #2 was down for flat tires. Truck #2 also went down with fuel problems. The diagnosis revealed an injector pump problem, it was repaired. Glass replacement and heater repairs were completed for the 330 Excavator. Then fuel problems with the 330, filters solved the problem. There were parts delays for Truck #1. The D-10 fuel problem was diagnosed and parts were ordered for over-night.

There is a shortage of personnel. It was necessary to let one worker go and one worker quit on Saturday, January 15, 2007.

We are not allowed to work at the landfill on Sundays as per Escambia County Ordinance. However, we extinguished a fire in Cell 3 the work took about three hours.

Week Three

Week three began Monday, January 15, 2007. The morning fog was thick and work began later than usual. The crew worked in Cell 3. The D-10 fuel valve arrived and the machine was working again. However, at about 1:30 p.m. the D-10's track started to fall apart. Caterpillar advised an undercarriage job and Caterpillar downed the machine for as long as it takes them (Caterpillar) to

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complete the repair. It is estimated to take about twelve working days.

We do not have another Dozer. It is necessary to have a Dozer to move the Cells. Without the D-10, there will be no progress made in moving the Cells. This will delay our schedule as set forth in the Critical Path Plan that is part of the Stipulated Order of Temporary Injunction.

We concentrated our efforts digging dirt out of Area "A" and moving it to the top of the debris pile. It rained Tuesday. We were able to dig dirt, but not haul to the top. Forty loads were hauled on Wednesday, twenty loads on Thursday, twenty loads on Friday, no dirt was hauled on Saturday due to fire in Cell 3.

On Saturday, January 20, 2007 a fire broke out in Cell 3. The 330 and 345 Excavators were used to combat the fire along with water and dirt. Bellview Volunteer Fire Department came out at about 10:00 a.m. as someone called that the landfill was on fire. We were already working the fire in Cell 3. The fire department is unable to assist us in fighting these fires.

The fuel injector pump for Dump Truck #1 had to be returned to Pensacola Fuel Injection Service, as it was still inoperative. Truck #1 has been out of service all week. Truck #2 was down all of Friday afternoon needing an exhaust clamp repair. The 330 had to go down (half-day) again to have fuel filters replaced. They have to be replaced every few days until we can down the machine and clean out the fuel tank, which is a huge undertaking. Three Caterpillar mechanics come out daily to work on the D-10 undercarriage. They began work on Tuesday, January 16, 2007.

We are unable to work on Sundays as per Escambia County Ordinance.

At this time we are one week behind on working the Cells due to the D-10 undercarriage job. We are one week behind on hauling dirt due to the dump trucks being out of service for repair. Two trucks need to be running in order to move the massive amounts of dirt that need to be excavated from Area "A".

Week Four

Week four began Monday, January 22, 2007. The Caterpillar mechanics did not come to work on the D-10 today as it is raining. It is too wet to haul dirt from Area "A". We are unable to work on cells until the dozer (D-10) is repaired.

We cleared the trees off of Area "B" and are ready to excavate the area. The excavated dirt will be pushed up the hill with the D-10, not loaded in trucks as in Area "A". When the D-10 is working we will work on cells and then address excavating "Area "B".

On Tuesday, a fire broke out in Cell 3 that took about four hours to get under

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control. Until the D-10 is working we will not be able to push cells. We used the 345 and the 330 excavators to shape and slope the *North Side* of the hill.

The Caterpillar mechanics worked on the D-10 undercarriage job.

On Wednesday we continued working on the *North Side* shaping the slope. It is still too wet to haul dirt excavated from "Area A". Caterpillar worked on the D-10.

We were able to haul twenty-five loads of dirt on Thursday while the other excavator continued moving debris on the *North Side*. One of the dump trucks is out of service for a fuel pump, the problem was diagnosed and parts were ordered.

The D-10 went into service at 2:30 pm. We tested it on the *North Side* pushing debris that had been pulled up this week. After a two-hour test period, the D-10 came back down for the Caterpillar mechanics to perform some final adjustments to the undercarriage job. The dozer mechanics will return tomorrow (Friday) to perform scheduled maintenance for the D-10.

On Friday we hauled 25 loads of dirt. Dump Truck #1 is still down and the 345 developed run-ability problems. We replaced the fuel filters, ran it for two hours and had to bring it down. The Caterpillar excavator mechanics were called out, however they will not be able to respond until Monday. The 345 is down.

We worked the D-10 on the *North Side* in an effort to push the material the excavators have been pulling up during the week. The Caterpillar dozer mechanics arrived at about noon and performed the maintenance to the D-10.

Because of the numerous fuel problems we have experienced, it is believed we have received contaminated fuel. Our best-case scenario plan made with FDEP did not include these many fuel problems that have plagued us from the on set.

Saturday, we continued with the D-10 on the *North Side* pushing the already excavated debris. It rained all day and was too wet to haul dirt. Dump Truck #1 is still down. The 345 is down with fuel problems and expected to be diagnosed Monday. The 330 was transported to Joiner Fill Dirt to fight the fire that has again broke out there where crews are working seven days and well into the night every evening.

Because of the rain days, the D-10 repairs, and the fire fighting at Joiner, we are one and three-quarters of a week behind in the cell schedule. However, we have made progress in other areas not yet scheduled. The D-10 and 345 should both be online this coming week and we will attempt to catch up on the cell work. Inclement weather and unforeseen equipment repairs have hampered progress in Area "A". We are behind schedule in excavating Area "A". Since receiving the Aqua-Bio anti-odor product, we have applied over 3300 gallons to the Saufley debris pile. We have not observed a noticeable difference.

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COMMENT: