

La.'s history in music on display at State Capitol  
eatplaylive 1D



President to give prime-time national address tonight 2A



RUN Santa RUN

metro 1B



HIGH 68 LOW 46  
FORECAST, MORE ON 8B

# THE ADVOCATE

BATON ROUGE • LOUISIANA

SUNDAY  
DECEMBER 6, 2015

THEADVOCATE.COM

91st year, No. 159

\$2.00

## Livingston cleanup nears end in '82 train derailment



Advocate staff photo by PATRICK DENNIS

Livingston Mayor Derral Jones talks about the 1982 train derailment that happened in the center of town and had chemical tanker cars burning for 14 days. Jones, the fire chief then, said the containment site is finally being shut down after 33 years of cleanup and monitoring.

### Toxic incident left mark on town, state



BY STEVE HARDY  
shardy@theadvocate.com

**LIVINGSTON** — The wreckage splintered the pines like matchsticks and sowed the field with flames.

But even after the last fire had been snuffed out, a more insidious threat had leached into the earth beneath Livingston.

At 5:12 a.m. Sept. 28, 1982, an Illinois Central Gulf freight train staffed by a crew that had been drinking bourbon ran off the tracks just north of the Livingston Town Hall. Of the 43 cars that derailed, 34 contained hazardous materials or flammable petroleum products, and many breached, burned and exploded, spewing toxic vapors over the town.

Residents woke up thinking they had been thrown into a war zone or the path of an earthquake. One told a reporter she thought the world was coming to an end.

"We were so unprepared for something like this. ... In no way were we prepared to deal with this," recalled Mayor Derral Jones, who was the fire chief at the time.

"We had one raggedy-ass old truck and about

► See **DERAILMENT**, page 12A



Advocate file photos

FROM TOP: A home is destroyed in Livingston after the 1982 Illinois Central Gulf derailment. ■ Workers prepare to remove a damaged tank car. ■ Debris is scattered.

# 25

BUSINESS DAYS UNTIL  
**inauguration**



Edwards

## JOHN BEL EDWARDS IN 'TRANSITION' MODE

BY ELIZABETH CRISP  
ecrisp@theadvocate.com

Gov.-elect John Bel Edwards spends much of his time these days in meetings with legislators, business leaders and other state officials on issues such as higher education and health care.

He's in "transition" mode — the official term for the period between his Nov. 21 election and Jan. 11, when he takes the oath of office.

"We're working tremendously hard to get it right," Edwards said during an interview at his transition headquarters. "It's a daunting challenge, but we are up to it."

Edwards' transition team is working out of tight quarters on the 12th floor of LSU's Kirby-Smith Hall, which houses college students on the

► See **EDWARDS**, page 11A

## Seeking student aid soon to be required

BY WILL SENTELL  
wsentell@theadvocate.com

Concerned that tens of millions of dollars are being left on the table, Louisiana leaders are launching a bid to ensure that public school seniors apply for federal or state education aid for college.

The state Board of Elementary and Secondary Education last week approved a new policy that, starting in 2018, will require Louisiana's roughly 35,000 seniors each year to apply for the money or submit a signed form that says they will not.



White

► See **STUDENT AID**, page 10A

## Probes to examine Angola warden's business practices



Cain

### Cain's real estate dealings with inmates' families, friends questioned

BY MAYA LAU  
and GORDON RUSSELL  
mlau@theadvocate.com  
grussell@theadvocate.com

Louisiana's legislative auditor and the Department of Public Safety and Corrections each have opened reviews into the private real estate dealings of Burl Cain,

the long-tenured warden of the Louisiana State Penitentiary at Angola who did business with family and friends of inmates in apparent violation of corrections rules.

But the Corrections Department review won't be overseen by Secretary James LeBlanc, who recused himself from the matter.

The separate probes come as Gov.-elect John Bel Edwards is considering who to appoint to his Cabinet, including corrections secretary. Edwards takes office Jan. 11; typically, most appointments are announced before inauguration day.

Last month, The Advocate reported Cain, 73, sold interests in

large tracts of West Feliciana Parish land several years ago to two prominent real estate developers — both friends or family of two murderers who have received favorable treatment at Angola — in separate deals.

Cain invested more than \$2 million in the properties just before the national recession began in

► See **CAIN**, page 10A





Advocate file photo

In 1983, a year after the Illinois Central train derailment in Livingston, a three-section pit is seen where more than 62,000 cubic yards of contaminated soil have been removed. The deepest hole in the center is where 14,000 gallons of the solvent perchloroethylene leaked from the tanker.

## DERAILMENT

Continued from page 1A

six guys who didn't know what they were doing led by one guy who sure as hell didn't know what he was doing," the former chief said of himself. "I said, 'Hell, I don't know what to do, we'll just evacuate everybody.' ... No one could deal with that mess."

The carnage was so great that it forced state agencies to re-examine their handling of hazardous material response.

Somehow, no one died in the disaster, a fact people around Livingston are quick to point out in a tone that expresses gratitude and a twinge of disbelief, even decades later.

And while life didn't end that morning in 1982, for the town, it paused. First came the evacuations — over 3,000 people cleared from their homes, some for weeks. There was short-term emergency clean-up and the inevitable lawsuits. Rebuilding followed, and years of health monitoring.

The town is still in the age of the derailment. After the land was scarred and scoured, one spilled toxin remained, seemingly impervious to decontamination efforts. However, using new technology developed by NASA, the town has eradicated the final threat and is now preparing to close the books on the disaster, 33 years later.

### Stubborn perc

Jones, 74, notes with satisfaction that he will outlive the incident that has cast a pall over the community he's served for most of his life.

"Nobody dreamed we'd still be here 33 years later dealing with this," he said.

After the crash, a new body

known as the Livingston Intergovernmental Commission took control of a decontamination area of about eight acres near the crash site. It straddles U.S. 190 in an area north of the Circle Road Park and east of the Livingston Parish School Board central office.

The commission, using settlement money, excavated the decontamination site, digging at least 30 feet deep and hauling off the tainted soil, Jones explained. Then crews installed a compact layer of clay, essentially forming an underground bowl. Wells pumped groundwater to be filtered and flushed of

contaminants.

When the train cars derailed, they spilled various chemicals that soaked into the ground. Most were cleaned up years ago, but perchloroethylene has proven more stubborn.

Also known as perc, the substance was once used in dry cleaning, but has since been shown to cause cancer. It didn't burn up in the fires, it's heavier than water and quickly sunk off the tainted soil, and it could not be completely eradicated using traditional methods. The Louisiana Department of Environmental Quality would not allow the site to be developed

until the concentration of perc dropped to a safe level.

Though the Commission received about \$4.5 million from the railroad to monitor the decontamination and residents' health long-term, by 2009, the end of the funding was in sight.

That year, Jones "rolled the dice," said toxicologist Brad Droy.

### Innovative solution

The town's engineering firm reached out to Droy's company, Toxicological & Environmental Associates Inc., and he began forming a plan to use a relatively new substance created by NASA known as Emulsified Zero-Valent Iron, or EZVI. It was first field-tested at the Cape Canaveral Air Force Station in 2002, and wasn't made commercially available until 2005, so in the world of large-scale cleanup of carcinogenic industrial cleaning agents, it was still pretty new on the scene.

Droy was going to mix it with vegetable oil and inject it into the ground.

It was an "innovative" solution, said DEQ environmental scientist Tommy Doran, who has been assigned to the derailment cleanup for the past four years.

His department regularly tests the decontamination site, and for four straight quarters, the concentrations of perc have

dropped to safe levels.

Droy said his firm is preparing the site closure report and plans to submit it this month. A final DEQ review will take a few weeks, but if everything is in order, the site will be released from monitoring early next year, Doran said.

Plans for the site are still being considered. The Intergovernmental Commission will be dissolved once the matter is put to rest and plans to donate the land to the town. Jones is thinking about trading or donating at least some of the property to the school system, which has offices on an adjacent plot. Superintendent John Watson

expressed interest in building a new facility to host professional development, since the parish doesn't have a site dedicated to training staff, but he emphasized that nothing has been finalized.

### Landmark case

The 21st Judicial District also will have to distribute the last of the outstanding settlement money, though with the impending closure of the contamination site, a large portion has already been spent.

After the derailment, Illinois Central Gulf was ordered to

► See **DERAILMENT**, page 13A

The new EBEL Wave, shown in 18K yellow gold & two-toned stainless steel, hers with diamonds. The collection, intelligently priced from \$1,500.

**EBEL**

THE WAVE REIMAGINED. UNDENIABLY EBEL.

**Twice as Nice**

This year, present her with diamond solitaire earrings in 14K. With our exceptional quality and prices you'll find that they are twice as nice.

1/4 ct. t.w. \$195  
1/2 ct. t.w. \$495  
3/4 ct. t.w. \$895  
1.00 ct. t.w. \$1,495  
1.50 ct. t.w. \$2,895  
2.00 ct. t.w. \$5,495

**Anton's**  
FINE JEWELRY

10675 Coursey Blvd.  
(225) 291-1919

**CLOCHE COLLECTION**

Sterling Silver 3 strand 16-18" pendant with 9mm freshwater pearl, \$95.  
Earrings with 7mm freshwater pearl, \$65.

**Hannon**  
GEMOLOGIST & MASTER JEWELERS  
8440 BLUEBONNET BLVD. | BATON ROUGE, LA 70801 | 225-766-8242  
www.hannonjewelers.com  
OPEN 7 DAYS A WEEK IN DECEMBER

Visit our One-Stop  
**Holiday Wonderland**

**FOREVERGREEN CHRISTMAS TREES**

Traditional 6 1/2' to 10' **50-60% OFF** REGULAR PRICE

Table Top 4' & smaller **20% OFF** REGULAR PRICE

7 1/2' Pre-lit Harrison Pine Reg. 999.99 **399<sup>99</sup>**

**Our FRESHNESS is GUARANTEED**

Keep the Family Tradition Alive with **LIVE CUT CHRISTMAS TREES**

Fraser Fir, Noble Fir and Nordmann Fir

**CHRISTMAS DECOR**

Ribbons & Bows, Select Categories  
Artificial Wreaths, **20% OFF** REGULAR PRICE  
Garland & Picks

**LOUISIANA NURSERY Home & Garden** SHOWPLACE®

8680 Perkins Road 225.766.0300  
13121 Coursey Blvd. 225.756.0008  
39245 Hwy. 42, Prairieville 225.677.7984

visit us online! [LOUISIANANURSERY.COM](http://LOUISIANANURSERY.COM)

**Open Late 7 Days a Week**

**Holiday Home**  
OUTDOOR FURNITURE SALES EVENT  
*Entertain in Style!*

UP TO **40% OFF** RETAIL

**Sabine**  
PATIO FURNITURE  
POOL SUPPLIES HOT TUBS  
[www.sabinepools.com](http://www.sabinepools.com)

BATON ROUGE: 11358 Perkins Rd. 225-769-1214 | OPEN: MON - FRI 9AM-5PM • SAT 9AM-3PM

# DERAILMENT

Continued from page 12A

pay a \$39 million settlement in a class-action lawsuit. When it came time to cut the checks, the court had to briefly locate to the parish fairgrounds to make room for the 3,414 plaintiffs to claim their shares.

"It was a landmark case," said attorney Calvin Fayard, one of at least nine lawyers who represented the residents.

Not only were thousands of plaintiffs involved, but the settlement required the railroad to provide free health screenings to residents, Fayard said. The settlement also resulted in the creation of the Intergovernmental Commission specifically to oversee the long-term cleanup.

Another million dollars was set aside for any future claims related to the derailment, such as health issues. However, doctors, who performed checkups and bloodwork on the company's dime for more than 20 years, never found a link between the toxic spill and in-



Advocate file photo  
Workers in Livingston in 1982 wash toxic chemicals off their protective suits before they leave the crash site of the Illinois Central train derailment.

idents of cancer, Jones said. Judge Bruce Bennett added that none of the money has been paid out.

The fund was invested and is now worth about \$3.5 million, the judge said. When the Commission disbands, the pot will be split between the town and parish. The Livingston town aldermen have already approved a plan to use most of their share to build a new water tower currently under construction. Bennett plans to order the parish to dedicate their portion to the courthouse fund, since the parish is responsible for the new building but it was constructed with money generated from user fees.

Bennett is retiring Jan. 1 after 28 years on the bench, so he has overseen the decontamination and monitoring since taking office.

"I've had this case for my entire career," he remarked.

The class-action settlement was unique because Bennett's predecessor decided not to award payouts to the parents of children named in the suit. To make sure the money went to the juveniles, their shares were placed into trusts managed by the court, to be paid out when they turned 18.

"I guess I was sort of a stepfather to half the kids in Livingston," Bennett said.

There were criminal proceedings as well. The entire team was fired and the engineer, who had been drinking with a brakeman at a layover in Baton Rouge and allowed an untrained secretary to take the controls at the time of the crash, was sentenced to a year behind bars and a \$10,000 fine, according to Livingston clerk of court records.



Advocate staff photo by PATRICK DENNIS

Livingston Mayor Derral Jones, left, talks with site manager Tommy Arledge, right, about the 1982 train derailment that happened in the center of town and had chemical tanker cars burning for 14 days. The building in the background is the monitoring station for the containment site.

"This was a case of bad judgment, whiskey and women," said attorney John Sinquefield, who was called in from the East Baton Rouge District Attorney's Office to prosecute the case because the local DA and the state Attorney General were involved in related civil suits.

The Canadian National Railway purchased and took over Illinois Central Gulf in the 1990s.

### Rallying point

Though the derailment site is plugging the wells and shuttering the monitoring station, the incident will have a lasting impression on not just the town, but all of Louisiana.

"I believe it to be the catalyst to where we are today in chemical response," said State Police Superintendent Mike Edmonson, whose agency is in charge of all hazmat emergencies.

Edmonson had been a trooper for all of 21 months when the spill occurred and was placed in front of reporters to give updates on the response.

"We had all the media in the world out there," he recalled.

Many first responders realized they couldn't decipher the

chemical warning symbols on the tanker cars, so they didn't know which fires to spray with water, what to spray with foam and what to let burn out.

After the derailment, State Police put protocols in place to teach crews how to determine the safest way to dispose of chemicals, how to determine when to evacuate an area and how to improve communication with the public and between agencies, Edmonson said.

"We really didn't know. ... All (the procedures) came out of that Livingston train derailment," he said. "A lot of welcome knowledge came out of the whole response."

Droy, the toxicologist, said it was a "clear rallying point" for state environmental regulators to receive more specialized training. Doran, the environmental scientist, said it "had a huge impact" on federal efforts to raise standards for hazmat professionals.

Once the decontamination site is officially closed, Jones hopes to hold a ceremony for all the first responders, scientists, officials and residents to get together, and remember the derailment as they put it

behind them.

"It's probably the biggest story to ever come out of the town of Livingston," the mayor said.

Follow Steve Hardy on Twitter, @SteveRHardy.

**LSU MONSTER TRUCK**

\$15<sup>95</sup>

MONSTER TRUCK

**GOODWOOD**

7539 Jefferson Highway • 926-0040

**FRIED TURKEYS**  
12 - 14lbs. Order Early  
**HEADS & TAILS**  
225 - 767 - 2525

**GRANITE**  
\$20 sq. ft. Installed  
in time for Christmas!  
225-287-2032

10th Annual  
Breakfast  
with Santa

**Mason's grill**

**JOIN US**  
for a VISIT from SANTA  
Sunday, December 13 ~ 11 AM - 2 PM

Bring your camera and your appetite!  
We will be taking digital pictures  
and posting on our website.

Brunch is available every Saturday & Sunday from 9 AM - 3 PM  
Call Ahead Wait List Available

**mason's grill**  
13556 Jefferson Highway  
Baton Rouge, LA 70817  
225.756.8815

view FULL MENU online  
[www.masonsgrill.com](http://www.masonsgrill.com)  
[www.facebook.com/masonsgrill](https://www.facebook.com/masonsgrill)

Home for the holidays

CHAMILIA®  
live with all your heart

Bracelets in sterling silver, starting at \$65  
Charms in sterling silver, starting at \$35

Holiday Hours:  
Mon. - Fri. 9:30 - 6  
Thursdays till 7  
Sat. 9:30 - 5  
Sun. 12 - 5

**Anton's**  
FINE JEWELRY

Creating Memories...Now and Forever  
10675 Coursey Blvd. (225) 291-1919  
Between Airline Hwy. & Sherwood Forest Blvd.

WRAP HER IN DIAMONDS THIS CHRISTMAS.

A. Three-row stretch bracelet with pavé diamond and polished beads, \$31,000. B. Three-row pavé diamond cuff, \$26,000. C-E. Cushion shape polished and pavé diamond stretch bracelet, \$4,950 each. All in 18K gold.

**Lee Michaels**  
FINE JEWELRY & DISTINCTIVE GIFTS

MALL OF LOUISIANA • 225-766-6000  
CORPORATE AT BOCAGE • 225-926-4644  
LMFJ.COM

**Redefining healthcare.**

**BRGeneral.org/future**