

TRASH:

Trash should go to the landfill for at least two weeks, giving Covanta time to shut down.

FROM A-1

two heaviest trash pickup days of the week, Drouillard said. TRI expects it will send trash to a landfill for at least two weeks, given the amount of time needed for Covanta to cease operations and another company, assuming one is found, to restart the plant, Drouillard said. A spokesman said Quarry Landfill was busy Friday. The landfill expected to see 200 additional trash trucks dump garbage by the end of the day,

said Kip Smith, Quarry Landfill manager. The landfill, owned by Waste Management of Oklahoma Inc., typically sees about 250 trash trucks each day, Smith said. Should the city opt to stay with the Quarry Landfill, it could be a long-term arrangement. The landfill has enough permitted space to accept trash for another 25 years at current volumes, said Judy Duncan, director of customer services for the Department of Environmental Quality.

Adding Tulsa's 800 tons of trash per day to the landfill would reduce the facility's lifespan by about five to six years, Duncan said.

Waste Management owns additional land in the area and other inactive quarries owned by other entities are potentially suitable for additional landfill space, Duncan said.

Taking trash to the landfill, rather than burning it, also is cheaper for the city.

The city pays \$15.22 per ton to dump trash at the Quarry Landfill. The city paid Covanta \$23.22 for the same service.

"I think the city will save about \$2.5 million a year by not going to the burn plant," Cohenour said.

But abandoning the trash-to-energy plant permanently may not be in the city's best interest, Cohenour said. She and others are reviewing the "long-term value of having a trash-to-energy plant, recycling and a landfill" as disposal options.

City officials thought they had found a long-term solution to the city's trash disposal needs when the decision was made to build the trash-to-energy plant.

Officials in the early 1980s worried about running out of landfill space, said Jim Hewgley

III, a city commissioner at the time.

In fact, the trash-to-energy plant concept was on the table when he took office in 1978, Hewgley said.

City officials looked at various types of trash-to-energy technology before deciding on a plan to build the current facility. Officials finalized the deal in 1984, just prior to a new administration taking office at City Hall, Hewgley said. "It was the last thing we did," Hewgley said. Other members of the city commission at the time included Patty Eaton, Walter Hall, Roy Gardner and U.S. Sen. Jim Inhofe, who was mayor.

Officials at the time were optimistic about building the plant.

Predictions that natural gas prices would skyrocket fueled claims by proponents that a trash-to-energy plant would save the city money.

As it turned out, natural gas prices, used to determine the price of energy produced at the plant, never increased to predicted levels. And landfill space, while certainly in short supply at the time, expanded as other facilities developed.

Asked Friday about the decision to build the facility, Hewgley said: "Everybody has their legacies, I guess, some good, some bad. For me and our group, the third penny sales tax was a good one."

"We thought we were doing the best we could, and if it turns out 20 years down the road it wasn't the best thing ... that's what happens."

The city expects to pay off the \$33.2 million it still owes on the plant in 2007. The city initially sold \$92 million in revenue bonds to help finance construction of the plant, according to news accounts. Ogden Martin

spent another \$21 million.

Ogden Martin in 1986 sold the plant to CIT for \$91 million, which in turn leased it back to Ogden Martin.

Meanwhile, Covanta's ceasing operations forced Sunoco officials to review options. The refinery is the trash plant's only energy customer, purchasing steam produced from the burning of garbage.

"Our goal is to find a solution that will have the least amount of negative impact on our operations as possible," refinery manager John Rossi said in remarks released to the media.

A company spokeswoman declined to say what options Sunoco was considering. The company purchases about 50 percent of its steam from the plant.

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TRIAL:

Webber claimed the trustee's activities interfered with Bartmann's defense.

FROM A-1

stopped — at least until U.S. Magistrate Judge Sam Joyner could hold a hearing on the matter later in the day.

Late Thursday, Bartmann attorney Dan Webber Jr. had filed the request, claiming that the trustee's activities were interfering with Bartmann's ability to assist in his defense during his criminal trial.

Webber asked that such activities be delayed until the six-to-eight-week trial concludes.

The Bartmanns filed for personal bankruptcy protection Aug. 27, slightly more than a month after U.S. Bankruptcy Judge Dana Rasure entered a nearly \$20 million judgment against them and in favor of CFS in a dispute over loans they received from the company.

On Sept. 18, Rasure converted their bankruptcy from a reorganization of debts to a liquidation.

During the Friday hearing before Joyner, Bartmann attorney Patrick Ryan said the Bartmanns "have absolutely no money" and cannot even write a check because their bank ac-

counts have been frozen as part of the bankruptcy process.

Ryan claimed that — unless something could be worked out — Bartmann would not even be able to buy food while "fully engaged in a fight for his life" during the jury trial.

He said he didn't understand why the trustee was acting so quickly to liquidate the Bartmanns' estate.

"I don't understand the immediacy," Ryan said. "It escapes me."

Bartmann claimed in an affidavit filed Thursday that Malloy has "stated in writing his intention to go to my home and take my wife's jewelry."

The former CFS leader wrote, "Unless stopped, the 6 to 8 week process of liquidating my wife's business, selling the land in front of my home and selling the personal possessions within my home will greatly interfere with my ability to concentrate on the pending trial and my ability to assist in my own defense."

Malloy told the court Friday that he was merely fulfilling his legal duties and responsibilities to the Bartmanns' creditors. He said he could not simply give the Bartmanns money from the estate to live on during the trial.

Ultimately, a solution was worked out in which the trustee will loan about \$45,000 to Kathryn Bartmann. The money will be secured by a mortgage on her exempt interest in the Bartmanns' home.

Under the pact, Malloy will be allowed to videotape the cou-

ple's assets in the near future. But he agreed to put off further efforts to "preserve, freeze or liquidate" the Bartmanns' estate until the trial concludes.

The trial will be in Tulsa, since Holmes denied the request to move it to Oklahoma City because of what the defense claimed was localized prejudice against Bartmann.

Holmes said Friday that the jury selection process — which included written questionnaires as well as extensive questioning — ensured that Bartmann's case will be considered by impartial citizens.

The nine men and seven women who remained Friday will report for duty at 8:30 a.m. Monday. Holmes said the four who will be alternates won't be determined until all the evidence has been introduced.

About 150 people showed up Monday for potential service. Thirty-six were then called for individual questioning from Monday afternoon until Thursday evening. Six people were excused, including one man who admitted commenting about the case to other potential jurors.

Those six were replaced by members of the larger pool, meaning a total of 42 people were quizzed individually outside earshot of other potential jurors. The defense struck 12 people from service Friday morning, and the prosecution erased eight.

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Janklow pleads innocent to manslaughter

FLANDREAU, S.D. (AP) — Four days after saying he "couldn't be sorrier" for a traffic collision that killed a motorcyclist, Rep. Bill Janklow pleaded innocent Friday to manslaughter.

The Republican former governor also pleaded innocent on three misdemeanor charges in the Aug. 16 wreck. Defendants in felony cases rarely enter guilty pleas during arraignments.

Authorities allege Janklow was driving a Cadillac 71 mph in a 55-mph zone and had just run a stop sign at a rural intersection near Trent when he collided with the Harley-Davidson, killing 55-year-old Randy Scott.

Trial was set for Dec. 1. Besides second-degree manslaughter, which has a maximum punishment of 10 years in prison and a \$10,000 fine, Janklow is charged with reckless driving, speeding and running a stop sign.

He is allowed to remain free on a personal recognizance bond.

Some Scott relatives and Janklow supporters attended Friday's session, which lasted only a few minutes in a packed courtroom.

A friend of the Scott family, Jodi Christy, told KELO-TV of Sioux Falls that she and family members had hoped Janklow would take responsibility for the accident.

"For him to acknowledge would make a difference," said Christy, who did not attend the hearing.

Outside were about a dozen protesters. As Janklow left, some yelled chants such as, "No justice, no peace," and "He's a killer."

Janklow, 64, had told an investigator he saw the stop sign but

was going too fast to stop before colliding with the motorcycle. His attorney Ed Evans has declined to comment about the case.

On Monday, Janklow called a news conference in Sioux Falls and said he "couldn't be sorrier" for the accident. He also said he suffers from memory loss and confusion from a head injury.

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