BATON ROUGE SSO PROGRAM

2002 CONSENT DECREE

2013 ANNUAL REPORT

January 30, 2014

DEPARTMENT OF PUBLIC WORKS
City of Baton Rouge and Parish of East Baton Rouge

P.O. Box 1471
Baton Rouge, LA 70821

(225) 389-3158

January 30, 2014

CERTIFIED – RETURN RECEIPT REQUESTED

Chief,
Water Enforcement Branch (6EN-W)
Compliance Assurance and Enforcement Division
U.S. Environmental Protection Agency, Region VI
1445 Ross Avenue
Dallas, Texas 75202-2733

Re: City of Baton Rouge and Parish of East Baton Rouge
Consent Decree-Civil Action No. 01-978-B-M3
Annual Report - **Period Ending December 31, 2013**

Gentlemen:

Pursuant to Paragraph 52 of the Consent Decree, the City of Baton Rouge and Parish of East Baton Rouge (City/Parish) hereby submits the Annual Report covering activities for the year ending December 31, 2013. This report addresses the following items:

- Remedial Measures Action Plan (RMAP)
- Treatment Facility Assessment
- Environmental Results Monitoring (ERM)
- Interim Relief Measures Activities
- Outreach and Public Awareness Program
- Plan Modification Needs
- Stipulated Penalties

These items are described in Sections XII, XIII, XIV, XVI, XV and XXI of the Consent Decree.

I certify that the information contained in or accompanying this document is true, accurate and complete. As to identified portions of this document for which I cannot personally verify their truth and accuracy, I certify as the official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification, that this is true, accurate and complete.

Sincerely,

David Guillory, PE
Director of Public Works

Cc: Honorable Melvin L. "Kip" Holden, Mayor-President
Mr. William B. Daniel, IV, Chief Administrative Officer
Mr. Michael Donnellan, US DOJ
Mr. John Blevins, US EPA Region 6 Compliance Division Director (CEN)
Ms. Jerry Saunders, US EPA (6EN-W)
Ms. Carol Peters-Wagnon, US EPA (6EN-WM)
Ms. Paulette Johnsey, US EPA (6EN-WC)
Ms. Peggy Hatch, LDEQ
Ms. Cheryl Nolan, LDEQ
Ms. Celena Cage, LDEQ
Mr. Mary Roper, Parish Attorney
Mr. Bob Abbott, Parish Attorney's Office
Mr. Bryan Harmon, DPW
Mr. Greg Wiley, DPW
Mr. Jim Ferguson, DPW
Mr. Mark LeBlanc, DPW
Ms. Amy Schulze, DPW
Mr. Mitch O'Brien, DPW
Ms. Cheryl Berry, DPW
Mr. Joshua Crowe, CH2M HILL

CITY-PARISH DEPARTMENTAL MEMORANDUM

WASTEWATER TREATMENT AND DISPOSAL DIVISION

2444 River Road
Baton Rouge, LA 70802

Date: January 31, 2014

To: Mr. Bryan Harmon, DPW

From: Mrs. Karen E. Johnson, CH2M HILL

Re: City of Baton Rouge and Parish of East Baton Rouge
Consent Decree-Civil Action No. 01-978-B-M3
2013 Annual EPA Report
Data Review

Draft copies of the above referenced report have been submitted for your review. This review is to ensure that the data submitted under your direction, has been stated in a truthful and accurate manner in the 2013 Annual EPA Report. Once the review of the data is complete and corrected, please sign below the paragraph stating that fact and return for processing.

Sincerely,
Karen Johnson, PE
Regulatory Coordinator/CH2M HILL

I certify that the information contained in or accompanying the portion of the 2013 Annual EPA Report that I am responsible for is true, accurate, and complete. As to those identified portions of this document for which I cannot personally verify their truth and accuracy, I certify as the official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification, that this is true, accurate and complete.

Bryan C Harmon 1/31/2014

cc: Document Control

CITY-PARISH DEPARTMENTAL MEMORANDUM

WASTEWATER TREATMENT AND DISPOSAL DIVISION

2443 River Road
Baton Rouge, LA 70802

Date: January 31, 2014

To: Ms. Cheryl Berry, DPW

From: Mrs. Karen E. Johnson, CH2M HILL

Re: City of Baton Rouge and Parish of East Baton Rouge
Consent Decree-Civil Action No. 01-978-B-M3
2013 Annual EPA Report
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Sincerely,
Karen Johnson, PE
Regulatory Coordinator/CH2M HILL

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1/31/14

cc: Document Control

BATON ROUGE SSO PROGRAM
2002 CONSENT DECREE

2013 ANNUAL REPORT

January 30, 2014

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Baton Rouge Consent Decree
2013 Annual Report

This Annual Report for the period from January 1, 2013 to December 31, 2013 is submitted in accordance with Section XVIII, Reporting Paragraph 52, of the Consent Decree. This report addresses all items identified in Consent Decree Exhibit I regarding the Annual Report format and content.

During the past year, there continues to be significant progress made towards achieving Second Remedial Measures Action Plan (RMAP2) compliance. By the end of 2013, the City of Baton Rouge/Parish of East Baton Rouge (City/Parish) had forty-four (44) RMAP2 projects functionally completed (ahead of schedule), twenty-six (26) projects under construction, and twenty- three (23) projects under design, in order to strive to achieve the compliance schedules set forth in Tables 2, 3, and 4 of this Annual Report. Additionally, as of December 31, 2013, there have been 64 Consent Decree reporting deliverables submitted on or ahead of schedule.

As you can see, the City/Parish is actively moving forward with the execution of the RMAP2 projects included herein, as outlined in 2002 Consent Decree as well as the April 2009 Consent Decree Modification by DOJ, EPA, and LDEQ that adopts the corresponding *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program* (September 2008). In addition, the City/Parish is now adhering to the revised compliance schedule approved in the (June 2013) Revised Second Consent Decree Modification by DOJ, EPA, and LDEQ which formally approves the City/Parish's 4 year extension request which was the focus of the *Modified Request for Time Extension/Modification of the Compliance Schedule in the Approved RMAP2 Submittal* (October 2012).

1. Remedial Measures Action Plan

In 1998, the City/Parish originally developed a comprehensive Remedial Measures Action Plan (RMAP) for the collection system during consent decree negotiations, identified as Alternative 1 (the original Sanitary Sewer Overflow [SSO] Plan) in the Consent Decree. A Value Engineering (VE) study was commissioned in early 2000 to explore cost-saving alternatives. The VE study identified seven options based on the original SSO Plan for further consideration. Three of those alternatives (specifically 3, 4, and 7) were considered equivalent low-cost options that deemed further examination. Through a series of Metro Council and public meetings, Alternative 7, the Composite Plan, was selected. At the time, the Program Manager for the work associated with the Composite Plan was Montgomery Watson Harza (MWH). The focus of this plan was to utilize deep tunnels in order to store flows throughout the wastewater collection system during high flow/wet weather conditions in order to eliminate SSOs throughout the City/Parish during the design storm condition (2 year - 12 hour). The Composite Plan consisted of two parts: the First Remedial Measures Action Plan (RMAP1) and Second Remedial Measures Action Plan (RMAP2).

1.1 RMAP1 Summary

The First RMAP (or RMAP1), submitted on January 10, 2001, consisted of the projects that were common to all three of the lowest cost VE options (3, 4, and 7) being evaluated. These RMAP1 projects listed in Exhibit F of the Consent Decree were those projects common to the alternatives presented in Section XII - Remedial Measures: Collection System Remedial Program of the Consent Decree. There were a total of 19 "common" projects identified through various modeling and VE efforts associated with the original SSO Corrective Action Plan developed by MWH in 1998. These projects were common to the alternative plans presented in the Consent Decree that focused on utilizing deep tunnels/storage to control the SSOs throughout the City/Parish's wastewater collection system. The phased implementation of these RMAP1 projects began at the

end of 1999 and the beginning of 2000. These projects were planned to start and finish at different times due to funding constraints and the need for easements and permits. Since the date of entry into the Consent Decree, the City/Parish has been diligently working on the design and construction of these RMAP1 projects; all of these projects have been completed. During the planned execution of these projects, significant events occurred with the change in technical approach of the Collection System Remedial Program and, as such, some RMAP1 projects have been affected. Any, and all, such changes have been reported in previous reports.

In 2004 and 2005, the City/Parish decided to re-evaluate the planned technical approach of their Collection System Remedial Program, while implementing RMAP1 projects. This review resulted in a consequential change in technical approach from deep tunnels and storage, to a focus on sewer rehabilitation. At that point, the original RMAP1 projects that had not begun were re-examined. Some of these projects were shelved and others were re-evaluated to see if they fit into the new plan. During this time period, the City/Parish's consultants that were hired to help plan and execute these projects changed. Camp Dresser & McKee (CDM) was hired to develop an alternative plan not dependent on deep tunnels with an emphasis on rehabilitation of sewers to remove infiltration and inflow, and conveyance system improvements. CDM completed the initial conceptual reevaluation of the sewer rehabilitation plan, and CH2M HILL was later contracted to serve as the Program Manager and charged to perform a more thorough and detailed engineering and evaluation of the revised approach. CH2M HILL is currently the City/Parish's consultant/Program Manager for the Sanitary Sewer Overflow (SSO) Control and Wastewater Facilities Program which was initiated to meet the goals of the Consent Decree.

In December 2007, the City/Parish and CH2M HILL submitted a detailed *RMAP1 Status Report* to the EPA that summarized the status of all of the RMAP1 projects. This report included a formal "Request for Time Extension" for those RMAP1 projects not yet completed, and a corresponding schedule for project completion. This report was submitted as the milestone requirement pursuant to Section XVIII – Reporting of the Consent Decree. This report and the request for a time extension were verbally approved by the U.S. Environmental Protection Agency (EPA) during a conference call on February 12, 2008. Since no formal approval was granted from the EPA or Louisiana Department of Environmental Quality (LDEQ) for the RMAP1 projects that were outstanding which were highlighted in the report, the City/Parish re-submitted the revised RMAP1 milestones as outlined in the *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program* (September 2008).

In late 2008, an Agreement and Order Regarding the Modification of the Consent Decree was submitted to the court and was approved by the Department of Justice (DOJ), EPA, and LDEQ in April 2009. This approval formally accepted the RMAP1 milestones presented in the *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program* (September 2008). Although with this approval a new technical approach to resolve SSOs was approved which made the old tunnel plan obsolete, the City/Parish actively progessed with the execution of the remaining RMAP1 projects included herein based on the approved revised schedule.

The status of the RMAP1 projects is presented in Table 1 and is current through December 31, 2011. As of that time, all 14 RMAP1 projects are functionally completed, and 13 of the 14 were done either on, or ahead of schedule. The RMAP1 - Industriplex Project has had several issues arise during the construction phase pertaining to: unavoidable utility conflicts, difficult easement acquisitions, alignment changes, and permitting and other utility coordination issues that have caused significant delays with the project which could not be overcome by reasonable actions by the City/Parish and its construction contractor. Therefore, this project has been functionally complete and in operation since 1st quarter 2011. The City/Parish strongly asserts that this project is not susceptible to stipulated penalties due to the circumstances of the delay beyond the control of the City/Parish. The circumstances behind the delay are explained in detail in Table 1 below, and have been also reported in previous Quarterly EPA Reports. The *RMAP1 Completion Report* is included in previously

submitted/approved *2011 Annual EPA Report* in *Attachment 1: Updated Outreach and Public Awareness Plan and RMAP1 Completion Report* and can also be found attached at the end of the *36th Quarterly EPA Report*.

TABLE 1
EPA Consent Decree RMAP1 Milestones

Milestone Date		RMAP1 Projects Completed May 4, 2007	RMAP1 Projects Completed Proposed on September 1, 2008	Project Status Summary
Construction Status		**Complete**	**Complete**	
Consent Decree Projects	**Corresponding City/Parish Projects**			
RMAP1 Projects				
N-05 PS 24 Area Upgrades	*PS 24/43 Area Upgrade (01-RMP-N05)	✓		
N-06 PS 43 Area Upgrades				
N-09 PS 44/46 Area Upgrades	PS 44/46 Area Upgrades (01-RMP-N09)	✓		
N-10 PS 240 Area Upgrades	PS 240 Area Upgrades (01-RMP-N10)	✓		
***N-99 North Further Investigations	NTSN SS Eval. Study (99-RMP-N-99)	✓		
	**Bellingrath Rehab. (03-RMP-N14) (NSRP)	✓		
	**Frenchtown Road Sewer Rehab. (03-RMP-N15)	✓		
	**North Area Comprehensive Rehab. (03-RMP-N23)	✓		
	**PS 45 Area Rehab. (00-RMP-N31)	✓		
C-03 PS 2 Area Rehabilitation	PS 2 Area Upgrades (01-RMP-C03)	✓		
S-01B SWWTP Influent PS	SSO SWWTP Infl. PS Upgrade (99-RMP-SO1B)	✓		
S-11 PS 40 Area Rehabilitation	S-11 PS 40 Area Rehabilitation	✓		
***S-99 South Further Investigations	SSO Engr-South (99-RMP-S99)	✓		
	PS 944 Area Upgrade Grv Sewer (99-RMP-S99)	✓		
	PS 944 Area Upgrade (99-RMP-S99)	✓		
	PS 177 Area Upgrade (99-RMP-S99)	✓		
	**PS 211 Area Upgrades (99-RMP-S11)	✓		
N-01 Choctaw Basin Return System	Choctaw Area Storage (04-RMP-N22)			RMAP1 project suspended. Project is included as RMAP2: Choctaw Storage.
N-13 North Choctaw Basin System	S-05 PS 58B Area Upgrades MWH RMAP2			RMAP1 project suspended. Project is included as RMAP2: Choctaw Storage PS.

TABLE 1
EPA Consent Decree RMAP1 Milestones

Milestone Date		RMAP1 Projects Completed May 4, 2007	RMAP1 Projects Completed Proposed on September 1, 2008	Project Status Summary
Construction Status		**Complete**	**Complete**	
Consent Decree Projects	**Corresponding City/Parish Projects**			
RMAP1 Projects				
N-04 PS 47 Area Upgrades	N-04 PS 47 Area Upgrades			RMAP1 project suspended. Project is included as RMAP2: Group Project 1B – Veterans Memorial Parkway PS FM.
N-07 PS 39/55 Area Upgrades	N-07 PS 39/55 Area Upgrades			RMAP1 project suspended. Project is included as RMAP2: Group Project 1B – Veterans Memorial Parkway PS FM.
N-11 PS 65 Area Upgrades	PS 65 and 65A Area Upgrades (01-RMP-N11)			Project suspended. Evaluated for inclusion in RMAP2 and Master Plan. Project proposed as a part of the Master Plan.
N-02 PS 49/52 Area Upgrades	PS 49/52 Area Upgrade (01-RMP-N02)		4th Quarter 2008	**Project completed – 4th quarter 2008** (at 80% complete with construction). Project was in dispute with construction contractor. Both parties reached an agreement on terms and job was closed at 80% complete.
N-12 North Sewer Rehab Projects	North Sewer Rehab Projects (03-RMP-N12)		4th Quarter 2007	**Project completed – 4th quarter 2007.**
S-08 Industriplex Area Upgrades	Industriplex Area PS 355 and FM Upgrades (99-RMP-S08)		2nd Quarter 2010	**Project completed – 1st quarter 2011.**
S-14 Kleinpeter Area Upgrades	Kleinpeter Area Upgrades (03-RMP-S14)		2nd Quarter 2010	**Project completed – 2nd quarter 2009.**
S-16 PS 136 Area Upgrades	PS 136 Area Upgrades (99-RMP-S16)		2nd Quarter 2010	**Project completed – 2nd quarter 2010.**

* This project was executed as a combination of two RMAP1 projects

** These projects were added as RMAP1 projects by the City/Parish after entry into the Consent Decree

*** This RMAP1 project was split up into multiple projects for better execution

1.2 RMAP2 Summary

The Second RMAP (RMAP2), which was originally submitted on November 19, 2002 by the City/Parish and their consultants at that time, MWH, consisted of the projects required to complete the selected overall remedial action plan, or Alternative 7. As the planning and design activities for the RMAP2 projects progressed, it was apparent that modifications to the project definitions and schedules were necessary. On December 3, 2004, proposed RMAP modifications were submitted for review and approval.

In early 2005, the City/Parish began re-evaluating Alternative 7 of the original Composite Plan, due to large budget over runs of several projects that were indicative of total project cost increases of 50% or more. CDM was hired to do a preliminary evaluation of alternatives and the City/Parish developed an "updated" Second RMAP approach, or revised RMAP2, based on more aggressive sewer rehabilitation and comprehensive upgrades of pumping stations. The City/Parish, in conjunction with CDM, submitted a written request with proposed RMAP2 modifications for review and approval to the EPA and LDEQ on July 29, 2005. The City/Parish conducted a telephone conference with EPA and LDEQ on August 1, 2005 in order to present the program status. That presentation included the requested revision to the RMAP2 with the sewer system rehabilitation focus that CDM helped to develop. The requested plan modification represented a material change in the currently approved RMAP2 (based on the change from Alternative 7 of the tunnel plan), though the requested revision to the RMAP2 did not actually extend the final compliance date beyond the January 1, 2015 which was the original deadline for Alternative 7, listed in the Consent Decree. At that time, the City/Parish made every reasonable effort to complete the work to meet the original deadlines and focused additional efforts and resources to accelerate wastewater treatment plant improvements to achieve consistent permit compliance at the earliest date possible.

The revised RMAP2, submitted by the City/Parish and CDM, had not yet been approved by the EPA and LDEQ in early 2006 when the City/Parish engaged CH2M HILL to conduct a peer review to address issues about elements of the alternative plan including an assessment of costs and schedules and a reassessment of the South Wastewater Treatment Plant (WWTP) proposed work. Based on the peer review recommendations, a re-submittal, and the second request for approval, of the Revised RMAP2 modifications (including CDM's plan and CH2M HILL's updated plan for South WWTP compliance projects) was submitted by the City/Parish in conjunction with CH2M HILL on December 12, 2006. CH2M HILL was also selected as the new Program Manager, or City/Parish consultant, for this work during this timeframe. Per EPA and LDEQ request, a more descriptive follow-up report entitled *Addressing Existing Noncompliance Issues and Future Wet-Weather Flow Management Requirements for the South Wastewater Treatment Plant – Summary of Findings and Recommendations* was submitted in January 2007 that specifically addressed work at the South WWTP. This report detailed the recommendations outlined in the previous Revised Second RMAP submittal in December 2006. On July 10, 2007, the EPA and LDEQ sent a formal letter of approval to the City/Parish endorsing the December 2006 Revised Second RMAP proposal.

Since that time, a huge planning and engineering effort was undertaken by the City/Parish and the new Program Manager, CH2M HILL, and others in order to develop and implement a detailed RMAP2 submittal based on three (3) types of projects: comprehensive sewer rehabilitation, pump station and transmission (capacity) improvements, and wastewater treatment/storage improvements. This planning and engineering effort consisted of refined modeling and calibration, detailed calculations, review of field data, and project development, prioritization, and cost estimating. This RMAP2 submittal outlined the projects planned to reduce or eliminate SSOs throughout the City/Parish, in addition to describing the projects planned to meet permit requirements at the wastewater treatment plants. *The Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program* report was submitted to the DOJ, EPA, and LDEQ for review and approval in September 2008. The proposed plan represented a substantial commitment to try to meet the original demanding schedule required by the Consent Decree (January 1, 2015). The City/Parish and CH2M HILL have continually refined and performed quality control reviews of the hydraulic model of the sewer system, incorporating new information as it becomes available. These refinements at times have technically altered some aspects of the RMAP2 projects. However, the City/Parish regularly documents all RMAP2 project changes (scope changes, project additions, and project deletions) in the Quarterly and Annual EPA Reports, with EPA and LDEQ approval.

During the review and approval process of *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program* (September 2008), an Agreement and Order related to the Modification of the Consent Decree (Agreement and Order) was lodged with the

Court on November 10, 2008. The Agreement and Order adopted the City/Parish's September 2008 *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program*. This RMAP2 submittal was consistent with current industry standards and the 2002 Consent Decree, including Section V – Objectives. The RMAP2 submittal also did not extend the schedule beyond the January 1, 2015 deadline already imposed in the Court approved 2002 Consent Decree, and adhered to Section XXXIV - Modification – Paragraph 118. The Agreement and Order was lodged with the Court for public notice and comment for a period of not less than 30 days in accordance with DOJ policy and in 28 C.F.R. § 50.7, and 45 days in accordance with the LDEQ La. R.S. 30:2050.7. The City/Parish was e-mailed two public comments received by the DOJ in regards to the Agreement and Order on January 5, 2009.

Soon thereafter, the City/Parish and CH2M HILL developed a technical memorandum titled *Response to Public Comments of the Agreement and Order Regarding the Modification of the Consent Decree - Civil Action No. 01-978-B-M3 (M.D. La.)* which included the City/Parish's response to the two public comments received by the DOJ on December 17, 2008 from Mr. Steve Irving and Ms. Kathryn Lewis. The memorandum was initially submitted on January 23, 2009, was later updated based on comments received by DOJ, and was eventually submitted as a final version of the memorandum on February 27, 2009. The City/Parish believed that it provided a comprehensive response to the public comments received, and also highlighted the extensive progress that has been achieved to date associated with the Consent Decree. Additionally, many actions to address the concerns expressed in the public comments received were already either completed or underway. The City/Parish requested at the time that the Court timely approve the modification, as the City/Parish had multiple projects that were currently ready to begin design as soon as the Consent Decree modification was approved. On April 22, 2009, the DOJ, EPA, and LDEQ approved the Agreement and Order which specifically adopts the City/Parish's *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program* (September 2008).

Since its approval, the City/Parish has been actively moving forward with implementation of the projects included in the *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program* (September 2008). However, in early 2011 the City/Parish began realizing affects of an extremely compressed compliance schedule, as well as concerns with affordability issues emerging with executing over $1 billion in projects in less than 6 years (which was the time left in the original compliance schedule required from 2002). Additionally, there had been numerous force majeure events affect the City/Parish, that took time away from normal operations that have also adversely affected the implementation schedule. Therefore, in July 2011, the City/Parish decided to submit a request for time extension (3 years), *2011 Request for Time Extension/Modification of the Compliance Schedule in the Approved RMAP2 Submittal,* for the RMAP2 projects listed in the *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program* (September 2008) . Shortly after its submission, the City/Parish started incorporating some schedule modifications, in order to take into account the proposed changes included in the request for time extension (3 year extension request) in anticipation of its quick approval.

However, during many discussions with DOJ, EPA, and LDEQ it was eventually agreed that the City/Parish submit a revised request for time extension (4 years) for the RMAP2 projects listed in the *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program* (September 2008). One of the reasons for this request was for the City/Parish to accelerate the schedule of several "additional projects" (described later in this report in *Section 1.3 Additional Projects Outside of the Consent Decree*) that were planned throughout the City/Parish once all of the RMAP2 projects were completed. The 4 year extension request was eventually submitted on October 23, 2012 and was included in the document titled *Modified Request for Time Extension/Modification of the Compliance Schedule in the Approved RMAP2 Submittal.* The City/Parish's updated request for time extension (4 years) for the RMAP2 project was signed/formalized by DOJ/EPA/LDEQ on June 18, 2013 and can be seen in ***Attachment A: 2013 Revised Second Agreement and Order Regarding Modification of the Consent Decree.*** The City/Parish has

therefore incorporated schedule modifications in tables 2, 3 and 4 below in order to take into account any changes included in the approved 4 year request for time extension.

At this time, the City/Parish is actively moving forward with the execution of the RMAP2 projects included herein, as outlined in the April 2009 Consent Decree Modification by DOJ, EPA, and LDEQ that adopts the corresponding *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program* (September 2008). In addition, the City/Parish is now adhering to the revised compliance schedule approved in the (June 2013) Revised Second Consent Decree Modification by DOJ, EPA, and LDEQ which formally approves the City/Parish's 4 year extension request which was the focus of the *Modified Request for Time Extension/Modification of the Compliance Schedule in the Approved RMAP2 Submittal* (October 2012).

As previously mentioned, as of December 31, 2013 there are 44 RMAP2 projects functionally completed (ahead of schedule), 26 projects under construction, and 23 projects under design, and the City/Parish is at the peak of construction activities..

The City/Parish is seeing many of the effects from the ramping up of the design and construction activities. The capacity of both internal and external support functions is becoming an issue of growing concern, particularly due to the stresses already placed on several key support roles specifically with regards to the City/Parish procurement system, easement and right-of-way acquisition, and state/local permit acquisitions/approvals. All of these support systems are already strained and the peak of RMAP2 work in underway, with no significant drop off expected until early 2015.

In addition, the City/Parish continues documenting the impact of force majeure events that have affected the Baton Rouge Area, such as the most recent threat of the Mississippi River Flood which took place on May 20, 2013 **(See *Attachment B: Notice of Force Majeure Event – Threat of Mississippi River Flooding*)** and others (including Hurricanes Katrina, Rita, and Gustav, the Gulf of Mexico oil spill, 2011 Mississippi River flood, Tropical Storm Lee, Hurricane Isaac, and other extreme storm events). The Consent Decree schedule is very demanding and the time lost recently and in the past years from these force majeure events has affected the critical early planning stages of the program, and could potentially affect project schedules and implementation now and into the future. The City/Parish keeps track of these events in regards to their potential effect on schedule and compliance, and also effect on the associated construction costs and contractor availability for RMAP2 project work. The City/Parish will continue to regularly document all RMAP2 project changes related to force majeure events.

Each year, the City/Parish and CH2M HILL re-evaluates projects as a part of the Program Delivery Plan Update (PDP Update). Included is a continual refinement and quality control review of the hydraulic model of the sewer system, and all necessary modifications of the model incorporating new information as it is available. These on-going refinements in the past have slightly altered some of the RMAP2 projects to improve their effectiveness, or have helped streamline construction activities, etc. With EPA and LDEQ approval, the City/Parish has been regularly documenting all RMAP2 project changes (scope changes, project additions, project deletions, project merging, name changes, and schedule changes) that have been made in the annual PDP Updates, and in the Quarterly and Annual EPA Reports. The 2013 PDP Update has been submitted, reviewed, and recently approved by the City/Parish. Therefore, Tables 2, 3, and 4 have been updated to reflect any changes associated with this update.

The RMAP2 projects are separated into three categories with descriptions and schedules provided for all projects, current through December 31, 2013.

1.2.1 Category 1: Comprehensive Sewer Basin Rehabilitation

Based on sewer system digital model analysis and flow monitoring, 26 sub-basins within the collection system require comprehensive rehabilitation. Sewer system comprehensive rehabilitation projects are implemented to repair or replace components of the system that are defective and may permit excessive infiltration and inflow.

Table 2 presents the Category 1 comprehensive rehabilitation sub-basin projects and anticipated delivery milestone schedules. Status summaries are also provided for those projects already underway. Pump station improvements are included in the projects listed in Category 2, Pump Station and Transmission Improvements in Table 3 on the following pages.

TABLE 2

Updated EPA Consent Decree RMAP Milestones for Category 1 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Project Status Summaries
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018	
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	
Project Descriptions RMAP2 Projects				
Jefferson Hwy – HooShooToo Road	✓			**Project completed – 3rd quarter 2009.**
Staring Lane – Boone Drive Area Rehabilitation Project	✓			**Project completed – 2nd quarter 2010.**
Burbank Drive – Gardere Lane Area Rehabilitation Project	✓			**Project completed – 4th quarter 2010.**
Oak Villa –Choctaw Street Area Rehabilitation Project	✓			**Project completed – 3rd quarter 2011.**
Scotland Avenue – Progress Road Area Rehabilitation Project	✓			**Project completed – 2nd quarter 2011.**
Elm Grove Garden Road – Harding Boulevard Area Rehabilitation Project	✓			**Project completed – 3rd quarter 2011.**
Sharp Road – Florida Boulevard Area Rehabilitation Project	✓			**Project completed – 3rd quarter 2012.**
Kenilworth Boulevard – Boone Drive Area Rehabilitation Project	✓			**Project completed – 3rd quarter 2012.**
Foster Drive - Government Street Area Rehabilitation Project Phase A	✓			**Project completed – 4th quarter 2011.**
Foster Drive - Government Street Area Rehabilitation Project Phase B	✓			**Project completed – 3rd quarter 2012.**
Silverleaf Road – Ford Street Area Rehabilitation Project	✓			**Project completed – 4th quarter 2012.**
Brookstown Road - Evangeline Street Phase I Area Rehabilitation Project	✓			**Project completed – 4th quarter 2012.**
Brookstown Road – Evangeline Street Phase II Area Rehabilitation Project	✓			**Project completed – 4th quarter 2012.**
Bluebonnet Blvd – Jefferson Hwy Phase I Area Rehabilitation Project		✓		**Project completed – 4th quarter 2012.**
Bluebonnet Blvd – Jefferson Hwy Phase II Area Rehabilitation Project		✓		**Project completed – 1st quarter 2013.**
Highland Road – Washington Street Area Rehabilitation Project		✓		**Project completed—3rd quarter 2013.**

TABLE 2

Updated EPA Consent Decree RMAP Milestones for Category 1 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Project Status Summaries
Milestone Date	**1st QTR 2013**	**2nd QTR 2015**	**4th QTR 2018**	
Construction Status	**Construction Functionally Complete**	**Construction Functionally Complete**	**Construction Functionally Complete**	
Stanford Avenue – Morning Glory Road Area Rehabilitation Project	✓			**Project completed – 4th quarter 2012.**
Airline Highway – Goodwood Blvd Phase I Area Rehabilitation Project		✓		Construction approximately 90% complete and on-going. Note: Additional repairs were added to this project during 3rd quarter 2013 which are out of scope of the original project and are being tracked separately.
Airline Highway – Goodwood Blvd Phase II Area Rehabilitation Project		✓		Construction is 5% complete and ongoing.
Acadian Thruway – Claycut Road Area Rehabilitation Project		✓		**Project completed – 1st quarter 2013.**
Acadian Thruway – Perkins Road Area Rehabilitation Project	✓			**Project completed – 4th quarter 2012.**
Antioch Road – Chadsford Drive Area Rehabilitation Project		✓		Final design completed. Advertisement for bids is completed. Contractor awarded contract. Construction NTP anticipated early 1st quarter 2014.
Jones Creek Road – Tiger Bend Road Area Rehabilitation Project			✓	Advertisement for bids underway; NTP expected early 2nd quarter 2014.
Scenic Highway – Spanish Town Road Phase I Area Rehabilitation Project			✓	Advertisement for bids completed. NTP anticipated late 1st quarter 2014.
Scenic Highway – Spanish Town Road Phase II Area Rehabilitation Project			✓	Data analysis and report submitted. Survey underway and expected to be completed 1st quarter 2014.
Siegen Lane – Interstate 10 Area Rehabilitation Project			✓	Design NTP issued. Find work underway, Data analysis underway. Report expected to be submitted late 1st quarter 2014.
Interstate 110 – Hollywood Street Area Rehabilitation Project			✓	Final design submitted and reviewed. LDEQ design review ongoing. Advertisement for bids expected to be underway 1st quarter 2014.
Ardenwood Drive – Winbourne Street Area Rehabilitation Project			✓	Find work underway. Data analysis and report expected to begin 1st quarter 2014.
Flannery Road – Florida Boulevard Phase I Area Rehabilitation Project			✓	Project not started yet.
Flannery Road – Florida Boulevard Phase II Area Rehabilitation Project			✓	Project not started yet.
East Boulevard – Government Street Area Rehabilitation Project			✓	Final design submitted and under review. Advertisement for bids expected to begin 1st quarter 2014.

TABLE 2

Updated EPA Consent Decree RMAP Milestones for Category 1 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Project Status Summaries
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018	
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	
North 38th Street – Gus Young Avenue Area Rehabilitation Project			✓	Project not started yet.

1.2.2 Category 2: Pump Station and Transmission Improvements

The Infoworks digital wastewater model was used to identify necessary increases in the capacity of existing gravity trunk sewers, pump stations, and transmission mains in order to accommodate peak wastewater flows remaining in the rehabilitated collection system. Table 3 presents a list of Category 2 projects with corresponding milestone schedules. Project status summaries are provided for those projects already underway, current through December 31, 2013.

TABLE 3

EPA Consent Decree RMAP2 Milestones for Category 2 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Project Status Summaries
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018	
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	
Project Descriptions RMAP2 Projects				
Capitol Lake – Gayosa Street Area Capacity Improvements	✓			**Project completed - 2nd quarter 2012.**
Gurney Road - Joor Road	✓			**Project completed - 4th quarter 2009.**
Sullivan Rd./Lovett Rd./Wax Rd. Sewer Upgrades	✓			**Project completed - 1st quarter 2011.**
Comite Road – Foster Road Sewer Area Upgrades - Phase I	✓			**Project completed - 2nd quarter 2010.**
Foster Road – Hooper Road Sewer Area Upgrade	✓			**Project completed - 4th quarter 2010.**
Zachary Area Transmission Network Improvements Phase I - 3 Pump Stations and Equalization Basin		✓		**Project completed - 1st quarter 2013.**
Zachary Area Transmission Network Improvements Phase II – Red Mud Lakes Forcemain to NWWTP		✓		Construction approximately 12% complete and ongoing.

TABLE 3

EPA Consent Decree RMAP2 Milestones for Category 2 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Project Status Summaries
Milestone Date	**1st QTR 2013**	**2nd QTR 2015**	**4th QTR 2018**	
Construction Status	**Construction Functionally Complete**	**Construction Functionally Complete**	**Construction Functionally Complete**	
Zachary Area Transmission Network Improvements Phase III – Forcemain to Highway 964 to Red Mud Lakes		✓		Construction approximately 95% complete and ongoing. Project is on-hold pending land acquisition for a gas line conflict, though is still projecting to be completed ahead of schedule at this time.
Zachary Area Transmission Network Improvements Phase IV – Zachary Improvements		✓		**Project completed - 4th quarter 2011.**
Zachary Area Transmission Network Improvements Phase V – Zachary Improvements			✓	90% design expected to be complete 1st quarter 2014. Design on-going.
South Boulevard – St. Joseph Street Sewer Area Upgrades	✓			**Project completed - 3rd quarter 2012.**
South Boulevard – St. Joseph Street Sewer Area Upgrades – Phase B			✓	Advertisement for bids underway. NTP expected 1st quarter 2014.
Downtown Area Pump Station Improvements		✓		**Project completed - 3rd quarter 2012.**
Highland Road – Buchanan Street Sewer Area Upgrades	✓			**Project completed - 4th quarter 2011.**
Citiplace/Essen Area - PS119 & Forcemain Improvements	✓			**Project completed - 3th quarter 2012.**
Group Project 1A (Metro Airport Sewer Upgrades)		✓		**Project completed - 2nd quarter 2013.**
Group Project 1B (Metro Airport Sewer Area Pump Station & Forcemain Upgrades)		✓		Construction approximately 40% complete and ongoing.
Perkins/Old Perkins Area - Booster PS 514 Improvements		✓		**Project completed - 2nd quarter 2013.**
Group Project 2 (Old Perkins – Highland Road Area Upgrades)	✓			**Project completed - 2nd quarter 2012.**
Highland Road – Burbank Drive Capacity Improvements		✓		Construction is approximately 98% complete and ongoing.
Nicholson Drive – Highland Road – Perkins Road Capacity Improvements Phase A		✓		**Project completed - 1st quarter 2012.**
Nicholson Drive – Highland Road – Perkins Road Capacity Improvements Phase B		✓		Construction NTP issued 4th quarter 2013. Construction approximately 8% complete and ongoing.
Bayou Duplantier Area Sewer Upgrades		✓		**Project completed--3rd Quarter 2013.**

TABLE 3

EPA Consent Decree RMAP2 Milestones for Category 2 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Project Status Summaries
Milestone Date	**1st QTR 2013**	**2nd QTR 2015**	**4th QTR 2018**	
Construction Status	**Construction Functionally Complete**	**Construction Functionally Complete**	**Construction Functionally Complete**	
25th Street - North Acadian Thruway	✓			Improvements designed under this project were constructed as part of the Capital Lake-Gayosa Drive Project and the South Blvd.-Saint Joseph Street Project. Please see status updates for the two projects mentioned in this table above.
Government St - South Acadian Thruway Sewer Area Upgrades		✓		Land acquisition on-going. Design completed. Advertisement for bids expected to be underway 2nd quarter 2014.
Plank Road – Kleinpeter Road Sewer Area Upgrades		✓		Construction is approximately 40% and ongoing.
O'Neal Lane Pipeline Improvements – Group A		✓		Construction NTP issued. Construction approximately to begin early 1st quarter 2014.
O'Neal Lane Pipeline Improvements – Group B		✓		Advertisements for bids underway. NTP expected 2nd quarter 2014.
Multiple PS - Nicholson Dr - Brightside Dr		✓		Construction approximately 36% complete and ongoing.
Pump Station 58 Capacity Improvements		✓		Construction is approximately 46% complete and ongoing. Utility conflict causing minor delay; under resolution and no schedule impact anticipated.
Staring Lane FM (Phase I - Burbank Drive to Highland Road)	✓			**Project completed - 2nd quarter 2010.**
Staring Lane FM (Phase II - Highland road to Perkins Road)		✓		**Project completed - 4th quarter 2013.**
Staring Lane FM (Phase III - Perkins to PS58)		✓		Project previously reported incorrectly. Construction approximately 99% complete and on-going.
Multiple PS - Jefferson Hwy - Park Forest Dr		✓		**Project completed - 3rd quarter 2012.**
Airline Highway Pipeline Improvements			✓	Design completed. Advertisement for bids expected to begin 2nd quarter 2014.
Multiple PS - Highland Road - Kenilworth Parkway			✓	Design completed. Advertisement for bids expected to begin 1st quarter 2014.
Florida Boulevard Pump Station Improvements			✓	90% design underway and expected to be completed 1st quarter 2014.
Plank Road Pump Station Improvements			✓	Design completed. Advertisement for bids is expected to begin 1st quarter 2014.
Multiple PS - Highway 61 - Plank Road			✓	90% design underway and expected to be submitted 1st quarter 2014.

TABLE 3

EPA Consent Decree RMAP2 Milestones for Category 2 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Project Status Summaries
Milestone Date	**1st QTR 2013**	**2nd QTR 2015**	**4th QTR 2018**	
Construction Status	**Construction Functionally Complete**	**Construction Functionally Complete**	**Construction Functionally Complete**	
O'Neal Lane Pump Station Improvements – Group A			✓	Advertisement for bids underway. NTP expected 1st quarter 2014.
O'Neal Lane Pump Station Improvements – Group B			✓	Advertisement for bids underway. NTP expected 2nd quarter 2014.
Sherwood Forest Blvd – Goodwood Blvd Pipeline Improvements			✓	90% design underway and expected to be submitted 1st quarter 2014.
Joor Road - Greenwell Springs Road Sewer Area Upgrades			✓	Final design underway and expected to be submitted 1st quarter 2014.
Plank Road - Port Hudson Pride Road Sewer Area Upgrades			✓	Design completed. Advertisement for bids expected to be underway 3rd quarter 2015.
Highland Road Pipeline Improvements - Group A			✓	Design completed. Advertisement for bids expected to be underway 2nd quarter 2014.
Highland Road Pipeline Improvements - Group B			✓	Final design submitted. Advertisement for bids expected to be underway 2nd quarter 2014.
Oak Villa Boulevard - Monterey Boulevard Sewer Area Upgrades			✓	Design completed. Advertisement for bids expected to be underway 2nd quarter 2015.
Lovett Road – Greenwell Springs Road Sewer Area Upgrades – Group A			✓	90% design underway and expected to be submitted 1st quarter 2014.
Lovett Road – Greenwell Springs Road Sewer Area Upgrades – Group B			✓	90% design underway and expected to be submitted 1st quarter 2014.
Hooper Road Pump Station Improvements			✓	Design completed. Advertisement for bids expected to be underway 2nd quarter 2014.
Multiple PS - Prescott Rd - Greenwell Springs Rd			✓	90% design submitted and reviewed. Final design underway and expected to be done 1st quarter 2014.
Multiple PS - Burbank Drive - Siegen Lane			✓	Final design submitted. Advertisement for bids expected to be underway early 2nd quarter 2014.
Pump Station 42 Improvements		✓		Construction is approximately 22% complete and ongoing.
Pump Station 42 Forcemain - Phase I		✓		Construction is approximately 87% complete and ongoing.
Pump Station 42 Forcemain - Phase II		✓		Construction is approximately 85% complete and ongoing.
Central Consolidated Pump Stations		✓		Construction is approximately 93% complete and ongoing.

TABLE 3

EPA Consent Decree RMAP2 Milestones for Category 2 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Project Status Summaries
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018	
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	
Central Consolidated Forcemains – Phase I		✓		**Project complete - 3rd quarter 2013**.
Central Consolidated Forcemains – Phase II		✓		Construction is approximately 82% complete and ongoing.

1.2.3 Category 3: Wastewater Treatment and Storage

This category of projects includes improvements at the City/Parish WWTPs, as well as storage facilities throughout the service area. There are not any RMAP2 projects that have been identified at the North WWTP, but several projects are being done by the City/Parish to improve plant performance and odor control. Based on extensive evaluations in the *Draft Wastewater Master Plan* (May 2008), the existing Central WWTP has insufficient flows to justify the cost of renovation and upgrading for future requirements, and will be retired when the RMAP2 projects are completed at the South WWTP. Flows predicted for the current central service area will be diverted to the South WWTP and adjustments will be made in the South WWTP improvements to handle the increased flows.

Summaries of the WWTP projects that are part of RMAP2 submittal are described below.

- The Immediate Action Plan (IAP) South WWTP Project includes screening, trickling filter recirculation pumping, primary treatment improvements, and bio-solids thickening improvements. Note that this project was made up of three separate projects that were grouped together for ease of execution and construction coordination. Also note that the effluent pumping IAP project has been completed.
- Phase 1 Improvements at the South WWTP for Wet Weather Flow including influent pumping, and screening and grit removal for a predicted flow of 345 million gallons per day (MGD). Phase 1 also includes 64 million gallons of equalization storage at the South WWTP.
- Phase 2 Improvements at the South WWTP include wet weather flow treatment with a peak capacity of 200 MGD (as previously approved in the November 2006 RMAP2).

In addition, there are storage projects sized to reduce peak flows to existing treatment plants that are also a part of this RMAP2 submittal, and are listed as follows and described in Table 4.

- South - Choctaw Storage Facility
- North – Hooper Storage Facility

These storage projects are part of the transmission system that allows for retaining (storage) of peak wet weather flows and permits that stored flow is later released for treatment at the treatment plant. All projects of this type are already underway. The details of the wastewater treatment and storage projects are listed in Table 4 below, and are current through December 31, 2013.

Table 4

EPA Consent Decree RMAP2 Milestones for Category 3 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Project Status Summaries
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018	
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	
Project Descriptions RMAP2 Projects				
Choctaw Storage and Pump Station Facility		✓		**Project completed – 3rd quarter 2013.**
Hooper Storage Facility		✓		Construction approximately 13% complete and ongoing.
South WWTP IAP (Consolidated – Screening, Primary Treatment, Trickling Filter Recirculation, Sludge Handling)	✓			**Project completed - 2nd quarter 2011.**
South WWTP IAP (Effluent Pumping Improvements)	✓			**Project completed - 1st quarter 2008.**
SWWTP Wet Weather Improvements -Phase I		✓		**Project completed - 2nd quarter 2013.**
SWWTP Wet Weather Improvements - Phase II (PDP portion)		✓		Construction is approximately 66% complete and ongoing.

1.3 Additional Projects Outside of Consent Decree

This category of projects is composed of several additional projects the City/Parish has agreed to implement not presently included/tracked by the RMAP2 Consent Decree Compliance Schedule, and specifically includes wet weather improvements at the City/Parish wastewater treatment plants (WWTP's), as well as storage facilities throughout the service area. Many of these projects will greatly improve the operation and maintenance of the wastewater collection system, WWTP's, and storage facilities. Specifically included in this group of projects are both the SCADA Project and the Standby Power Program, which will help optimize the overall operation of the treatment facilities and pump stations, while minimizing risks associated with SSOs. All of these additional projects are summarized below and project statuses are provided in Table 5. Note that the schedule below is based upon time (number or months) from extension approval for the projects involving the NWWTP.

Table 5

Proposed Schedule for Projects Outside of Consent Decree

	Scheduled Start	Scheduled Finish	Project Status Summary
NWWTP Master Plan Project #1 – WWTP Improvements	Project Underway	Design – 18 months from start Construction – 3 years from design finish	Design engineer selection completed. Design NTP expected 1st quarter 2014.
NWWTP Master Plan Project #2 – Sustainability Projects	Project Underway	Design – 18 months from start Construction – 3 years from design finish	30% Design underway and expected to be submitted 1st quarter 2014.
NWWTP Master Plan Project #3 (Public Project) – Plant Buffer	6 months from Extension approval	Design and Land Purchase – 1 year from start Construction – 1 year from design finish	Land acquisition is underway. RFQ for design engineer expected to be underway sometime 1st quarter 2014.
SWWTP Wet Weather Improvements – Phase II (Master Plan portion)	Project Underway	Proposed completion by 1st quarter 2015	Construction is approximately 66% complete and ongoing.
SWWTP Master Plan Project – Buffer Area	Project Underway	Proposed completion by 4th quarter 2016	DBE design engineer selection complete. Design NTP expected 1st quarter 2014.
Sewer System and WWTP Stand-by Power Program	Project Underway	Completion of SSO Program	Installation approximately 55% and on-going.
SCADA (Collection System, Operations Data and Control Center)	Project Underway	Completion of SSO Program	NTP issued. Project submittals, reviews, and coordination ongoing.
Choctaw Sewer Collection Maintenance Facility	Project Underway	Proposed completed by 3rd quarter 2016	This project has had a name change and major scope change/increase due to reorganization of DPW, and is now called the "Environmental Services Facility". 90% design is expected to be complete 4th quarter 2014.
NWWTP Odor Control Project	Complete	Complete	**Project completed – 4th quarter 2010.**
Comite –Foster Road Sewer Area Upgrades - Phase II	Complete	Complete	**Project completed - 1st quarter 2011.**
Zachary Area Transmission Network Improvements Phase V – Zachary Improvements	Project Underway	Expected to be completed by 3rd quarter 2015.	90% design expected to be complete 1st quarter 2014
South Boulevard – Saint Joseph Street Phase B	Project Underway	Expected to be completed by 4th quarter 2014.	Advertisement for bids underway. NTP expected 1st quarter 2014.
Central WWTP Decommissioning Project	4th quarter 2014	Expected to be completed by 2nd quarter 2017.	Project not started.

1.4 Infiltration and Inflow Reduction Activities Summary

Another part of the Collection System Remedial Program identified in the Consent Decree Section XII is capital infiltration/inflow (I/I) reduction activities. Pursuant to item 35 in Section XII, the City/Parish is required to spend at least $3 million annually for sewer repairs, sewer rehabilitation, and other capital expenditures related to reducing I/I in the North, South, and Central WWTP collection systems. The City/Parish spent approximately $4.78 million, therefore this goal was exceeded during 2013. The City/Parish was in compliance with Section XII Collection System Remedial Program during this reporting period. There were no problems encountered in the Collection System Remedial Program during this reporting period and non-compliance is not anticipated during the next reporting period. Table 6 identifies the funds expended during 2013 to meet this requirement.

TABLE 6

I/I Reduction Activities Summary – Data through December 31, 2013

Project	Description	% Complete	Contract Amount	Expenditures 2013
11-MH-UF-0006	Manhole Rehabilitation Contract	36%	$ 1,500,000	$ 547,045
11-CP-UF-0007	Cured-In-Place Pipe Lining	37%	$ 2,000,000	$ 742,343
11-PN-UF-0043	Annual CDR Repair & Replacement Project	9%	$ 1,500,000	$ 140,635
12-PI-MS-0009	Sewer Physical Inspection Contract #1	95%	$ 922,290	$ 879,418
12-PI-MS-0010	Sewer Physical Inspection Contract #1	72%	$ 3,440,700	$ 2,473,666
TOTAL EXPENDITURES IN 2013			**$ 9,362,990**	**$ 4,783,107**

2. Treatment Facility Assessment

Pursuant to Consent Decree Section XIII, Remedial Measure Treatment Facility Assessment, no later than March 30, 2002 the City/Parish was to submit a Treatment Facility Assessment report which assesses the treatment capabilities of the North, South, and Central WWTPs. The City/Parish submitted *Treatment Facility Assessment Report* on March 26, 2002 in conjunction with MWH. It was determined in the original *Treatment Facility Assessment* Report that all process units and conveyance elements had capacity for current and projected design flows at all three WWTPs and no WWTP facility improvements or expansion were required. The *Treatment Facility Assessment Report* also indicated that the monthly Operators Process Control meetings led by Dr. John J. Sansalone of LSU were having a beneficial impact on plant performance.

Since that time, there have been additional engineering assessments and studies of the WWTPs which resulted in the need for treatment plant improvements at the South WWTP which are now included in the RMAP2 projects presented in the *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program* (September 2008) and approved by the *Agreement and Order Regarding the Modification of the Consent Decree - Civil Action No. 01-978-B-M3 (M.D. La.)* signed in April 2009.

The City/Parish typically submits Municipal Water Pollution Prevention (MWPP) Environmental Audit Reports for the North, South, and Central WWTPs once a year to LDEQ. These reports contain an evaluation and rating for influent loadings, plant performance, overflows and bypasses, treatment plant age, sludge disposal, new development in collection system, and operator certification training for the North, South and Central WWTPs. The MWPP audit rates the treatment plants on the aforementioned factors annually starting

and are submitted annually the year following the effective date of NPDES permits. The actions that will be taken to maintain compliance and prevent effluent violations are typically presented in MWPP resolutions, which were last submitted along with the audit on November 16, 2012. The NPDES permit renewal process begun for the North, South, and Central WWTPs in 2012, and the revised permits were put into effect in March and April 2013. The new permits require that the MWPP Environmental Audit period begin on the effective date of the permits (which is in March and April 2013) and lasts for 1 year (through March and April 2014). The MWPP Environmental Audit Reports are then to be submitted 3 months later. Therefore, the next MWPP Environmental Audit Reports will be submitted in 2014 and will be included in the 2014 Annual EPA Report.

3. Environmental Results Monitoring

Pursuant to Consent Decree Section XIV, Remedial Measures – Environmental Results Monitoring Plan, the City/Parish shall implement the Environmental Results Monitoring (ERM) Plan attached in Consent Decree Exhibit G. The objective of the ERM program is to measure the environmental benefits from the Work performed under the Consent Decree through measurement of water quality improvements. The impact of the work throughout the City/Parish is tested by monitoring sewage indicating pollutants in major receiving waters prior to and following completion of remedial measures within each drainage basin. The original plan outlines four sampling locations, including all major tributaries in East Baton Rouge Parish, which enter the Amite River System – and eventually Lake Pontchartrain.

The Phase I Baseline Monitoring was completed during the 2004 reporting period. The Phase II Results Monitoring will begin 6 months following completion of all remedial measures within a specified drainage area contributing to an identified sampling location.

4. Interim Relief Measures Activities

Paragraph 39 of the Consent Decree provides interim effluent limits of 75% removal of BOD and TSS (based on 30-day average removal rates), until completion of all RMAP construction projects, as an interim relief to the 85% removal requirement of the three WWTP National Pollution Discharge Elimination System (NPDES) permits.

4.1 North WWTP

During 2013, the North WWTP has been in compliance with the 75% interim effluent limits for the entire 12 months of the reporting period for both removal of BOD and TSS. In fact, the North WWTP met the permit limit of 85% removal for TSS for 11 months, and it also met the permit limit for 85% removal of BOD for 8 months, as illustrated by Table 7.

During the first quarterly reporting period of 2013, the NWWTP had the west side trickling filters, two (2) recycle pumps, primary basin 1, and primary basin 2 all out of service. These repairs could not be completed by in-house crews, therefore construction documents needed to be developed in order to complete the repairs which were completed. There were no compliance issues reported at the North WWTP during the second, third, and fourth quarters of 2013.

4.2 Central WWTP

The Central WWTP has been in compliance with the 75% interim effluent limits for removal of TSS for all 12 months, as well as for 10 months for the removal of BOD during this reporting period. The Central WWTP also has met the permit limit of 85% removal of TSS for 9 months and BOD for 8 months as illustrated by Table 7.

During the first quarterly reporting period of 2013, the sewer lines just upstream of the Central WWTP were cleaned and televised, causing a very weak influent, which therefore resulted in a lower BOD percent removal

than what is typical. There were not any compliance issues reported at the Central WWTP during the second, third and fourth quarters of 2013.

4.3 South WWTP

The South WWTP has been in compliance with the 75% interim effluent limit for TSS all 12 months, as well as for 11 months for the removal of BOD during this reporting period. The South WWTP also met the 85% effluent limit for BOD for 3 months of the year, and it met the 85% effluent limit for TSS for 11 months during the reporting period.

During all four quarterly reporting periods of 2013 there have been extensive plant upgrades taking place at the South WWTP, which have resulted in elevated test data. The on-going construction activities, new equipment installations and tie-ins to the existing WWTP are scheduled to be completed approximately near the end of 2014. Further noncompliance is not anticipated once the work is completed.

TABLE 7
2013 Monthly Average Percent Removal

	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
North Plant-LA0036439												
BOD	75	75	82	85	87	86	86	89	92	89	87	84
TSS	85	83	87	88	90	89	89	92	94	91	92	91
Central Plant-LA0036421												
BOD	68	69	81	79	81	82	82	88	89	89	83	86
TSS	84	85	87	79	81	86	86	90	94	89	86	88
South Plant-LA0036412												
BOD	69	76	84	80	83	84	84	86	85	87	84	84
TSS	80	86	88	90	89	92	92	87	92	85	88	89

5. Outreach and Public Awareness Program

Consent Decree Section XV - Outreach and Public Awareness Plan requires the City/Parish DPW to implement and follow the Outreach and Public Awareness Program Plan attached in Exhibit H of the Consent Decree. The Outreach and Public Awareness Program Plan was updated in December 2007 and has been completed and reviewed/approved by the City/Parish, and then submitted in both the 2011 Annual EPA Report and 36th Quarterly EPA Report.

Outreach and Public Awareness Program Plan implementation efforts have been on-going. Public information tools such as the website http://www.brprojects.com/SSOProgram/Default.aspxare being continuously updated with new information about the program, public meetings, project information (including monthly and quarterly progress reports detailing the status of the projects), regulatory information and associated reference documents, and news articles about the SSO Control and Wastewater Facilities Program, etc. Fact sheets and brochures have also been developed that can be accessed via the website, and have been handed out during the public meetings, that describes pertinent information and aspects about the Program. Additionally, prior to any field work in areas, informational door hangers are also hung on those homes where inspection work will be taking place.

Also the SSO Control and Wastewater Facilities Program Monthly and Quarterly Progress Reports have been made available and distributed to the public. Until now, they have been, and still are, posted on the website for the public to download at their convenience and are always distributed to City/Parish and DPW staff. The

plan is for these reports to continue to be distributed to those on the master list and posted on the website; in addition they will also be handed out or mailed to anyone who requests them throughout the duration of the SSO Control and Wastewater Facilities Program.

SSO program communications continue to provide City/Parish residents with time critical information on SSO Control and Wastewater Facility Program projects, educational information on SSOs, and updates on the status of the Program and related projects. In close collaboration with the Office of the Mayor-President and the Department of Public Works, the Program has initiated a construction communication outreach component to complement the Program's current communication activities. The Program Communication Team has designed and distributed a variety of outreach materials. A telephone hotline for residents to call with questions was developed and coordination between the SSO Program and the Parish's 311 call center was established. Additionally, materials including information letters and handouts, door hangers announcing road closures, were developed and are continuing to be distributed.

The information presented in this section demonstrates that the City/Parish has been in compliance with Section XV Outreach and Public Awareness Program during the reporting period.

6. Plan Modification Needs

The City/Parish has not identified any deficiencies in the Cross Connection Elimination Plan, the Preventive Maintenance Program, the Sanitary Sewer Overflow Response Plan, or the Remedial Measures Action Plan.

7. Stipulated Penalties

A summary of penalties assessed and paid by the City/Parish and a cumulative summary of penalties assessed and potential stipulated penalties reported in past quarterly reports from 2013 are presented in Tables 8 and 9. There have been no reporting or scheduling deliverables missed during 2013, therefore there are not any potential stipulated penalties listed for those items below.

TABLE 8
Penalties Assessed and Paid by the City/Parish to Date

Penalties	Assessed	Paid	
		US DOJ	LDEQ
Civil Penalties	$729,500	$364,750	$364,750
Past Stipulated Penalties (1988 Consent Decree)	$216,000	$216,000	

Note: These monetary stipulated penalties have been already paid by the City/Parish in 2002.

TABLE 9

Self-Reported Potential Stipulated Penalties 2013 (SSOs and WWTP violations)

Stipulated Penalties	Number	Cost Per Occurrence	Amount Accrued
Unauthorized Discharges 2013			
Less than 1 MG & Non-Compliance with the Collection System Preventative Maintenance Plan	0	$5,000	$0
Less than 1 MG & Non-Compliance with the Sanitary Sewer Overflow Response Plan	1	$5,000	$5,000
1 MG or more	4	$5,000	$20,000
Non-Compliant Discharges (WWTP) 2013			
Weekly Average Limits	14	$1,000	$14,000
Monthly (30-day average) Limits	10	$2,500	$25,000
2013 Total Stipulated Penalties (through December 31, 2013)			**$64,000**

Note: None of these self-reported stipulated penalties in this table have been assessed to the City/Parish by the DOJ/EPA/LDEQ or have been paid by the City/Parish at this time. Historical data utilized in this table was taken from the City/Parish Quarterly EPA Reports.

Attachment A
Revised Second Agreement and Order Regarding Modification of the Consent Decree (June 2013)

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA, ET AL. CIVIL ACTION

VERSUS

CITY OF BATON ROUGE, ET AL. NO.: 01-00978-BAJ-SCR

ORDER

IT IS ORDERED that the parties' **Unopposed Joint Motion of the United States of America and the State of Louisiana to Enter the Revised Second Agreement and Order Regarding Modification of the Consent Decree (Doc. 45)** is **GRANTED**.

IT IS FURTHER ORDERED that the parties' **Revised Second Agreement and Order Regarding Modification of the Consent Decree**, which is attached to this order, is hereby incorporated by reference, adopted, and made an order of this Court, as requested by the parties.

Baton Rouge, Louisiana, this 17th day of June, 2013.

BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA and STATE OF LOUISIANA, Plaintiffs, v. CITY OF BATON ROUGE and PARISH OF EAST BATON ROUGE, Defendants.	Civil Action 3:01-cv-00978-BAJ-SCR

REVISED SECOND AGREEMENT AND ORDER REGARDING MODIFICATION OF THE CONSENT DECREE

Pursuant to the terms of the Consent Decree entered by the Court on March 14, 2002 ("the 2002 Consent Decree"), the Parties have agreed to modify certain provisions of the 2002 Consent Decree as set forth in this Revised Second Agreement and Order Regarding Modification of the Consent Decree ("Revised Second Consent Decree Modification"). As required by the terms of the 2002 Consent Decree, the parties request the approval of the Court for the proposed modifications.

BACKGROUND

A. On November 13, 2001, the United States and the State of Louisiana filed their Complaint in this action. In the Complaint, Plaintiffs sought injunctive relief and civil penalties pursuant to Clean Water Act ("CWA") Sections 301 and 309, 33 U.S.C. §§ 1311 and 1319, for violations of the CWA and National Pollution Discharge Elimination System ("NPDES") permits issued to the City/Parish for its sewage treatment plants. As set forth in the 2002 Consent Decree, the key violations at issue in the Complaint were:

i. Violation of NPDES permit requirements which require the permittee to reduce the amount of biochemical oxygen demand ("BOD") and total suspended solids ("TSS") such that the thirty (30) day average amount of BOD and TSS in the waste water discharged from the North, Central, and South [sewage treatment] plants is at least eighty-five percent (85%) less than the amount of BOD and TSS in the sewage entering the plant. This requirement is known as the "Eight-Five Percent Rule;"

ii. Violation of CWA Section 301, 33 U.S.C. § 1311, by discharging untreated sewage to navigable waters from the North, Central, and South plant sewage collection systems. Such overflows are often referred to as "sanitary sewer overflows" or "SSOs;" and

iii. Violation of NPDES permit requirements related to operation and maintenance by maintaining the North, Central, and South plant sewage collection systems in a condition such that blockages and other failures in the sewage lines caused SSOs.

2002 Consent Decree at page 2.

B. The stated purposes of the 2002 Consent Decree were:

A. To require the City/Parish to achieve and maintain compliance with its NPDES permits and the CWA;

B. To require the City/Parish to perform the Work required by this Consent Decree in compliance with the applicable schedules; and

C. To further the goals and objectives of the CWA, particularly Sections 101, 301 and 307, 33 U.S.C. §§ 1251, 1311, and 1317.

2002 Consent Decree at ¶ 11.

C. The mechanism by which these purposes were to be attained was implementation by the City/Parish of remedial measures specified in the 2002 Consent Decree. These Remedial Measures were designed, among other things, to bring the City/Parish into compliance with the Eighty-Five Percent Rule and to prevent sanitary sewer overflows. The remedial measures specified in the 2002 Consent Decree included:

> Section XII. Collection System Remedial Program: The City/Parish was required to undertake a comprehensive collection system remedial action program. The purpose of this program was to minimize and prevent Unauthorized Discharges from the Collection Systems for the North, Central, and South Plants. At the time the 2002 Consent Decree

was entered, the City/Parish had not made a final decision regarding the program it would implement. Measures common to all the plans under consideration were set forth in a First Remedial Measures Action Plan ("the First RMAP") attached to the 2002 Consent Decree as Exhibit F. The City/Parish was then required to submit a Second Remedial Measures Action Plan ("the Second RMAP"). In the Second RMAP, the City/Parish was to select a remedial measure to be implemented and provide a detailed analysis of how the selected measure will minimize and prevent Unauthorized Discharges and thereby accomplish the objectives of this Consent Decree. 2002 Consent Decree at ¶ 31. The full remedial program is required to be completed by the deadline specified in Paragraph 34(D).

D. The City/Parish timely submitted a proposed Second Remedial Measures Action Plan ("the 2002 Second RMAP proposal") on November 19, 2002 in accordance with the requirements of Paragraph 31 of the 2002 Consent Decree. In the 2002 Second RMAP proposal, the City/Parish selected a remedial measure for the collection system that relied upon storage of excess flows prior to treatment. Subsequently, there were discussions between the Parties, and the City/Parish submitted several revisions to the pending Second RMAP proposal. The City/Parish submitted a final version of its proposed Second RMAP in a report to EPA and LDEQ dated November 21, 2006 and titled *Sewer System Model Verification and Revised Second Remedial Action Plan* ("the 2006 Second RMAP proposal"). Pursuant to Paragraph 40(a) of the 2002 Consent Decree, EPA and LDEQ approved the 2006 Second RMAP proposal as the Second RMAP on July 10, 2007. The approved Second RMAP required the City/Parish proposed to complete all construction and achieve fully operational status by January 1, 2015.

E. In July 2008, the City/Parish contacted EPA and LDEQ regarding a potential modification of the approved Second RMAP which would involve decommissioning the Central Wastewater Treatment Plant and rerouting the flow to the South Wastewater Treatment Plant. The Environmental Protection Agency ("EPA") and the Louisiana Department of Environmental Quality ("LDEQ") reviewed the City/Parish's proposal and determined that the proposed

changes were consistent with the objectives of the 2002 Consent Decree, consistent with current industry standards, and provided for completion of all construction and fully operational status achieved by the same deadline set in the approved Second RMAP (i.e. January 1, 2015). On November 10, 2008, the United States and Louisiana lodged, pending solicitation of public comment, a proposed Agreement and Order Regarding Modification of the Consent Decree (Dkt. No. 14) which proposed to modify the Second RMAP to incorporate the changes proposed by the City/Parish. After Plaintiffs filed a Joint Motion to Enter (Dkt. No. 15), the Court entered the Agreement and Order Regarding Modification of the Consent Decree on April 22, 2009 (Dkt. No. 19) ("the First Consent Decree Modification").

F. By letter dated July 1, 2011, the City/Parish requested an extension of the schedule for completing the work required by the Second RMAP to December 31, 2017. The City/Parish stated that its proposed schedule revisions would defer the lower priority rehabilitation projects and certain capacity projects in the upper reaches of the system while accelerating certain projects at the North Wastewater Treatment Plant and maintaining the schedule for major South Wastewater Treatment Plant projects and critical capacity projects that would effectively reduce sanitary sewer overflows and ensure wastewater treatment plant permit compliance. In addition to modifying the schedule for work required by the Second RMAP, the City/Parish also proposed to add certain projects beyond those required by the 2002 Consent Decree. The additional projects proposed by the City/Parish included implementation of a supervisory control and data acquisition ("SCADA") system and installation of emergency generators at over 400 pump stations used in the sewage collection system.

G. By letter dated October 23, 2012, the City/Parish requested an extension of the schedule for completing the work required by the Second RMAP to December 31, 2018. The

modifications proposed by the City/Parish were more fully described in an attachment to the October 23, 2012 letter titled *Proposed EPA Compliance Schedule as of October 23, 2012* ("2012 Second RMAP Modification") (Attachment 1 to this document).

H. EPA and LDEQ have reviewed the 2012 Second RMAP Modification proposed by the City/Parish. EPA and LDEQ determined:

i. That the proposal maintains the schedule for those projects most critical for reducing SSOs;

ii. That implementation of work in addition to current requirements of the 2002 Consent Decree, specifically implementation of a SCADA system and installation of emergency generators at pump stations, has the potential to significantly reduce SSOs beyond the reductions that would be achieved under the Second RMAP as amended by the First Consent Decree Modification.

After considering the proposal, EPA and LDEQ determined that they supported the City/Parish's proposal to modify the Consent Decree as set forth in the 2012 Second RMAP Modification.

I. Paragraph 33 of the 2002 Consent Decree provides:

> 33. At any time after the Second RMAP is approved by EPA and/or LDEQ pursuant to Section XVII (Review of Submittals), the City/Parish may submit for review and approval pursuant to Section XVII (Review of Submittals) a proposal to modify the remedial measure selected in the Second RMAP. Any proposal to modify the Second RMAP shall be evaluated by EPA and LDEQ for consistency with this Consent Decree, including Section V (Objectives), and industry standards current at the time the proposal is submitted.
>
> . . . .
>
> B. Any proposed modification of the Second RMAP which would extend the schedule for completion of the work or materially alter the selected remedial measure shall require the approval of the Court.

J. Paragraph 119 of the 2002 Consent Decree provides, "Material modifications may be made to this Consent Decree only with written notification to and written approval of each of the Parties and the Court and with an opportunity for public notice and comment in a manner consistent with Paragraphs 122 and 123."

K. The United States and LDEQ have determined that the modifications set forth in the 2012 Second RMAP Modification would materially alter the selected remedial measure within the meaning of Paragraph 33(B) of the 2002 Consent Decree and constitute material modifications requiring "written approval of each of the Parties and the Court and with an opportunity for public notice and comment" within the meaning of Paragraph 119 of the 2002 Consent Decree.

L. The Assistant Attorney General on behalf of the United States and the undersigned representatives of the City/Parish and the State of Louisiana certify that they are fully authorized to enter into the terms and conditions of this Revised Second Consent Decree Modification of the Consent Decree and to execute and legally bind such party to this document.

By the signatures of their representatives to this document, the Parties to the 2002 Consent Decree hereby approve the modifications set forth below.

NOW THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. Except as specifically modified herein, all provisions of the 2002 Consent Decree shall remain in full force and effect.

2. The schedule for completing the work required by the Second RMAP (as amended by the First Consent Decree Modification) and the scope of the work to be completed shall be modified as set forth in the 2012 Second RMAP Modification, attached hereto as Attachment 1.

3. This Revised Second Consent Decree Modification shall be lodged with the Court for a period of not less than thirty (30) days for public notice and comment in accordance with Department of Justice policy and described at 28 C.F.R. § 50.7. The United States reserves the right to withdraw or withhold its consent if comments by the public regarding the Revised

Second Consent Decree Modification disclose facts or considerations which indicate that the Consent Decree is inappropriate, improper, or inadequate. This Paragraph does not create any rights exercisable by the City/Parish.

4. The Parties agree and acknowledge that final approval by Plaintiff the State of Louisiana, Department of Environmental Quality, and entry of this Revised Second Consent Decree Modification is subject to the requirements of La. R.S. 30:2050.7, which provides for public notice in the official journal of the Parish of East Baton Rouge, and opportunity for public comment, consideration of any comments, and concurrence by the State Attorney General. This Paragraph does not create any rights exercisable by the City/Parish.

5. The Court shall retain jurisdiction of this case until termination of the 2002 Consent Decree, for the purpose of enabling any of the Parties to apply to the Court for such further order, direction, or relief as may be necessary or appropriate for the construction or modification of this Consent Decree, or to effectuate or enforce compliance with its terms as modified by this Revised Second Consent Decree Modification, or to resolve disputes in accordance with Section XXIV of the 2002 Consent Decree (Dispute Resolution).

FOR THE UNITED STATES OF AMERICA:

3/6/13
Date

IGNACIA S. MORENO
Acting Assistant Attorney General
Environment and Natural Resources Division
United States Department of Justice

2013-02-15
Date

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FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY:

3·12·13
Date

JOHN BLEVINS
Director
Compliance Assurance and Enforcement Division
U.S. Environmental Protection Agency, Region 6

3/11/13
Date

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3-15-13
Date

MARK POLLINS
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FOR THE STATE OF LOUISIANA, THROUGH THE DEPARTMENT OF ENVIRONMENTAL QUALITY:

04 March 2013
Date

CHERYL S. NOLAN
Assistant Secretary
Office of Environmental Compliance

March 4, 2013
Date

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FOR THE CITY OF BATON ROUGE AND THE PARISH OF EAST BATON ROUGE:

3-13-13
Date

MELVIN L. "Kip" HOLDEN
Mayor-President
City of Baton Rouge, Louisiana
Parish of East Baton Rouge, Louisiana
222 St. Louis Street
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March 12, 2013
Date

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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA and STATE OF LOUISIANA, Plaintiffs, v. CITY OF BATON ROUGE and PARISH OF EAST BATON ROUGE, Defendants.	Civil Action 01-978-BAJ-SCR

REVISED SECOND AGREEMENT AND ORDER REGARDING MODIFICATION OF THE CONSENT DECREE

Attachment 1

2012 Second RMAP Modification

Attachment 1

Proposed EPA Compliance Schedule as of October 23, 2012

Attachment 1 – Proposed EPA Compliance Schedule

This attachment is proposed to replace the City/Parish's compliance schedule submitted by the City/Parish in the July 1, 2011 Extension Request and the September 2008 [report titled - *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program*] which was adopted in the *Agreement and Order Regarding the Modification of Consent Decree* (April 2009) by DOJ, EPA, and LDEQ. This revised EPA milestone compliance schedule is depicted in Tables 1, 2, and 3. **Note that no projects have been added or deleted to these tables; all of the original projects included in the previously approved RMAP2 will still be completed.** Only the lower priority projects that fall into the last 100% Milestone column will extend beyond the original deadline.

The City/Parish is proposing compliance schedule project adjustments to defer lower priority rehabilitation projects and those capacity projects in the upper/outer reaches of the system, while accelerating the needed additional North Wastewater Treatment Plant Master Plan projects (see Attachment 2 - Proposed Schedule for Additional Projects), and thereby maintaining the compliance schedules for the major wastewater treatment plant projects and critical capacity projects that should most effectively reduce overflows and ensure wastewater treatment plant permit compliance. Estimated construction costs have been included for those projects that fall into the final 100% Construction Milestone of **4th Quarter 2018**. There is an estimated $260 Million dollars of RMAP2 construction projects included in that milestone.

Category 1: Comprehensive Sewer Basin Rehabilitation

Based on sewer system digital model analysis and flow monitoring, several sub-basins within the collection system require comprehensive rehabilitation. Sewer system comprehensive rehabilitation projects will be implemented to repair or replace components of the system that are defective and permit excessive infiltration and inflow.

Overall, all of the rehabilitation projects were prioritized by working first in the outer areas of the City/Parish and then moving in. However, at the same time those areas with a greater frequency of SSO's were started in advance of those areas with less frequency, so in some cases projects were started closer to the WWTP first if they have high frequencies of SSOs. This logic was continued with the first draft of extension schedule, so those projects that were adjusted with the extension will be in areas with a lesser frequency of SSO's.

Table 1 presents the Category 1 comprehensive rehabilitation projects and anticipated delivery milestone schedules. Note that any pump station improvements are included in the projects listed in Category 2, Pump Station and Transmission Improvements on the following pages.

TABLE 1
Updated EPA Consent Decree RMAP Milestones for Category 1 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Estimated Construction Cost
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018	Millions
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	(M)
Project Descriptions RMAP2 Projects				
Jefferson Hwy – HooShooToo Road	✓			
Staring Lane – Boone Drive Area Rehabilitation Project	✓			
Burbank Drive – Gardere Lane Area Rehabilitation Project	✓			
Oak Villa –Choctaw Street Area Rehabilitation Project	✓			
Scotland Avenue – Progress Road Area Rehabilitation Project	✓			
Elm Grove Garden Road – Harding Boulevard Area Rehabilitation Project	✓			
Sharp Road – Florida Boulevard Area Rehabilitation Project	✓			
Kenilworth Boulevard – Boone Drive Area Rehabilitation Project	✓			
Foster Drive - Government Street Area Rehabilitation Project Phase A and B	✓			
Silverleaf Road – Ford Street Area Rehabilitation Project	✓			
Brookstown Road - Evangeline Street Phase I Area Rehabilitation Project	✓			
Brookstown Road – Evangeline Street Phase II Area Rehabilitation Project	✓			
Bluebonnet Blvd – Jefferson Hwy Phase I Area Rehabilitation Project		✓		
Bluebonnet Blvd – Jefferson Hwy Phase II Area Rehabilitation Project		✓		
Highland Road – Washington Street Area Rehabilitation Project		✓		
Standford Avenue – Morning Glory Road Area Rehabilitation Project	✓			
Airline Highway – Goodwood Blvd Phase I Area Rehabilitation Project		✓		
Airline Highway – Goodwood Blvd Phase II Area Rehabilitation Project		✓		
Acadian Thruway – Claycut Road Area Rehabilitation Project		✓		
Acadian Thruway – Perkins Road Area Rehabilitation Project	✓			

TABLE 1

Updated EPA Consent Decree RMAP Milestones for Category 1 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Estimated Construction Cost
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018	Millions
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	(M)
Antioch Road – Chadsford Drive Area Rehabilitation Project		✓		
Jones Creek Road – Tiger Bend Road Area Rehabilitation Project			✓	**$12 M**
Scenic Highway – Spanish Town Road Phase I Area Rehabilitation Project			✓	**$9 M**
Scenic Highway – Spanish Town Road Phase II Area Rehabilitation Project			✓	**$9 M**
Siegen Lane – Interstate 10 Area Rehabilitation Project			✓	**$6 M**
Interstate 110 – Hollywood Street Area Rehabilitation Project			✓	**$6 M**
Ardenwood Drive – Winbourne Street Area Rehabilitation Project			✓	**$5 M**
Flannery Road – Florida Boulevard Area Rehabilitation Project			✓	**$6 M**
East Boulevard – Government Street Area Rehabilitation Project			✓	**$6 M**
North 38th Street – Gus Young Avenue Area Rehabilitation Project			✓	**$8 M**

***Note that no projects have changed milestone columns since the original extension request dated July 1, 2011. Only the milestone dates have changed.**

Category 2: Pump Station and Transmission Improvements

The Infoworks™ digital wastewater model was used to identify necessary increases in capacity of existing gravity trunk sewers, pump stations, and force mains in order to accommodate peak wastewater flows remaining in the rehabilitated collection system. Table 2 presents a list of Category 2 projects with corresponding milestone schedules.

TABLE 2
Updated EPA Consent Decree RMAP Milestones for Category 2 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Estimated Construction Cost
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018	Millions
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	(M)
Project Descriptions RMAP2 Projects				
Capitol Lake – Gayosa Street Area Capacity Improvements	✓			
Gurney Road - Joor Road	✓			
Sullivan Rd./Lovett Rd./Wax Rd. Sewer Upgrades	✓			
Comite Road – Foster Road Sewer Area Upgrades - Phase I	✓			
Foster Road – Hooper Road Sewer Area Upgrade	✓			
Zachary Area Transmission Network Improvements Phase I - 3 Pump Stations and Equalization Basin		✓		
Zachary Area Transmission Network Improvements Phase II – Red Mud Lakes Forcemain to NWWTP		✓		
Zachary Area Transmission Network Improvements Phase III – Forcemain to Highway 964 to Red Mud Lakes		✓		
Zachary Area Transmission Network Improvements Phase IV – Zachary Improvements		✓		
South Boulevard – St. Joseph Street Sewer Area Upgrades	✓			
Downtown Area Pump Station Improvements		✓		
Highland Road – Buchanan Street Sewer Area Upgrades	✓			
Citiplace/Essen Area - PS119 & Forcemain Improvements	✓			
Group Project 1A (Metro Airport Sewer Upgrades)		✓		
Group Project 1B (Metro Airport Sewer Area Pump Station & Forcemain Upgrades)".		✓		

TABLE 2
Updated EPA Consent Decree RMAP Milestones for Category 2 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Estimated Construction Cost
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018	Millions
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	(M)
Perkins/Old Perkins Area - Booster PS 514 Improvements		✓		
Group Project 2 (Old Perkins – Highland Road Area Upgrades)	✓			
Highland Road – Burbank Drive Capacity Improvements		✓		
Nicholson Drive – Highland Road – Perkins Road Capacity Improvements Phase A		✓		
Nicholson Drive – Highland Road – Perkins Road Capacity Improvements Phase B		✓		
Bayou Duplantier Area Sewer Upgrades		✓		
25th Street - North Acadian Thruway	✓			
Government St - South Acadian Thruway Sewer Area Upgrades		✓		
Plank Road – Kleinpeter Road Sewer Area Upgrades		✓		
O'Neal Lane Pipeline Improvements – Group A		✓		
O'Neal Lane Pipeline Improvements – Group B		✓		
Multiple PS - Nicholson Dr - Brightside Dr		✓		
Pump Station 58 Capacity Improvements		✓		
Staring Lane FM (Phase I - Burbank Drive to Highland Road)	✓			
Staring Lane FM (Phase II - Highland road to Perkins Road)		✓		
Staring Lane FM (Phase III - Perkins to PS58)		✓		
Multiple PS - Jefferson Hwy - Park Forest Dr		✓		
Airline Highway Pipeline Improvements			✓	$38 M
Multiple PS - Highland Road - Kenilworth Parkway			✓	$11 M
Florida Boulevard Pump Station Improvements			✓	$16 M

TABLE 2
Updated EPA Consent Decree RMAP Milestones for Category 2 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Estimated Construction Cost
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018	Millions
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	(M)
Plank Road Pump Station Improvements			✓	$9 M
Multiple PS - Highway 61 - Plank Road			✓	$6 M
O'Neal Lane Pump Station Improvements – Group A			✓	$13 M
O'Neal Lane Pump Station Improvements – Group B			✓	$10 M
Sherwood Forest Blvd – Goodwood Blvd Pipeline Improvements			✓	$12 M
Joor Road - Greenwell Springs Road Sewer Area Upgrades			✓	$7 M
Plank Road - Port Hudson Pride Road Sewer Area Upgrades			✓	$4 M
Highland Road Pipeline Improvements - Group A			✓	$8 M
Highland Road Pipeline Improvements - Group B			✓	$9 M
Oak Villa Boulevard - Monterey Boulevard Sewer Area Upgrades			✓	$7 M
Lovett Road – Greenwell Springs Road Sewer Area Upgrades – Group A			✓	$14 M
Lovett Road – Greenwell Springs Road Sewer Area Upgrades – Group B			✓	$8 M
Hooper Road Pump Station Improvements			✓	$12 M
Multiple PS - Prescott Rd - Greenwell Springs Rd			✓	$5 M
Multiple PS - Burbank Drive - Siegen Lane			✓	$4 M
Pump Station 42		✓		
Pump Station 42 Forcemain - Phase I		✓		
Pump Station 42 Forcemain - Phase II		✓		
Central Consolidated Pump Stations		✓		
Central Consolidated Forcemains		✓		

TABLE 2

Updated EPA Consent Decree RMAP Milestones for Category 2 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Estimated Construction Cost
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018	**Millions**
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	**(M)**

****Note that no projects have changed milestone columns since the original extension request dated July 1, 2011. Only the milestone dates have changed.**

Category 3: Wastewater Treatment and Storage

This category of projects includes wet weather improvements at the City/Parish wastewater treatment plants (WWTP's), as well as storage facilities throughout the service area. The Wastewater Treatment Projects are summarized below:

- Immediate Action Plan (IAP) South WWTP Project that includes screening, trickling filter recirculation pumping, primary treatment improvements, and bio-solids thickening improvements.
- Phase 1 Improvements at the South WWTP for Wet Weather Flow including influent pumping, screening and grit removal for a predicted flow of 345 MGD. Phase 1 also includes 64 million gallons of equalization storage at the South WWTP.
- Phase 2 Improvements at the South WWTP include wet weather flow treatment with a peak capacity of 200 MGD (as previously approved in the November 2006 RMAP2).

In addition, there are two storage projects included in this category that are sized to reduce peak flows to existing North WWTP which are listed below and depicted as well in Table 3. These storage projects are part of the transmission system which permits storage of wet weather peak flows.

- Choctaw Storage Facility
- Hooper Storage Facility

Table 3 presents a list of Category 3 projects with corresponding milestone schedules. No estimated construction costs are included for this category, since none of these projects are included in the 100% Construction Milestone.

Table 3

Updated EPA Consent Decree RMAP Milestones for Category 3 Projects

	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete
Project Descriptions RMAP2 Projects			
Choctaw Storage and Pump Station Facility		✓	
Hooper Storage Facility		✓	
South WWTP IAP (Consolidated – Screening, Primary Treatment, Trickling Filter Recirculation, Sludge Handling)	✓		
South WWTP IAP (Effluent Pumping Improvements)	✓		
SWWTP Wet Weather Improvements -Phase I		✓	
SWWTP Wet Weather Improvements - Phase II (PDP portion)		✓	

Table 3			
Updated EPA Consent Decree RMAP Milestones for Category 3 Projects			
	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone
Milestone Date	1st QTR 2013	2nd QTR 2015	4th QTR 2018
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete
***Note that <u>all</u> of these types of projects are of high priority and are expected to stay in the same milestone categories as previously submitted in the original extension request dated July 1, 2011.**			

Attachment 2

Proposed Schedule for Additional Projects

Attachment 2 – Proposed Schedule for Additional Projects

This attachment is a listing of the additional projects that the City/Parish has undertaken outside of the Consent Decree. The City/Parish has agreed to implement a number of significant projects that will greatly help improve operation and maintenance of the treatment and collection system beyond the original Consent Decree requirements. These projects include emergency generators at the 400+ pumping stations; and the installation of a state of the art SCADA real time control system to allow the City/Parish to manage wet weather flows to maximize in system storage and treatment to reduce overflows. Other projects that the City/Parish is implementing in addition to the Consent Decree required projects include South Wastewater Treatment Plant (SWWTP) Phase 2 Master Plan Project, the extensive North Wastewater Treatment Plan (NWWTP) Public Project, the extensive NWWTP Master Plan Projects, the NWWTP Odor Control Project, the Choctaw Sewer Collection Maintenance Facility Project, and the Comite Foster Road Phase 2 Project.

Projects Outside of Consent Decree

This category of projects includes several additional projects not required by the Consent Decree Compliance Schedule. Many of these projects will greatly improve the operation and maintenance of the wastewater collection system, WWTP's, and storage facilities. Also note that both the SCADA Project and the Standby Power Program will help optimize the overall operation of the treatment facilities and pump stations, while minimizing risks associated with SSOs. The projects are summarized below:

- **NWWTP Master Plan Projects** – Based on the *Draft Wastewater Master Plan* (CH2M HILL, 2008) and recent plant inspections, the following items were identified to be addressed at the NWWTP:
    - New raw sewage pumping station
    - New preliminary treatment
    - Comprehensive odor control
    - Plant SCADA system
    - Replace gaseous chlorine with sodium hypochlorite
    - General plant rehabilitation (electrical, mechanical, structural)
    - Standby electrical generators
    - Sludge digestion rehabilitation with gas utilization

- **NWWTP Public Project** - includes purchase of property in order to resolve odor control complaints from nearby residents of the NWWTP. The City/Parish has developed a public project for implementation which would create a buffer zone between the North WWTP and the adjacent residential neighborhood. This buffer zone will include plantings as well as stormwater improvements.

- **SWWTP Phase 2 Master Plan Project** – This project includes Master Plan improvements were outlined in the *Draft Wastewater Master Plan (CH2M HILL, May 2008)*. The following are project elements that will be included as additive alternates for the SWWTP Phase 2 construction project:

  - Secondary electrical source consisting of on-site engine/generators
  - Improvements to the existing solids thickening and dewatering facilities including new thickened sludge mixing tanks
  - Repair and improvements to existing anaerobic digesters including a new sludge heating system utilizing digester gas and hot water boilers
  - Rehabilitation of existing buildings
  - Construction of a plant SCADA system
  - Construction of new laboratory and administration buildings

- **Stand-by Power Program –** This project will drastically reduce SSOs caused by power outages at the 400+ pump stations in the system, by providing stand-by power at the pump stations. This program consists of installing generators at every wastewater pump station and wastewater treatment facility throughout the City/Parish that can be put in place during power outages, eliminating the risk of overflows from this cause.

- **Supervisory Control and Data Acquisition (SCADA) Project -** The SCADA Project will provide telemetry and remote monitoring to all existing pump stations, new pump stations, and those pump stations being replaced. The project provides remote monitoring of operations data & alarms that will be communicated via telemetry to a centralized operations center. The centralized operations center will have control capability for major pump stations and storage facilities in the system, allowing flow control to anticipate and reduce the possibility of overflows and/or reduce their severity. The remote monitoring will help City/Parish staff quickly respond to mechanical and electrical problems at the pump stations.

- **Choctaw Sewer Collection Maintenance Facility –** The Choctaw Administration/ Maintenance Facility will consolidate several separate City/Parish facilities to one location. The facility will house the wastewater collections staff, provide warehouse and equipment storage, house the electrical and pump maintenance shops, and include a fueling station for use by City/Parish employees. The site is centrally located in the parish, so the maintenance facility will allow staff to be efficiently deployed to all areas of DPW's sewer network. The pump maintenance shop will include a pump testing pit, which allows the City/Parish to test pumps at the shop rather than testing once installed at the pump station.

- **NWWTP Odor Control Project -** the NWWTP Odor Control Project is designed to minimize odors from the WWTP headworks building.

- **Comite Drive – Foster Road Phase 2 Project -** This project includes an upgrade to the existing sewer system that runs along Comite Drive. The current sewer system in this area is individual septic systems that discharge into an open ditch along the road. A new sewer collection system is being installed to eliminate these discharges. The project consists of new sewers, forcemains, and pump stations.

Table 1 below outlines the anticipated schedule and estimated construction cost of the additional projects. Note that the schedule below is based upon time (number or months) from extension approval for the projects involving the NWWTP.

Table 1

Proposed Schedule for Projects Outside of Consent Decree

	Scheduled Start	Scheduled Finish	Estimated Construction Cost
NWWTP Master Plan Projects	6 months from Extension approval	Design – 18 months from start Construction – 3 years from design finish	$50 M
NWWTP Public Project	6 months from Extension approval	Design and Land Purchase – 1 year from start Construction – 1 year from design finish	$6 M
SWWTP Wet Weather Improvements – Phase II (Master Plan portion)	Project Underway	Proposed completion by 4th quarter 2014	$22 M
Sewer System and WWTP Stand-by Power Program	Project Underway	Completion of SSO Program	$30 M
SCADA (Collection System, Operations Data and Control Center)	Project Underway	Completion of SSO Program	$15 M
Choctaw Sewer Collection Maintenance Facility	Design Complete/ Construction start in early 2013	Early 2015	$15 M
NWWTP Odor Control Project	Complete	Complete	$1.5 M
Comite –Foster Road Sewer Area Upgrades - Phase II	Complete	Complete	$0.9 M

Attachment B
Notice of Force Majeure Event – Threat of Mississippi River Flooding (May 2013)

Department of Public Works

City of Baton Rouge
Parish of East Baton Rouge

Post Office Box 1471
Baton Rouge, La 70821

May 25, 2013

CERTIFIED – RETURN RECEIPT REQUESTED

Mr. Michael T. Donnellan
U.S. Department of Justice
ENRD Mailroom, Room 8020
601 D. Street NW.
Washington DC 20004

Director, Water Enforcement Branch (6EN-W)
Compliance Assurance and Enforcement Division
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Ms. Peggy Hatch
Louisiana Department of Environmental Quality
602 N. Fifth Street
Baton Rouge, LA 70802

Re: City of Baton Rouge and Parish of East Baton Rouge
Consent Decree-Civil Action No. 01-978-B-M3
Notice of Force Majeure Event – 2013 Threat of Mississippi River Flooding

Gentlemen and Ladies:

In conformance with the *Force Majeure* provision included in *Section XXII – Force Majeure* of the Consent Decree, this letter will serve as the formal notification by the City of Baton Rouge and Parish of East Baton Rouge (City/Parish) to the Department of Justice (DOJ), Environmental Protection Agency (EPA), and Louisiana Department of Environmental Quality (LDEQ) that a force majeure event has taken place. On May 17, 2013 LDEQ made a Declaration of Emergency and Administrative Order related to the 2013 threat of flooding along the Mississippi River and other state water bodies that threaten the lives and property of the citizens of the state. This Declaration of Emergency and Administrative Order is to remain in effect for a minimum of ninety (90) days from the date it was declared, see Attachment A for more details. The threat of flooding along the Mississippi River is an event arising from causes beyond the control of the City/Parish. It is not known at this time how much of a delay/anticipated delay is attributable to this force majeure event. Once the threat of flooding subsides, the City/Parish intends to send a follow-up letter highlighting the impacts of the force majeure event and the time it spent in preparation and response to it.

During this time, the City/Parish continues to work closely with local, state, and federal officials on emergency preparedness planning in order to identify potential areas at the three (3) major wastewater treatment plants and throughout the sewer collection system that could become a risk to those living/working in the City/Parish as the Mississippi River rises then falls

over the next several weeks. The City/Parish began taking actions in advance of the flooding, and wants to alert DOJ, EPA and LDEQ of the significant resources, time, and attention that the City/Parish has spent, and continues to spend, away from normal business to minimize the risks associated with the threat of flooding until the flood waters recede. All of the time spent on emergency planning and preparation has resulted so far in minimal effects to citizens who live and work throughout the City/Parish. It is the City/Parish's intent to allocate whatever resources are necessary to prepare and respond quickly to this potential catastrophic situation until the flood waters recede below flood stage.

I certify that the information contained in or accompanying this document is true, accurate and complete. As to identified portions of this document for which I cannot personally verify their truth and accuracy, I certify as the official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification, that this is true, accurate and complete.

Sincerely,

Mr. David Guillory
Acting Director of Public Works

Mr. Robert Abbott
Senior Assistant Parish Attorney

Cc: Honorable Melvin L. "Kip" Holden, Mayor-President
Mr. William B. Daniel, IV, Chief Administrative Officer
Mr. Michael Donnellan, US DOJ
Mr. John Blevins, US EPA Region 6 Compliance Division Director (CEN)
Ms. Peggy Hatch, LDEQ
Ms. Mary Roper, Parish Attorney
Mr. Bob Abbott, Parish Attorney's Office
Mr. Bryan Harmon, DPW
Mr. Jim Ferguson, DPW
Mr. Mark LeBlanc, DPW
Ms. Mary Roper, Parish Attorney
Mr. Joshua Crowe, CH2M HILL
Ms. Susan Douglas, CH2M HILL
Ms. Karen Johnson, CH2M HILL

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF
2013 THREAT OF FLOODING ALONG
THE MISSISSIPPI RIVER
AND OTHER STATE WATER BODIES

AGENCY INTEREST NO. 187312

DECLARATION OF EMERGENCY AND ADMINISTRATIVE ORDER

Pursuant to the authority granted to me by Louisiana Revised Statutes 30:2001 *et seq.,* and particularly La. R.S. 30:2033 and 2011(0)(6), I hereby make the following findings, declaration and order.

FINDINGS AND DECLARATION

1. The National Weather Service has issued flood stage warnings along the length of the Mississippi River with flood warnings issued in at least five locations in Louisiana and predicted river crests above flood stage in at least five locations in Louisiana which create the potential for flooding in this state along the Mississippi River in Louisiana.

2. The National Weather Service has issued flood warnings for other bodies of water in the State that have the potential for flooding.

3. By State of Louisiana Proclamation No. 70 BJ 2013, Louisiana Governor Bobby Jindal declared on May 15, 2013 that a state of emergency exists statewide in Louisiana, due to the imminent threat of flooding (the Flood) along the length of the Mississippi River and in other bodies of water across the state that threatens the lives and property of the citizens of the State.

4. I find that the threat of flooding described above has created or will create conditions that require immediate action to prevent irreparable damage to the environment and serious threats to life or safety throughout the State.

WHEREFORE, I hereby declare that an emergency exists, and that the following measures are necessary to prevent irreparable damage to the environment and serious threats to life or safety throughout the State.

ORDER

§1. Wastewater Treatment Svstems

a. Upset Provisions

Permittees with Louisiana Pollutant Discharge Elimination System (LPDES) permits should consider activating the upset provisions in their permits. LAC 33:1X.2701.N.1 defines upset as the following:

> *An exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.*

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of LAC 33:1X.2701.N.3 are met. This Order extends upset provisions to include water quality based effluent limitations. For upsets caused by this Flood, the 24-hour oral notification is waived unless the non-compliance may endanger human health. Facilities shall not necessarily be required to upgrade or modify berms or any other internal secondary containment systems as a result of the 2013 Mississippi River flood event.

b. Authorization is hereby granted to discharge water placed in storage tanks or other containers or vessels for the purpose of stabilization, provided that the tanks, containers or vessels had been emptied of their previous contents prior to filling with the water. To the extent practicable, discharges should not contain free oil, hydrocarbons or other pollutants in other than trace amounts. No free oil shall mean that the discharge shall not create a visible sheen. Floodwater, including any commingled storm water, that accumulates along riverbanks, in

impoundments or storage tanks, containers or vessels as a result of flooding may be discharged under the same conditions. In any event, operators shall take all reasonable precautions to minimize adverse impacts to human health and the environment.

c. Appendix A sets forth guidance to operators of sanitary wastewater treatment systems to aid in the return to compliant operations to prevent further damage to the environment and serious threats to life or safety throughout the Emergency Areas.

d. Unpermitted Emergency Discharges

The discharge of pollutants from all point sources is subject to the Louisiana Pollutant Discharge Elimination System (LPDES) Short-Term and Emergency General Permit. Under ordinary circumstances, LDEQ requires the submission of a complete Notice of Intent to Discharge, prior to commencement of discharge.

However, upon the Declaration of Emergency, authorization is hereby granted for new discharges of wastewaters associated with the Emergency areas. A Notice of Intent to Discharge shall be submitted upon discharge but not later than 48 hours subsequent to initiation of discharge. The application form, STED-G, can be found at http://www.deq.louisiana.gov/portal/Default.aspx?tabid=1837, or by calling the Office of Environmental Services at (225) 219-9371.

Any such discharges must comply with all applicable schedules in the LPDES Permit LAG420000, Short-Term and Emergency Discharge General Permit. The General Permit effluent limitations and requirements can be viewed at http://www.deq.louisiana.gov/portal/Portals/0/permits/lpdes/pdf/LAG420000.pdf. A copy of the General Permit can be obtained by calling the Office of Environmental Services at (225) 219-3971.

Authorization to discharge pursuant to this Order shall terminate upon the expiration of this Order or the timelines of the LAG420000 permit as determined by the Department.

Emergency discharges include but are not limited to: treated sanitary wastewater and/or dewatering of oxidation ponds discharges; gray water; stormwater discharges; hydrostatic test wastewater; utility wash waters, including but not limited to pavement and building washdown waters with or without soaps and detergents; equipment and vehicle wash water; potable water treatment plant filter backwash, clarifier blowdown, water softening, iron and manganese removal, and disinfection of source water; discharges of landfill wastewater

from a construction/demolition debris and woodwaste landfill related to post-emergency clean up; non-contact stormwater discharges from a construction/demolition debris and woodwaste landfill related to post-emergency clean up; and emergency discharges related the preparation for natural disasters or the clean-up of natural disasters or in emergency situations, such as hurricanes, fires, or explosions.

e. Alternative Discharge Points

Facilities unable to discharge to the Mississippi River due to the high water levels may discharge to alternate receiving streams and/or to the Mississippi River at an alternate location. This shall also include the transfer of wastewaters to another permitted facility's outfall(s). Any facility owner or operator who does discharge via a discreet point (receding floodwaters excluded) shall document the exact date(s) and time(s) any such discharge to the alternate receiving water or permitted outfall(s) at other facilities commenced and ended, the location of the alternate discharge point or other penmitted outfall(s), and the name of the alternate receiving water body. The owner/operator shall comply with permit limitations and conditions applicable to the original outfall(s) discharging to the Mississippi River. Notations shall be made to the Discharge Monitoring Reports (DMRs) during the duration of discharge to the alternate receiving stream or other permitted outfall(s). A separate report detailing the analytical results during the time period of discharge to the alternate receiving stream shall be submitted to the Department as soon as possible, but no later than 30 days after the cessation of discharges from the flooding. Compliance with water-quality based provisions applicable to the alternate receiving water body as established in LAC 33:1X.11 shall not apply during the period of discharge. Water quality based provisions that were applied in the permit for discharge to the Mississippi River shall remain in effect. Technology-based limitations shall continue to apply to the discharges to the alternate receiving water body as established in the facility's permit. All sanitary effluent shall be disinfected prior to discharge.

f. Inability to Sample or Monitor Discharges

If a facility is affected by floodwater such that it is unable to take samples or monitor continuous parameters such as flow and pH as required by its LPDES penmit, then sampling and monitoring requirements shall be suspended at the affected outfall(s). The facility owner/operator shall record the date upon which sampling and monitoring ceased and the date upon which sampling and monitoring commenced, the outfall(s) affected, and describe the situation as it

pertains to the floodwaters which caused the facility to be unable to take samples and conduct monitoring at the affected outfall(s), such as inaccessibility, safety issues, etc. The facility owner/operator shall provide a report on any inability to sample discharges and conduct monitoring to the Department as soon as possible, but no later than 30 days after monitoring and sampling capabilities have been restored. The facility owner/operator shall also note on its DMRs that sampling and monitoring were suspended as per this Order.

g. Captured Flood Water

If a facility or a portion of a facility is inundated with floodwater and the owner/operator is unable to take samples of or monitor that floodwater, then that facility shall be allowed to discharge or otherwise allow receding of such floodwater and any commingled waste water without sampling and monitoring provided that the facility takes reasonable precautions to protect human health and property. The facility owner/operator should prevent the mixing of process wastewater and floodwater whenever possible. The facility owner/operator shall record the details of the event and submit a report to the Department as soon as possible after monitoring and sampling capabilities have been restored, but no later than 30 days after the cessation of discharges from the flooding.

h. Discharges from Temporary Housing Locations

Guidelines pertaining to sanitary discharges related to temporary housing sites are provided in Appendix B of this Declaration.

i. Storm Water Discharges

i. U.S. Army Corps of Engineers

The Department hereby authorizes the U.S. Army Corps of Engineers to discharge storm water runoff from construction activities related to Flood preparation, prevention and/or response activities. Best Management Practices to avoid erosion and offsite transport of sediments are to be implemented to the greatest extent practicable. The Storm Water General Permit For Construction Activities Five (5) Acres Or More (LAR100000) can be accessed at http://www.deq.louisiana.gov/portal/Portals/O/permits/lpdes/LAR100000.pdf, and contains

applicable Best Management Practices for erosion and sediment controls in Part IV. Storm Water Pollution Prevention Plans.

ii. Electrical and Communications Utility Companies

The Department hereby authorizes public utility companies providing electricity or communications services to discharge storm water runoff from construction activities related to Flood preparation and response activities in the Emergency Areas, including restoration of electrical and communication services. Best Management Practices to avoid erosion and offsite transport of sediments are to be implemented to the greatest extent practicable. The Storm Water General Permit For Construction Activities Five (5) Acres Or More (LAR100000) can be accessed at http://www.deq.louisiana.gov/portai/Portals/O/permits/lpdes/LAR100000.pdf, and contains applicable Best Management Practices for erosion and sediment controls in Part IV. Storm Water Pollution Prevention Plans.

j. Biosolids Land Application Projects/Sites Management:

i. If flooding should occur, land application of Class B Biosolids should not take place at permitted land application sites.

ii. Land application of a Class B Biosolids at permitted sites should not resume until flooding has subsided and the water table is below 2 feet.

iii. Facilities which prepare Exceptional Quality (EQ) Biosolids should re-prepare/retreat EQ Biosolids or dispose of the EQ Biosolids if stored "on-site" and subjected to flooding.

iv. Facilities utilized to prepare sewage sludge to EQ Biosolids should halt operation immediately and should not resume operation until the flooding has subsided and the facility has been properly cleaned. For additional information, contact Scott Guilliams, Administrator, LDEQ, Office of Environmental Services, Water Permits Division, 225-219-9371.

k. Acceptance of sewage sludge:

i. Operators of wastewater treatment facilities who are not already authorized by permit to do so are hereby authorized to accept hauled sewage sludge (as defined at LAC 33:1X.7301.B), provided that the following criteria exist:

(a) Acceptance of the sewage sludge is necessary to facilitate Flood recovery (e.g., by preventing septage from backing up in homes or by preventing lift stations

from overflowing or otherwise malfunctioning). This authorization does not apply to the routine pumping of septic tanks, portable toilets, marine sanitation devices, or holding tanks not related to the Flood recovery;

(b) The wastewater treatment facility can handle the hauled sewage sludge without contributing to adverse effects on human health or the environment or impeding recovery of the treatment facility itself; and

(c) The operator immediately notifies the LDEQ Water Permits Division of the acceptance of the sewage sludge, by telephoning Eura Dehart, at (225) 219-9371, and provides written notification within 30 days to the Office of Environmental Services, Water Permits Division, P.O. Box 4313, Baton Rouge, Louisiana 70821-4313, or by e-mail to eura.dehart@la.gov.

I. For all discharges authorized under this Order, the following conditions apply:

i.) All discharges authorized under this Order are solely for the purpose of protecting human health and property and to facilitate rescue and recovery efforts.

ii.) The owner/operator shall notify the Office of Environmental Services, Water Permits Division by no later than thirty days after the effective date of this Declaration of Emergency and Administrative Order, that a discharge has occurred or is anticipated.

iii.) For each discharge, the owner/operator shall record the location of the discharge, the date and time the discharge commenced and ceased, the approximate volume of the discharge, any known or suspected pollutants that originated from the facility and are present in the discharge, and the receiving water body. The specific type of discharge and a reference to the specific section(s) of this Order authorizing the discharge shall be included. These records shall be kept on-site and available for inspection by the Office of Environmental Compliance, Surveillance Division, for three years, and reported to the Office of Environmental Services, Water Permits Division by no later than ninety days after the effective date of this order, and quarterly thereafter, until expiration of this Declaration of Emergency and Administrative Order or any subsequent extensions or revisions thereof.

iv.) The owner/operator shall take all reasonable and practicable measures to minimize the volume and duration of the discharge.

v.) The owner/operator shall take all reasonable and practicable measures to prevent or minimize erosion due to the discharge and any other potential impacts on the receiving water body.

§ 2. ***Solid Waste Management***

a. Owners and operators of solid waste management facilities and local governments should consult and adhere to the State of Louisiana "Comprehensive Plan for Disaster Clean-up and Debris Management," March 25, 2013 edition (Debris Management Plan), which appears as Appendix D, except where the Debris Management Plan may be in conflict with the provisions of this Order. In the event of conflict, the provisions of this Order shall prevail.

b. Owners and operators of solid waste management facilities permitted by the Department before the Flood are authorized to make all necessary repairs to restore essential services and the functionality of storm water management and leachate collection systems damaged by the Flood, without prior notice to the Department. Within thirty (30) days of commencing the work of such repair or replacement, however, the permittee shall notify the Department in writing, describing the nature of the work, giving its location, and providing the name, address, and telephone number of the representative of the permittee to contact concerning the work.

c. Uncontaminated construction and demolition debris may be disposed of in a permitted Type III landfill, and may be temporarily managed at an emergency debris site authorized by the Department. Uncontaminated construction and demolition debris that is mixed with other uncontaminated Flood-generated debris, such as white goods or household hazardous waste, shall be segregated from other solid waste prior to disposal in a permitted landfill or authorized disposal site, except in cases where segregation is not practicable.

d. White goods (i.e., unsalvageable air conditioners, stoves and range tops, as well as refrigerators and freezers from which food has been removed) shall be stored in an area separate from other solid wastes and shall be stored in a manner that prevents vector and odor problems. No white goods may be stored at an emergency debris site without written authorization from the Department specifically allowing storage of those materials at the emergency debris site. All white goods shall be removed from the emergency debris site and sent offsite for recycling, or recycled onsite, within ninety (90) days of initial receipt at the site.

e. Permitted landfills or transfer stations that accept Flood-generated debris in accordance with the terms of this Order, may accept Flood-generated debris for disposal or storage without the need to first modify existing permits, as follows:

i.) Prior notification is submitted to the Department describing any proposed deviations from permit conditions;

ii.) any proposed deviations from permit limits must be within the bounds of engineering assumptions used in the design of the facility, and conducted in accordance with the Debris Management Plan (Appendix D); and

iii.) Written approval by the administrative authority (including electronic mail) of the proposed deviations is received from the Department.

Operators of landfills or transfer stations approved for permit deviations under this Order may be required to submit application for modifications of their existing permits to address any long-term impacts of accepting Flood-generated debris on operations and closure that are not addressed in existing permits if it is determined long term impacts will result from these activities. Long-term impacts are those that will extend past the expiration date of this Order. The requests for modification shall be submitted no later than thirty (30) days after the effective date of this Declaration of Emergency and Administrative Order, unless otherwise extended by the Department. No permit fee will be required for any modifications necessitated solely by the Flood clean-up activities. The Department may, for good cause shown, issue a temporary authorization pursuant to LAC 33:VI1.511.B.1.a for activities that are addressed in a permit modification request as provided for in this subsection, to authorize operations after expiration of this Order, pending a decision on the modification request.

f. Owners and operators of solid waste disposal facilities permitted by the Department before the Flood may be unable to obtain an adequate supply of the type cover material specified in their permit for daily and interim cover because of the Flood. Under such circumstances, the department may allow the use of alternative cover on a case-by-case basis. If a permitted facility determines alternative cover is needed, the facility shall provide the department with a description of the material to be utilized and the source of the material.

g. Waste Tires

The Secretary of the Louisiana Department of Environmental Quality finds that the conditions resulting from the Flood may cause or contribute to an extraordinary drain on State of Louisiana resources and in particular on the Waste Tire Management Fund (WTMF) provided for in La. R.S. 30:2418. Those conditions include the damaging and/or abandonment of automobiles in the affected areas. It is anticipated that most of these vehicles will be salvaged or scrapped, with the four to five tires on each vehicle being sent for either disposal, resale, and or recycling. This sudden influx of waste tires and used tires into the system may result in an inordinate immediate drain on the WTMF and an inability to properly account for the diversion of tires to recycling projects and for resale. As a result, the Secretary does hereby order the following:

i) All tires removed from vehicles within the affected areas that are salvaged and/or scrapped because of damage resulting from the Flood shall be tracked and are ineligible for payment from the WTMF.

ii) All tires that are collected in the affected areas through debris collection activities and deposited at parish collection centers, if established, will be ineligible for payment of the WTMF subsidy, but are to be treated as debris under existing debris removal programs. Tires must be classified for either recycling under existing approved beneficial uses, or for resale. Any person who claims for resale any tires from salvaged or scrapped vehicles in the affected area shall report to the Department the number of such tires classified for resale, and their destination, within fifteen (15) days.

iii) All tires that are removed from automobiles in the affected area that are destined for salvage because of damage resulting from the Flood must be collected, transported, and either recycled or disposed of with an accompanying manifest that lists the tires as being ineligible for the WTMF. If the tires are deemed "used tires" for resale, such a declaration must be reported to the Department by the person responsible for removal of the tires from the vehicle being scrapped and or salvaged. The report must contain the VIN number of the vehicle being scrapped and or salvaged, the number of tires being removed, the number being classified for resale, and the number classified for recycling and/or disposal.

iv) Eligibility of tires for the WTMF subsidy shall be governed by the most current version of this document.

§ 3. Hazardous Waste

a. In accordance with the Debris Management Plan, hazardous waste generated as a result of the Flood event must be separated from other Flood-generated waste and disposed of at a permitted hazardous waste disposal facility. Household wastes collected during this event, which are exempt from the regulatory requirements applicable to hazardous wastes, must be managed not only in an environmentally sound manner but also in accordance with the appropriate LDEQ rules and regulations governing the storage and processing of this type of waste.

b. A blanket approval of time extensions under Louisiana Administrative Code 33:V.1109.E.2 is necessary within the Flood-affected areas for hazardous waste generators and small quantity generators for the storage of their hazardous wastes on site, pending the cleanup of the Flood damage and restoration of essential services. The rules authorize a thirty-day extension because of unforeseen and uncontrollable circumstances. The specific effects of the Flood were unforeseen and uncontrollable. Therefore, to avoid having to issue a potentially large number of individual approvals on a case-by-case basis and waste limited agency resources during the time of emergency, the Department authorizes a general extension of time of thirty (30) days from the expiration of the ninety-day accumulation period for the storage of hazardous wastes on site by all hazardous waste generators in Flood-affected areas, for whom the ninety-day accumulation period expires within the term of this Order.

§ 4. Open Burning

a. The Department authorizes local governments or their agents to conduct the open burning of Flood-generated trees, leaves, vines, twigs, branches, grass, and other vegetative debris within or outside of the Flood-affected areas, provided that the provisions of LAC 33:111.1109.D.6. are met, and it is consistent with the Debris Management Plan (Appendix D), Section 6.6. This Order does not authorize any other outdoor burning of non-listed debris streams. Within seven (7) days of commencing any such burning, the local government or its agent shall notify the Department in writing, describing the general nature of the materials burned, stating the location and method of burning, and providing the name, address, and telephone number of the representative of the local government to contact concerning the work and the anticipated duration of the burning event. This Order does not relieve the local government or the

agent from any requirement to obtain an open burning authorization from any other governmental entity empowered to grant such authorizations. Notwithstanding the provisions of this paragraph, the burning of asbestos-containing materials, construction and demolition debris, solid waste (other than vegetative debris) or hazardous waste is prohibited.

b. The Department will consider, on an individual basis, requests for approval for open burning, by persons other than local governments or their agents, of Flood-generated trees, leaves, vines, twigs, branches, grass, and other vegetative debris. Any such burning approved by the Department must be conducted in compliance with the requirements of LAC 33:111.1109.0.6.

§ 5. ***Air Pollution Sources Other than Open Burning***

a. The Department authorizes the minor repair of any previously permitted stationary source of air pollution that was damaged by the Flood to restore it to its previously permitted condition without prior notice to the Department. Within thirty (30) days of commencing such repairs, however, the permittee shall notify the Department in writing, stating the location and nature of the work and providing the name, address, and telephone number of the representative of the permittee to contact concerning the work. Minor repairs are repairs that would not constitute reconstruction under any definition of 40 CFR Part 60 or 63 and that could not affect potential to emit any pollutant, and that would not constitute a violation of any other provision of the NSPS, MACT, or NESHAP standards. Repairs that would constitute reconstruction under any definition of 40 CFR Part 60 or 63, or repairs that could affect potential to emit any pollutant are not authorized by this Order.

b. The Department will consider, on an individual basis, requests for approval for, but not limited to, the following sources of air pollution:

i) temporary air pollution control devices, such as portable flares, used for vessel and pipeline segment purging and the limited operation of facilities with damaged vapor control equipment;

ii) portable storage tanks, used for interim storage while damaged equipment is being repaired; and

iii) repairs, other than the minor repairs addressed in Section 5.a above, of permitted stationary sources that have been damaged by the Flood, provided that the sources

are restored or replaced with equipment that is identical or the functional equivalent, to meet pennnit conditions.
Requests should be directed to the Office of Environmental Services, Air Permits Division.

c. LAC 33:111.507.J.2 provides that an upset condition constitutes an affirmative defense to an action brought for noncompliance with technology-based emissions limitations. LAC 33:111.507.J.2.d requires the permittee to notify the Department no later than two (2) working days after the time emissions limitations were exceeded due to the upset. Because of the circumstances caused by the Flood and the need to apply facility resources to quickly repair and correct conditions caused by the upset, the Department extends the notification deadline referenced above to seven (7) days.

d. In accordance with LAC 33:111.501.B.1.e, owners or operators may bring on site and utilize nonroad engines, including, but not limited to, temporary portable electrical power generators, firewater pumps, and air compressors, as necessary. "Nonroad engine" is defined in LAC 33:111.502.A. Note that an internal combustion engine is not a nonroad engine if it remains or will remain at a location for more than 12 consecutive months. A location is any single site at a building, structure, facility, or installation. Any engine that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced shall be included in calculating the consecutive time period.

e. For permitted internal combustion engines operated in direct response to the Flood, including, but not limited to, electrical power generators, firewater pumps, and air compressors, the Department suspends any limitations on operating time imposed by the applicable permit until such time as normal operations are restored or until the expiration of this Order, whichever is earlier. Emissions from the operation of such engines operated pursuant to this Order shall not count toward applicable ton per year limitations. All other provisions applicable to the engines shall continue to apply.

i) The owner/operator shall notify the Office of Environmental Services, Air Permits Division, in writing, by no later than thirty days after the effective date of this Declaration of Emergency and Administrative Order, that operation of permitted internal combustion engines in excess of permitted limits has occurred or is anticipated. Relevant emission point and permit numbers should be included in this correspondence.

ii) A report summarizing the operating time of pennnitted internal combustion engines in direct response to the Flood and the resultant criteria and toxic air pollutant emissions shall be submitted to the Office of Environmental Services, Air Permits Division by no later than thirty days after the effective date of this Declaration of Emergency and Administrative Order unless otherwise extended by the Department.

f. The Department suspends applicable limitations on throughput and emissions imposed on fuel loading racks by air quality permits through the expiration of this Order in order to maximize fuel availability in response to the Flood. Emissions from loading operations during this period shall not count toward applicable ton per year limitations.

i) The owner/operator shall notify the Office of Environmental Services, Air Permits Division by no later than thirty days after the effective date of this Declaration of Emergency and Administrative Order, that throughput in excess of permitted limits has occurred or is anticipated. Relevant emission point and permit numbers should be included in this correspondence.

ii) A report summarizing the throughput in excess of permitted limits and the resultant criteria and toxic air pollutant emissions shall be submitted to the Office of Environmental Services, Air Permits Division by no later than ninety days after the effective date of this Declaration of Emergency and Administrative Order, and quarterly thereafter until the expiration of this Order, or any extensions or revisions thereof.

g. To accommodate the distribution of liquid materials, the department suspends throughput and emissions limitations imposed on transfer operations, including tank truck and railcar loading racks and marine tank vessel loading operations, provided that compliance with all applicable federal and state regulations pertaining to the transfer of the materials loaded (e.g., LAC 33:111.2107, LAC 33:111.2108, 40 CFR 63 Subpart H, 40 CFR 63 Subpart Y) is maintained.

i) The owner/operator shall notify the Office of Environmental Services, Air Permits Division by no later than thirty days after the effective date of this Declaration of Emergency and Administrative Order, that throughput in excess of permitted limits has occurred or is anticipated. Relevant emission point and permit numbers should be included in this correspondence.

ii) A report summarizing the throughput in excess of permitted limits and the resultant criteria and toxic air pollutant emissions shall be submitted to the Office of Environmental Services, Air Permits Division by no later than ninety days after the effective date of this Declaration of Emergency and Administrative Order, and quarterly thereafter until the expiration of this Order, or any extensions or revisions thereof.

h. To accommodate the storage and/or distribution of liquid materials, owners or operators may change the service of permitted storage vessels without prior approval of the department provided compliance with all applicable federal and state regulations pertaining to the storage of the material in question (e.g., LAC 33:111.2103, 40 CFR 60 Subpart Kb) is maintained. All changes of tank service effected pursuant to this paragraph shall be documented and reported to the Office of Environmental Services, Air Permits Division, by no later than thirty days after the effective date of this Declaration of Emergency and Administrative Order, and quarterly thereafter until the expiration of this Order, or any extensions or revisions thereof.

§ 6. *Asbestos Clean-up*

a. Asbestos clean-up shall be conducted in accordance with LAC 33:111.5151, and other regulations applicable to asbestos. The Department waives the requirement for prior notification for emergency demolition or emergency cleanup of asbestos-containing material that is structurally unsound and in danger of imminent collapse resulting from the Flood. Within one (1) business day of commencing such demolition or cleanup, however, the person responsible for such work being undertaken by order of state or local government shall notify the Department in writing. The notification shall be submitted on the Asbestos Notification of Demolition or Renovation Fomn AAC-2, which may be found at http://www.deq.louisiana.gov/portal/tabid/2883/Default.aspx. The procedures in LAC 33:111.5151 (demolition/renovation) and LAC 33:111.Chapter 27 (accreditation and training requirements) for handling asbestos-containing material shall be complied with during demolition, cleanup, transportation, and disposal, except as otherwise provided herein. Construction and demolition debris generated from residential structures of four units or less that are subject to a government ordered demolition (if ordered) and that are assumed to contain potential asbestos-containing

waste material shall be disposed of in a permitted Type I or II landfill. The Department will provide a written response to any request for authorization for a Type I or II landfill to dispose of asbestos containing waste material. Burning and grinding of asbestos-containing material is prohibited.

b. Local education agencies and state government may make emergency use of a building as a school or state building. The agency making use of the building may request an extension of the deadline to inspect the building within 30 days of the decision to use the building pursuant to LAC 33:111.2707.A.2.

c. The Department waives the requirement pursuant to LAC 33:111.2723.A.2 that the local education agency or state government must submit a management plan prior to any building's use as a school or state building. A management plan shall be submitted within six (6) months of the initial use of the building.

§ 7. ***Underground Storage Tanks***

Before placing any Flood impacted Underground Storage Tank (UST) system back in operation, and no later than ninety (90) days after Flood related conditions permit, the owner and/or operator shall perform an emergency evaluation of the UST system. The evaluation shall consist of, at a minimum, a general inspection of the UST system, followed by performing the start up protocol contained in Appendix F, "Plan For Evaluating Underground Storage Tank Sites Impacted by the 2013 Flood." Before placing fuel into any UST system that has been damaged or has sustained a release, the owner/operator must repair or replace the UST system, perform precision tank and line tightness tests and leak detection system tests, and provide a fully functional corrosion control system.

During the time that the UST system is not accessible due to conditions resulting from the Flood, the owner/operator of the UST system is relieved of the requirements for release detection, corrosion protection, and inventory control. Each owner/operator shall report any suspected UST releases to the Department within seven (7) days of gaining knowledge of the suspected release, unless an emergency condition makes it impossible for the owner/operator to do so, in which case the owner/operator shall report the suspected release to the Department as soon as he/she is able. All recordkeeping requirements for inoperable systems are suspended during the time of this Order. During the time of this Order, in the areas

affected by the Flood, non-compliance with release detection, corrosion protection, and inventory control for UST owners and operators will not constitute non-compliance for purposes of the deductibles enumerated in La. R.S. 30:2195.10.

§ B. ***Special Waste (Reuse and Reeve/e)***

Every effort should be made to minimize the disposal of reusable and recyclable material in landfills as noted in the Debris Management Plan (Appendix D). Appendix G lists special waste from specific sources (households, businesses, schools, public buildings, automobiles and boats) and references the FEMA Debris Plan, which provides information intended to assist operators of solid waste facilities, recycling centers, scrap metal dealer, local governments, and contractors in handling of certain debris from the Emergency Areas.

§ ***9. Records Management***

Hard copy or electronic copies of files associated with environmental issues for your facility may be available at the Department. Files destroyed by the Flood can be obtained by the Responsible Persons for your system from the Department free of charge. Please contact Records Management at (225) 219-3172 or online at http:l/www.deq.louisiana.gov/pubRecords/.

§ ***10. General Conditions***

a. This Order does not convey any property rights or any rights or privileges other than those specified in this Order.

b. This Order only serves as relief for the duration of this Order from the regulatory and proprietary requirements of the Department, and does not provide relief from the requirements of other federal, state, and local agencies. This Order therefore does not negate the need for the property owner or facility operator to obtain any other required permits or authorizations, nor from the need to comply with all the requirements of those agencies.

§ ***11. General Limitations***

The Department issues this Order solely to address the emergency created by the Flood. This Order shall not be construed to authorize any activity within the jurisdiction of the

Department except in accordance with the express terms of this Order. Under no circumstances shall anything contained in this Order be construed to authorize the repair, replacement, or reconstruction of any type of unauthorized or illegal structure, habitable or otherwise.

§ 12. Other Authorizations Required

Nothing in this Order shall eliminate the necessity for obtaining any other federal, state, or local permits or other authorizations that may be required.

§ 13. Extension of Time to Comply with Specified Deadlines

For facilities regulated by the Department that are affected by the Flood, this Order extends the time for a period of thirty (30) days to comply with the following specified deadlines that occur between effective date of this Order, and ninety days thereafter:

a. The time deadlines to conduct or report periodic monitoring required by permits, other authorizations, enforcement actions, or settlement agreements, except for monitoring required by air permits issued under Title IV or V of the Clean Air Act or under the PSD program;

b. The time deadlines to file an application for renewal of an existing permit, except for air permits issued under Title V of the Clean Air Act.

§ 14. Completion of Authorized Activities

All activities authorized under this Order must be commenced before the expiration of this Order unless otherwise provided in an authorization or permit. The deadline for commencement under any authorization or permit issued under this Order may be extended on a showing that contractors or supplies are not available to commence the work, or if additional time is needed to obtain any required authorization from the Federal Emergency Management Agency, the U.S. Army Corps of Engineers, or other local, state, or federal agencies.

§ 15. ***Enforcement Discretion***

The Department is vested by law with discretion as to the exercise of its enforcement authority to address violations of law, regulations, and permits. The Department will consider, on a case-by-case basis, requests for the exercise of this discretion with regard to violations that result from the Flood.

§ 16 ***Amendments***

This Order may be amended as required to abate the emergency.

§ 17. ***Expiration Date***

This Declaration of Emergency and Administrative Order shall take effect immediately upon execution by the Secretary of the Department, and shall expire ninety days from the date of execution set forth below, unless modified or extended by further order.

DONE AND ORDERED on this 1.2!-iy of --'---'-=-::::....::,f---' 2013, in Baton Rouge, Louisiana.

Peggy M. Hatch
Secretary

APPENDIX A

GUIDANCE PROTOCOL FOR SANITARY WASTEWATER TREATMENT SYSTEMS

The following protocol is intended to assist operators of sanitary wastewater treatment systems in the Emergency Area in start up and operation.

1. Access

Entrance to the treatment plant should be considered only after flood waters have receded enough to allow safe operation of the treatment plant including the safe conditions for staff. Accessibility to treatment plants in restricted areas may need to be cleared with the Office of Emergency Preparedness. Contact the local sheriff if assistance in gaining access to the treatment plant is required. The use of sound personal protective equipment for safety in unsanitary or unsafe conditions is required. Early return to compliant operation minimizes long-term problems within the entire wastewater system.

2. Power Supply

For use of generator power, arrange for a reliable and continual fuel source. Contact the Department of Agriculture if assistance in obtaining fuel for power generation at your treatment plant is needed. If no generation is available and you must wait for electrical providers; consider notification to residents of the effect on collection lines. If removal of clean out plugs is needed to prevent back up into homes, notify affected customers warning them to remain clear of these areas. If pump trucks are used, LDEQ can advise of locations to dispose of the pumped sewage.

3. Start Up

Once it is safe, re-power the treatment system, aerators and pumps. The primary goal is to remove sanitary wastewater from contact with humans, while making every effort to do so in a manner that is practical and least impacting on the environment. Activate disinfection units and maintain them. Initial effluent will likely be poorly treated and of a very poor quality. Adequate disinfection will be important to protect human health downstream of the discharge. If the system has been down and/or without power for an extended period of time, resident bacteria used in the treatment process may need to be re-established. Consider reseeding the system with activated sludge from operating aerated treatment plants. Several treatment plants are available for use in reseeding. Contact the Department's Water Permits Division, Scott Guilliams, 225-219-9371, or by email at scott.guilliams@la.gov for information regarding system seed sources.

4. Monitoring

Watch plant operations carefully to confirm it is functioning properly. Ensure that lift stations within the collection system are returned to functionality as soon as possible. Without

functioning lift stations, sewage is not being removed from residences and sent for treatment. Visually observe effluent to maximize treatment effectiveness in the short term. If simple tools and/or tests are available to diagnose the plant's operational status ("sludge judge," settle-a-meter, dissolved oxygen meters, BOD analyses) use them frequently. If your plant is discharging poorly treated sewage, consider the impacts to persons, fish and wildlife downstream, including the possibility that drinking water intakes may be located downstream of your effluent. Notification to downstream users may be necessary to protect human health. Sample and analyze your effluent per LPDES requirements as soon as you are able.

5. *Notifications and Documentation*

Discharges that result in emergency conditions (threat to human health and the environment) must be reported immediately (1-877-925-6595). Discharges that result in emergency conditions (threat to human health and the environment) may require notification to affected persons. Report to the Department any discharges that interfere with downstream uses, such as swimming or drinking water sources or if fish kills occur. Discharge Monitoring Reports (per permit requirements) should be used to notify the Department of non-emergency conditions. Notification to sewage users may be necessary if problem with the system prevents removal of sewage from residences (or other human contact) on an on-going basis. Notification to downstream users may be necessary to protect human health. Notify the Local Office of Emergency Preparedness when Flood damage repairs are known – Federal Emergency Management Agency (FEMA) may be able to help with costs associated with Flood damage.

A permittee who wishes to establish the affirmative defense of upset must document the cause of the upset, that the facility was being properly operated at the time of the upset, that notice of the upset that exceeded effluent limitations was submitted to the DEQ and that the permittee took all reasonable steps to minimize or prevent the likelihood of adversely affecting human health or the environment.

APPENDIX B

TEMPORARY HOUSING SITE SELECTION

Initial Screening

Sanitary Wastewater

- Attempts must be made to route sanitary wastewater to an existing wastewater collection system or wastewater treatment system whenever feasible. This option requires no permitting action or approval from the Department. However, the owner/operator shall notify the Department, in writing, of any such discharge to an existing wastewater collection system.

- If a point source discharge is to be made into waters of the state, identify the effluent route to the first named waterbody (a waterbody that is readily recognizable).

- Avoid discharge into a drainage system that goes through or next to a sensitive area. Sensitive areas include, but are not limited to: drainage behind a subdivision, school, or park; drainage that routes the effluent through a private pond or private property; or discharge into a designated outstanding natural resource waterbody.

- If feasible, route effluent to the Mississippi River, or through local drainage to the Mississippi River. If not possible, route effluent directly into the largest waterbody in the vicinity, or into the waterbody's drainage system as close as possible to the waterbody.

- Mobile homes will be rated at 250 gallons per day per mobile home. Travel trailers will be rated at 125 gallons per day per trailer. If washing machines will be made available outside of the mobile home or travel trailer (in a washateria) 800 gallons per day per washing machine will be factored into the allowable capacity. Any combination of the above should be utilized to determine overall gallons per day per site.

- All single point source discharge into waters of the state should be limited to 100,000 gallons per day in order to qualify for rapid coverage under the Louisiana Pollutant Discharge Elimination System General Sanitary Permit. Discharges in exceedence of 100,000 gallons per day will be evaluated by the Department on a case-by-case basis in compliance with water quality standards of the receiving waterbody.

Waste

- If feasible, select site that is an existing development, such as, an existing mobile home park, or a site that has existing infrastructure that can be utilized.

- Research existing databases and make on-site physical observations for former municipal waste sites, abandoned hazardous waste sites, former underground storage tank remediation sites, etc. These are areas should be avoided as locations for staging or locating temporary housing.

Notification after Initial Screening

- After the initial screening, notify the Department and provide the following information:
  - Location – site name, physical location (911 address if available) and coordinates (i.e. latitude and longitude) shall be provided.
  - Identify the method of wastewater treatment or management. Notification must be made of connection to an existing wastewater collection system or treatment system (provide name of system); collection for off-site disposal (provide disposal name/location); or treatment and discharge to surface waters of the state.
  - If proposal is to discharge to surface waters from a treatment system that did not previously discharge at the proposed location, provide an estimated design flow (based on numbers above) and the effluent discharge route to first named waterbody. (Ex. unnamed ditch, to LA Hwy 19 ditch, to unnamed creek, to White's Bayou, to the Comite River.)
- Notification must be made to the Department at P. 0. Box 4313, Baton Rouge, LA 70821-4313 or by fax at (225)219-3309 to the attention of the Administrator of the Water Permits Division.
- Following notification as provided in this section, the Department will provide comments on the proposed site.

Storm Water Permit Prior to Construction

- If dirt work is going to be required at the site, a stormwater general permit for construction may be required.
- If the area to be developed is Jess than one (1) acre, coverage under a stormwater general permit is not required.
- If the area to be developed is at least one (1) acre but Jess than five (5) acres, coverage under Construction General Permit LAR200000 will be required. A Notice of Intent (NOI) is not required to obtain coverage under this permit. However, a storm water pollution prevention plan (SWPPP) must be prepared and implemented at the time construction begins. A copy of the permit is available at http://www.deq.louisiana.gov/portai/Portals/O/permits/lpdes/LAR200000.pdf.
  A Notice of Termination (NOT) is required when construction is complete.

- If the area to be developed is five (5) acres or greater, coverage under the Construction General Permit, LAR100000, will be required. Submittal of a NOI (CSW-S) is required prior to commencement of construction. The NOI can be found at htto://www.deq.louisiana.gov/portai/Default.aspx?tabid=1837. A copy of the general permit can be found at http://www.deq.louisiana.gov/portai/Portals/O/permits/lpdes/LAR100000.pdf. Submission of an NOT is required when construction is complete.

- Close attention must be given to the Historic Preservation sections of each of the construction general permits for any construction at previously undeveloped sites.

- Coverage under the construction general permits is necessary prior to construction. However, authorization to discharge as described is not required before construction, but is required before the discharge begins.

Registration for Authorization for Direct Discharges

- For discharges totaling less than 100,000 gallons per day, a Notice of Intent (NOI), form WPS-G, must be submitted to the Department at the above address. The NOI is available at http://www.deq.louisiana.gov/portai!Default.asox?tabid=1837. Copies of LPDES Sanitary General Permits are available on the Department's web site at http://www.deq.louisiana.gov/portai/Default.aspx?tabid=245.

- Proposed discharges greater than 100,000 gallons per day and particular discharges going directly into the Mississippi may be granted authorization to discharge under an Administrative Order or an individual LPDES permit on a case-by-case basis. If an Administrative Order is granted, application for a permit shall be made to the Department within thirty (30) days. Please contact the Department for additional information if this applies to your site.

- Contact for coverage under a Sanitary General Permit can be made to Jeremy Franklin, Municipal Permits Section@ (225) 219-3097 or by e-mail at jeremy.franklin@la.gov.

Additional Recommendations/Requirements for the Housing Sites

Water

- Wastewater treatment plants (WWTP) must be operated by a certified operator.

- WWTP's must be properly operated and maintained at all times.
- Disinfection of effluent must be provided.

- Permittee should implement a program to inform residents of things that might be harmful to the WWTP such as the introduction of grease or large amounts of household chemicals to the treatment plant.

Waste

- Provide for collection and disposal of solid waste.
- Provisions should be made for proper disposal of household hazardous waste during the operation of the facility and as residents leave the facility.
- It is recommended that the residents be informed on the benefits and requirements of proper disposal of solid waste and household hazardous waste.

Recycling

- Whenever feasible, provide for recycling, such as, providing a recycling center on site with appropriate recycle containers.
- Inform residents on the proper procedures for recycling household materials.
- Recycling incentives for residents can prove beneficial.

Open Burning

- Open burning at these sites should be prohibited. This does not include charcoal or gas grills.

Site Closure

- Once all the residents have left, the site must be closed.
- All solid and household hazardous waste shall be removed and properly disposed.
- If a WWTP was used for treatment of sanitary wastewater, it shall be removed. A request for termination of coverage under the permit or Administrative Order issued for coverage must be submitted to the Department.
- Notification of closure must be made to the Department through SPOC (225-219-3640 or Toll Free 1-888-763-5424). The Department will approve the site for closure.

APPENDIX D

Debris Management Plan

Comprehensive Plan for Disaster Clean-up and Debris Management

Louisiana Department of Environmental Quality
Revised March 25, 2013

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Purpose

The purpose of the Comprehensive Plan for Disaster Clean-up and Debris Management is to establish a framework to facilitate the proper management of debris generated by natural disasters within the state (R.S 30:2413.1). The goal is to facilitate a reasonable, efficient, and prompt recovery from such disasters and be protective of human health and the environment. The plan includes flexible and innovative approaches to address disaster-generated debris issues. It adheres to mission of the Louisiana Department of Environmental Quality (LDEQ) to protect human health and the environment to the fullest extent possible under the circumstances. The plan allows LDEQ the flexibility to consider, approve, or disapprove reasonable requests for authorizations, variances, and waivers as needed for rapid and environmentally sound waste management, recycling, and disposal. A primary objective of the plan is to conserve landfill capacity and to protect natural resources to the maximum extent practicable.

Pursuant to the laws of the state of Louisiana, the Secretary of the LDEQ is granted the authority to declare an emergency upon receipt of evidence of an incident that requires immediate action to prevent irreparable damage to the environment and serious threats to life or safety. Upon declaring that an emergency exists, the Secretary may issue such permits, variances, or other orders as necessary to respond to the emergency, and such orders are effective immediately. With the declaration of an emergency, the Secretary issues an administrative order, which provides specific measures authorized within the tirneframe of the emergency. Those specific measures contained in the emergency order serve as relief for the duration of the order from the regulatory and proprietary requirements of the LDEQ. However, the measures do not provide relief from the requirements of other federal, state, and local agencies.

Thus, the regulatory flexibility to manage disaster-generated debris in the manner set forth in this plan is authorized upon issuance of an Emergency Declaration and Administrative Order by the LDEQ Secretary. The Emergency Declaration and Administrative Order will require adherence to the "Comprehensive Plan for Disaster Clean-up and Debris Management," except where the Plan may be in conflict with the provisions of the Order. Inthe event of conflict, the Order shall prevail. Moreover, while this plan is consistent with state and federal law, it does not supersede any ordinance adopted by a local governing authority.

This Comprehensive Plan for Disaster Clean-up and Debris Management documents some of the lessons learned from prior disasters and extends beyond those lessons to formulate a plan that manages future disasters in a cohesive, organized, and efficient manner, while ensuring protection of public health and the environment.

The LDEQ prepared a Hurricane Katrina Debris Management Plan that was released on September 28, 2005, and revised on October 14,2005. Additionally during the 2006 Regular Session of the Louisiana Legislature, Senate Bill583 (Act 662) was enacted as La. R.S. 30:2413.1. La. R.S. 30:2413.1 directs the LDEQ to develop and implement a comprehensive debris management plan for debris generated by natural disasters. The bill states the goal of the comprehensive debris management plan is to "reuse and recycle material, including the removal of aluniinum from debris, in an environmentally beneficial manner and to divert debris from disposal in landfills to the maximum extent practical and efficient

which is protective of human health and the environment." Among other things, SB 583 dictates the use of the following debris management practices, in order of priority, to the extent they are "appropriate, practical, efficient, timely, and have available funding: recycling and composting; weight reduction; volume reduction; incineration or co-generation; and land disposal." The plan is limited by and may not extend beyond the limitations impose by the Secretary's Emergency Declaration and Administrative Order.

Tins plan builds upon LDEQ's existing plan and is intended to be a living document. As such, it will be amended, as necessary, to address specific challenges as they arise.

1.0 Bacliground

Local governments are the lead responders for incidents and most incidents are handled locally (ex. fires, etc.). Some incidents (such as chemical transportation spills) escalate in complexity and are handled by a combination of state and local resources.

1.1 Response to Disasters

The Federal Emergency Management Agency (FEMA) assistance is triggered by the Governor's Declaration of an Emergency and a request for federal assistance. The Governor's request is made to the FEMA Regional office in Denton, Texas. Representatives from the Governor's Office of Homeland and Emergency Preparedness (GOHSEP) and FEMA conduct a preliminary damage assessment (PDA) to estimate the extent of the disaster and its impact on individuals and public facilities. This information is included in the Governor's request to show that the disaster is of such severity and magnitude that effective response is beyond the capabilities of the State and the local governments and that Federal assistance is necessary. Local response to save lives and initiate recovery takes place inunediately and automatically while the external responses are mobilizing.

1.2 Disaster Categories

There are many types of disasters to contend with, which can be categorized as natural or man-made.

- Natural – floods, tornadoes, hurricanes, thunderstorms and lightning, winter storms and extreme cold, extreme heat, earthquakes, volcanoes, landslide and debris flows (mudslide), tsunamis, wildfires, epidemics/pandemics

- Man-made – hazardous materials spill/leal(, terrorism, explosions, aircraft crashes, chemical emergencies, nuclear power plant incidents, fires, food poisoning outbreal(s, bio-engineered agent releases

2.0 Disaster Management

The Plan is designed to provide guidance to local governments and state agencies in planning, mobilizing, operating, and deactivating disaster debris sites. It is important that agencies and local governments handling debris have their own Debris Management Plan that complies with tlris document and the debris management requirements of FEMA as published in FEMA's Debris Management Guide, FEMA-325. It is important that local Debris Management Plans identify key staff members and their responsibilities for managing and controlling debris clearing, removal, and ultimate disposition operations. See htto://www.ohsep.louisiana.gov/recovery/debrismgtsampleplan.htrn for an example plan from GOHSEP.

Disaster debris management is typically the largest part of government expenditures for disaster relief and recovery. The success of a debris management program is dependent upon the commitment by the agencies involved to planning, implementing, and evaluating their plan effectively and efficiently. Proper planning by management and effective employee training provides a foundation for a quick and successful recovery.

The benefits of advance planning for disaster debris management include:

- organized control of disaster debris management,
- reduced costs,
- increased speed and efficiency of clean-up,
- minimized environmental and public health impacts,
- consistency with federal reimbursement requirements, and
- increased public awareness of debris management issues.

2.1 Debris Response Triggers

GOHSEP and FEMA use the results of the PDA to determine if the disaster situation is beyond the combined capabilities of the state and local resources and to verify the need for supplemental federal assistance (Figure 1). Since all disasters do not necessarily require debris management, it is possible to apply disaster types with disaster intensity to trigger various levels of debris options. Some examples are:

- **LOW INTENSITY**

  Trigger 1 - Impact 1 and local flooding or intense storms: Local debris site activation and vegetation debris reduction.

- **MEDIUM INTENSITY**

  Trigger 2 -Impact 2 and Cat. 1 Hurricanes or tornadoes: Consider construction and demolition (C&D) debris site collection
  Trigger 3 -_Impact 3 and Cat. 2-3 hurricanes: Consider air curtain destructors, and modification of C&D definitions for flooded areas.

- **IDGH INTENSITY**

  Trigger 4 - Impact 4: consider additional debris sites, grinding C&D and implementing asbestos handling guidance modifications.
  Trigger 5 -Impact 5: consider amended residence demolition guidance; consider additional C&D guidance.

- CATASTROPHIC

  Trigger 6 -Impact 6: consider vegetative debris options, consider additional disposal options.

(NOTE: these are examples of how triggering might be applied and may *not* be used nor implied as being proposed for adoption by LDEQ)

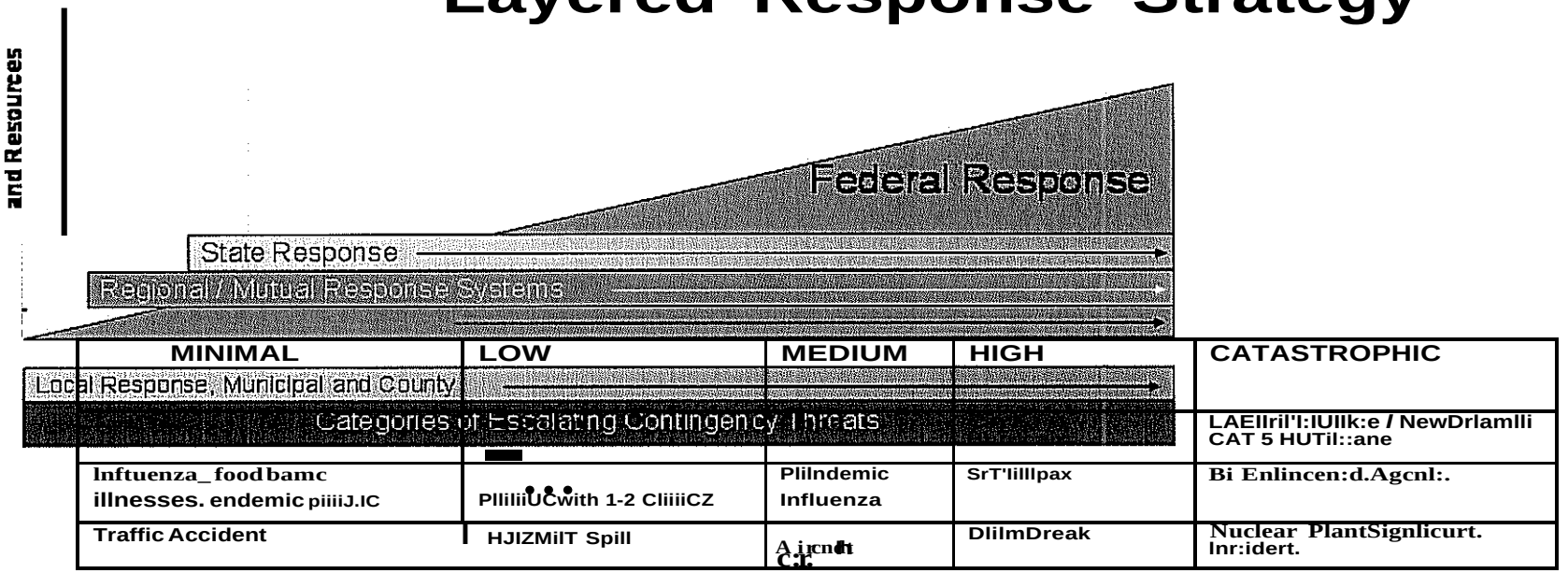

Figure 1. Categories of disasters. (from: htto://www.pitt.edu/-super7/31011-32001/31531-31551.pdf)

2.2 Federal Funding Compliance Requirements

Recipients of FEMA funding will require state agencies and local governments to accept roles and responsibilities for environmental and historic preservation (EHP) compliance. EHP compliance is essential for proper and timely reimbursement and enduring the inevitable audit. These laws and executive orders are aimed at protecting water, air, coastal, wildlife, land, agricultural, historical, and cultural resources, as well as minimizing potential adverse effects to children, low-income, and minority populations.

FEMA funded activities that may trigger an EHP review are:

- debris removal;
- emergency protective measures;
- repair to pre-disaster condition;
- modification, expansion, and mitigation; or
- new construction and ground disturbance.

Detailed EHP information for state agencies and local government officials is provided at: http://www.crt.state.la. us/bp/Sectionl 06.aspx or http://www.fema.gov/plan/ehp.

3.0 Recycling and Beneficial Use

This Plan is designed to encompass LDEQ's goal of reduction, conservation, and management relative to debris management. The plan promotes reduction of the debris stream utilizing chipping, grinding, recycling, or other methodologies as directed in LA R.S. 30:2413.1. It promotes conservation and management by ensuring that adequate capacity exists for disposal and management of disaster-generated debris, including that generated by redevelopment and repopulation by businesses and residents. The plan also encompasses the legislative mandate as directed in LA R.S. 30:2413.1 to reduce vegetative debris 50% by volume and 50% by weight prior to disposal in a landfill.

Local governments or state agencies should identify sites where recycling and beneficial use options may be utilized and should maintain standby contracts to provide for the oversight, implementation, and operation of recycling and beneficial use projects associated with disaster-generated debris activities. The standby contracts should include provisions to ensure that marketing outlets are available to receive and process the material resulting from the recycling and beneficial use activities. The recycling and beneficial use options provided below and later in this document will contribute to the plan's goals.

Solid waste exempt bricks and concrete free of asbestos containing material (ACM) (see LAC 33:VII.303.A.5) segregated from other C&D debris removed from homes during the demolition process may be recycled utilizing stone crushing equipment (large scale-crushing operations may require additional conditions or permits). Equipment utilized for this purpose shall be operated in accordance with manufacturers' instructions and any applicable LDEQ correspondence, authorization or guidance. A copy of the manufacturers' instructions shall be maintained on site and made available to the regulatory agencies upon request.

4.0 Debris Management Definitions

- **Animal carcasses** -remains of animals killed by a disaster

- **Curbside segregation of debris –** sorting of debris by the resident into piles of discrete waste streams being collected as the result of a disaster. This is the most efficient and cost effective method of debris management. The segregated debris piles should be placed on the right-of-way and away from obstructions, such as, mailboxes, fire hydrants, gas meters, and telephone poles. Waste streams typically needing curbside separation in a disaster recovery effort are vegetative debris, construction and demolition debris, electronics, household hazardous materials, other special wastes and regular garbage. This will vary according to the extent of the disaster and the capabilities and decisions of local governments. Local government and state agencies should develop specifically tailored collection strategies for unique situations, such as, narrow streets, dense population, and narrow right-of ways. Curbside segregation of debris should not be done by the collection crews. In no case are munitions and ordnance to be the subject of curbside segregation. See Section 12.6 for more information on munitions and ordnance.

- ***De minimus* contamination –** insignificant contamination of approximately 5% but not exceeding 10%.

- **Electronic debris –** devices or components thereof that contain one or more circuit boards and are used primarily for data transfer or storage, communication, or entertainment purposes, including but not limited to, desktop and laptop computers, computer peripherals, monitors, copying machines, scanners, printers, radios, televisions, camcorders, video cassette recorders (VCRs), compact disc players, digital video disc players, MP3 players, telephones, including cellular and portable telephones, and stereos.
- **Emergency construction and demolition (C&D) debris –** nonhazardous waste generally considered not water-soluble, including but not limited to, metal, concrete, brick, asphalt, roofmg materials (shingles, sheet rock, plaster), or lumber from a construction, remodeling, repair, renovation, or demolition project that is authorized by the government to be necessary for a disaster. C & D debris does not include asbestos-containing material RACM as defined in LAC 33:III.515l.B, white goods, creosote-treated lumber, and any other item(s) not an integral part of the structure.

- **Emergency debris site –** a location that has been identified by the local government or state agency and has been evaluated and approved by LDEQ for the purposes of staging, reduction, or final disposal of disaster-generated debris. Emergency debris sites **do not** include the staging or other processing of municipal solid waste or putrescible waste and may not be used unless approved by LDEQ.

- **FEMA Eligible debris –** debris must: be a direct result of a presidentially declared disaster; occur within the desigoated disaster area; and be the responsibility of the applicant at the time of the disaster. Debris removal work must be necessary to: eliminate an immediate threat to lives, public health and safety; eliminate immediate threats of significant damage to improved public or private property; or ensure the economic recovery of the affected community to the benefit of the community-at-large. FEMA, not LDEQ, determines eligibility. For specifics, see: http://www.fema.gov/government!grant!pa/debris_main.shtrn.

- **FEMA ineligible debris –** debris from a previous disaster; debris from unimproved property or undeveloped land; debris from a facility that is not eligible for funding under the Public Assistance Program, such as public golf courses or cemeteries; and debris from Federal lands or facility that are the authority of another Federal agency or department. For specifics, see: http://www.fema.gov/government/grant/pa/debris_main.shtrn.

- **Household hazardous waste (HHW)** -waste that can catch fire, react, explode, is corrosive or toxic that is generated by individuals on the premises of a residence for individuals (a household) and composed primarily of materials found in the wastes generated from homes. Wastes generated by commercial or industrial establishments that appear to be the same as household waste are not considered household hazardous waste and must follow state and federal hazardous waste regulations.

- **Metals-** (or scrap metals) bits and pieces of metal parts (e.g., bars, turnings, rods, sheets, wire) or metal pieces that may be combined together with bolts or soldering (e.g., radiators, scrap

automobiles, railroad box cars), which when worn or superfluous can be recycled. Materials not covered by the definition of scrap metal include "residues generated from smelting and refining operations (e.g., drosses, slags, and sludges), liquid wastes containing metals (e.g., spent acids, caustics, or other liquid wastes with metals in solution), liquid metals wastes (e.g., liquid mercury), or metal-containing wastes with a significant liquid component, such as spent batteries.

- **Municipal waste**-- Residential and/or commercial solid waste.
- **Orphan drums (and tanks) –** abandoned or lost containers that may contain hazardous substances, such as propane, industrial chemicals, and unknown substances.
- **Putrescible waste**- waste susceptible to rapid decomposition by bacteria, fungi, or oxidation, creating noxious odors.
- **Tires –** whole tires that are no longer suitable for their original purpose because of wear, damage, or defect. These do not include any tire weighing over 500 pounds and/or a solid tire.
- **Vegetative Debris**- vegetative matter resulting from landscaping, maintenance, right-of-way or land-clearing operations, including trees and shrubbery, leaves and limbs, stumps, grass clippings, and flowers.
- **Vehicles –** an automobile; motorcycle; truck; trailer; semitrailer; truck, tractor and semitrailer combination; or any other vehicle used to transport persons or property and propelled by power.
- **Vessels –** any type of watercraft used, or capable of being used, as a means of transportation on the water.
- **White goods**- discarded domestic appliances including, but not limited to, refrigerators, ranges, washers, freezers, dryers, air conditioning and heating units, freestanding ice makers, built-in stove surface units and oven units, and water heaters. White goods do not include small household appliances, such as, stand mixers, toasters, blenders, etc.
- **Woodwaste**- wood residue, cutoffs, wood chips, sawdust, wood shaving, bark, wood refuse, wood-fired boiler ash, wood ash, and plywood or other bonded materials that contain only polyurethane, phenolic-based glues, or other glues that are approved specifically by the administrative authority. Uncontaminated, un-treated, or un-painted lumber or wooden pallets are considered woodwaste under this definition.

5.0 Emergency Debris Sites

LDEQ recognizes that decisions on the disposition of wastes and debris need to be made at the collection point. Use of best professional judgment will be necessary to determine the ultimate disposition of collected material. State agencies and local governments will need to determine appropriate sites for the following temporary activities that may be required to respond to a disaster:

- staging, chipping & grinding, composting, and/or burning of vegetative debris;

- staging of emergency C&D debris;
- staging ofwoodwaste
- staging of white goods;
- staging of electronic debris;
- staging of metals;
- staging of tires;
- staging of vehicles and vessels;
- staging of household hazardous waste;
- staging of orphan drums;
- and other activities as requested on a case-by-case basis.

Agencies and local governments should also consider the number, type of sites, and transportation access that may be required. If more than one entity plans to use the site, the wastes cannot be comingled and has to be delineated and separate from each other. It is recommended that each responsible party have a debris plan outlining how the debris should be handled and if it should be segregated curbside or at the emergency debris site.

LDEQ will pre-approve disaster debris sites for staging of vegetative debris, emergency C&D debris, woodwaste, white goods, tires, metals, and electronic debris and chipping & grinding, composting, and burning of vegetative debris. Sites that were approved by LDEQ for use in previous recent disasters (Hurricanes Katrina, Rita, Gustav, and Ike) are prime candidates for pre-approval. The designation of a location as an inactive "pre-approved" site will be subject to an annual renewal by June 1. Upon the declaration of a disaster by the Secretary ofLDEQ, local governments and state agencies may "activate" a pre-approved site for its intended purpose. Upon activation, a verbal notification shall be provided to the LDEQ Headquarters that the site is active. This verbal notification shall occur as soon as practicable depending on communication capability. A written follow up notification shall be made within 5 days of the activation date to LDEQ Headquarters. LDEQ Personnel will monitor the site and handle site "deactivation" requests once the site use is no longer needed for the disaster for which the site was activated. A site may be permanently closed as a pre-approved site upon request of the property owner, the local government that requested designation, or LDEQ.

Contractors chosen by the local governing authority, or by state or federal agencies, should possess knowledge of applicable regulations, this Plan, and any LDEQ Declarations of Emergency and Administrative Order in order to correctly manage, transport, and route waste streams to appropriate sites and/or facilities.

5.1 Finding the Right Location

When selecting a proposed emergency debris site, the local government should consider the following:

- Does the site have historical preservation approval? (Note: Approval cannot be granted until this is completed. Previously approved sites should have received SHPO documentation.)
- What is tl1e proposed use for this site?
- Is it easily accessible by the types of vehicles transporting the debris?
- Is it removed from obstructions such as power lines and pipelines?
- Is the site considered a wetland area, as defined by the U.S. Army Corps of Engineers?
- Is the general site topography conducive to the activity that will be conducted there?

- Are there nearby occupied residences and/or businesses that will be inconvenienced or adversely affected by use of this site?
- Is the size sufficient for its intended use?
- Is the soil type suitable for its intended use?
- Is the site located near water bodies such as rivers, lakes, or streams?
- Does tins site have access to a local fire department for availability of water in the event of a fire?
- Ownership of site? If not government owned, the applicant needs to have secured access rights to the property. (Please note, it is up to the local government to ensure that they have the legal right to utilize the site for its intended purpose.)

5.2 Site Pre-Approval

In order for a location to be considered by the LDEQ as an emergency debris site, the agency or local government must submit an Emergency Debris Site Request Form to LDEQ. A copy of the form is attached as Attaclunent A and is available on LDEQ's website at http://www.deg.louisiana.gov/portalltabid/2853/Default.aspx. Sites requested will be inspected by LDEQ and a recommendation made to the Waste Permits Division (WPD). If the site is approved, LDEQ will inform the local government by letter. The letter will also contain any restrictions or operational conditions that are specific to the site. Operational conditions will be outlined in an Auti10rization for Pre-approved Emergency Debris Site provided with the site approval.

5.3 Temporary Site Approval

In the event of a disaster where a pre-approval site does not exist, the same procedure should be followed to request the site. Once the site request is received, ti1e site will be inspected by LDEQ and a recommendation made to WPD. LDEQ may provide verbal approval that the site may be used for staging of vegetative debris, woodwaste, emergency C&D debris, electronic debris, tires, metals, or white goods. If the site is approved, a letter approving the site will be issued following any verbal approval by LDEQ. The letter will also contain any restrictions or operational conditions that must be adhered to relative to ti1e site. Operational conditions will be provided with the site approval. Burning and/or disposal of debris will not be verbally approved.

5.4 Recordkeeping

The state and local governments or their designee (contractor(s)) should keep a record of the amount of all types of materials/wastes recovered and transported for recycling and or disposal. Some products already require record keeping, e.g. used oil, and duplicate record keeping is not required.

In order for LDEQ to monitor the local government or state agency management of the vegetative debris waste stream and to ensure timt the Legislative Mandate has been met, all vegetative debris sites processing vegetative debris (staging, chipping & grinding, composting, and burning sites) shall submit to LDEQ on a weeldy basis, a Weekly Debris Management Report (WDMR, form can be downloaded from: http://www.deg.louisiana.gov/portal/DIVISIONS/WastePennits/DisasterDebrisManagement.aspx) indicating how much vegetative debris is received, what method(s) of process is utilized (e.g. cltipping, grinding, and/or burning), how much vegetative debris is processed, and the final fate of the waste stream (e.g. industrial boiler fuel, compost/mulch, a component of the cover system for a landfill, disposal in landfill, etc.). This report is required to be filled out for all active sites until all of the

vegetative debris received has been completely processed. All WDMRs (see Attachment B) shall be submitted before the debris site can be closed or deactivated.

All WDMRs shall be signed by a person duly authorized by the local government or state agency responsible for the debris site. "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on an inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fme and imprisonment for !mowing violations."

It is the local government or state agency's responsibility that all WDMRs are filled out and submitted to LDEQ in a timely manner.

NOTE: WDMRs are *only* required for *vegetative* debris.

5.5 Pre-approval Site Deactivation

Each pre-approved emergency debris site, with tl1e exception of authorized vegetative debris sites where ash is land-applied, will eventually clear disaster-related debris and be restored to its previous condition and use. Deactivation must be in accordance with approved LDEQ practices and/or the Authorization for Pre-approved Emergency Debris Site contained in LDEQ's site pre-approval letter. Once a deactivation inspection is requested by the state and/or local government, the site can no longer be used for the active emergency. Sampling of soil and/or ash that is left at the site may be required by the LDEQ. The agency or local governing authority will be required to take necessary steps to ensure that no environmental contamination is left on-site. Deactivation should be accomplished within the time limits established by the LDEQ. Once a deactivation assessment is conducted and all WDMRs have been received and verified complete, a deactivation letter is issued by LDEQ indicating that the debris site is considered deactivated by LDEQ and shall not accept or process any additional debris. The site can be re-activated if a new emergency occurs.

5.6 Debris Site Closure

Closure is applicable to all temporary emergency debris sites and those pre-approved sites being withdrawn as pre-approved sites. Once activities are completed at an emergency debris site, the debris will be cleared and the land restored to its previous condition, with the exception of authorized vegetative debris sites where ash is land-applied. Sampling of soil and/or ash that is left at the site may be required by the LDEQ. The agency or local governing authority will be required to take necessary steps to ensure that no environmental contamination is left on-site. LDEQ will inspect the site to ensure it has been closed in accordance with LDEQ regulations. Once a closure assessment is conducted and all WDMRs have been received and verified complete, a closure letter will be issued to the agency or local governing authority responsible for the site stating that the site is closed and shall not accept or process any additional debris. Once a site has been closed or withdrawn as a pre-approved site, the local government or state agency will have to re-apply to use the site.

6.0 Vegetative Debris Management

Every effort shall be made to consolidate material from fallen trees and other vegetative debris in an attempt to beneficially use as much of this material as possible. For example, some local industries can utilize the wood material for fuel, and should be encouraged to do so. Material may be chipped or otherwise reduced in volume to allow for composting or other beneficial reuse. Site operations must conform to the requirements ofR.S. 30:2413.1 in that "the total green and woody debris intended for fmal disposal in a landfill, fifty percent (50%) shall be reduced by weight and fifty percent (50%) by volume prior to transport to a landfill" (for disposal). The law states, "the management plan shall be to reuse and recycle material and to divert debris from disposal in landfills to the maximum extent practical, efficient, and expeditious in a manner that is protective of human health and the environment."

Vegetative debris may be transported to a landfill for reduction; however, it may not be placed directly into a cell for fmal disposal until reduced. Although LDEQ encourages as close to a 100% diversion of vegetative debris from final disposal into landfill cells, the statutory minimum requirement is the 50% reduction by weight and volume. Vegetative debris may be reduced by any lawful method, transported to a landfill, and placed in cells after reduction.

In order to effectively implement this policy; encourage recycling and the beneficial use of vegetative debris; and the efficient management of debris generated during emergencies, LDEQ has required that all emergency debris sites submit a WDMR. These weekly reports indicated the volume and weight of debris received, processed, recycled, and disposed in a landfill. LDEQ determined that the most equitable method for attaining the goal for all state agencies was to apply the statute statewide. Instances where the goal was not met by local state subdivision, either municipal or parish, will be examined by LDEQ staff to determine why the goal was not met and what needs to be done to improve compliance on a case-by-case basis.

Restrictions are in place from the Louisiana Department of Agriculture and Forestry (LDAF) designating where in Louisiana potential Formosan termite contaminated debris might be disposed. Landfill operators, contractors, and waste generators should consult with the LDAF regarding proper disposal of Formosan termite debris. For any questions concerning quarantines, contact Mr. Tyrone Dudley at (225) 925-4578 or (504) 286-1125 or email tyrone_d@ldaf.state.la.us.

6.1 Coastal Restoration Projects

The Louisiana Department of Natural Resources (LDNR) has stated, "The potential to use post-storm vegetative debris in coastal Louisiana for coastal restoration and protection purposes is very limited. Several demonstration projects have been attempted; however, they proved not to be economically and ecologically justifiable." See:
http://www .deg .louisiana.gov/portal/Portals/0/permits/ *swN* egetative%20debris%2 Ofor%2 Ocoastal %2Or estoration.pdf

6.2 Vegetative Debris as Industrial Fuel

There may be regulatory limitations for a facility who may utilize wood material as an industrial fuel source. Waste generators should check with the LDEQ prior to donating or selling the material to local industries for fuel to ensure that the fmal destination has proper authorization to burn debris.

6.3 Vegetative Debris Staging and Processing Sites

Materials approved for receipt at vegetative debris staging and processing sites include vegetative debris such as yard waste, trees, limbs, stumps, and branches. Sites should be identified as staging, chipping & grinding, composting, and/or burning sites. All debris sites must be operated in accordance with the LDEQ-provided Authorization for Pre-approved Emergency Debris Site or other LDEQ correspondence or guidance. **It is the responsibility of a local government authority and/or a state agency to provide the LDEQ Debris Management Plan, correspondence, or guidance to any entity that may be charged with operation of the site.** All equipment (grinders, chippers, air curtain burners) shall be operated in accordance with manufacturers' instructions and any applicable LDEQ authorization. A copy of the manufacturers' instructions shall be maintained on site and made available to the regulatory agencies upon request.

6.4 Vegetative Debris Staging

Some debris sites will only stage vegetative debris and shall not conduct any form of processing (e.g., chipping, grinding, composting, or burning) of the vegetative debris. These debris sites shall only store the vegetative debris until it is to be hauled to a processing site for reduction. **Please note, FEMA generally only pays to transport debris once, so it is recommended that staging sites also be approved for a reduction method, as vegetative debris must be reduced 50% before disposal in a landfill.**

Maintaining staging piles of vegetative debris with a height of less than 20 feet and base width of less than 30 feet provides greater surface area for dissipation of heat and volatile gases, thereby minimizing the risks of spontaneous combustion. Frequent monitoring is required. Staging sites must limit the temperature of staged piles of vegetative debris to 160°F or less in order to reduce the potential for spontaneous combustion by allowing accumulated heat and gases to escape. Site must take all necessary measures to prevent combustion of materials. Sites only approved for staging must request and obtain written approval in order to chip, grind, compost, or bum debris.

It is strongly reco=ended that local goverrunents designate an approved emergency debris site as a drop-off vegetative debris site where residents may bring vegetative debris for aggregation and/or processing. It is also suggested that a portion of this site be setup to accept other residential materials, such as, electronics, appliances, household hazardous materials, tires, and compressed gas cylinders. If debris other than vegetative debris is to be staged at this site, it must also be approved to stage these materials. A separate container for residential garbage would be especially useful. Drop-off sites should be designed and managed with public safety as a priority.

6.5 Vegetative Debris Chipping & Grinding/Composting

Inpreparing compost and/or mulch piles, care should be taken to reduce the potential for spontaneous combustion. Placing chipped or ground organic debris into piles can result in rapid microbial decomposition that generates heat and volatile gases. Temperatures in large piles containing readily degradable debris can rise to greater than 160°F, increasing the chance of spontaneous combustion.

Spontaneous combustion is more likely in large, dense piles of debris under dry, windy conditions. Maintaining windrows with a height of less than 6 feet and a base width of less than 10 feet provides

greater surface area for dissipation of heat and volatile gases, thereby minimizing the risks of spontaneous combustion. Site must take all necessary measures to prevent combustion of materials.

Turning piles when temperatures reach 160°F can also reduce the potential for spontaneous combustion by allowing accumulated heat and gases to escape. Turning piles when temperatures decline can restore microbial activity and composting temperatures. Optimal moisture should be maintained to reduce combustibility. As a rule, optimal moisture is obtained when squeezing a handful of material yields a drop or two of water.

Shredded leafy debris will decompose more rapidly and retain more heat than wood chips. Sufficient wood chips or other bulky materials should be mixed with leafy material to ensure rapid diffusion of heat and gases during the early stages of decomposition. The ideal ratio of carbon (wood chips) to nitrogen (green materials) in a compost pile is about 30:1. A pile with that balance of materials will decompose steadily, and yield nutrient-rich compost.

Large piles or windrows should be located away from wooded areas, power lines, bridges, and other structures. The site should be accessible to fire fighting equipment, if a fire were to occur.

6.6 Vegetative Debris Burn Sites

LDEQ reco=ends the local fire department be notified prior to a burning event. Vegetative debris burn sites consist of open burning and burning via the use of a portable air curtain destructor (ACD, also known as air curtain incinerator or pit burner). Proximity to roads and dwellings is of particular importance in the selection of sites for this activity. In general, 1,000 feet is considered the minimum distance a burn site should be located away from any residences or businesses.

As with all proposed emergency debris sites, open burning locations must be approved by LDEQ in advance of their use. Local governments may utilize open burning during the initial disaster response for a reasonable timeframe to allow for the reestablishment of critical arteries for transportation, emergency response, and governmental operations. Timeframes will be reflected by the magnitude of the disaster. Open burning may have site specific requirements that are included in the pre-approval documents. In addition, where continued burning is necessary, any burning shall utilize equipment to efficiently combust waste and reduce emissions if LDEQ or local governing authority deems the use of equipment necessary to protect public health and the environment. Local, state, and federal partners associated with the vegetative debris burning operation will be advised of locations that have been approved for this purpose. All sites must be operated in accordance with the LDEQ-provided Authorization for Pre-approved Emergency Debris Site or other LDEQ correspondence or guidance.

Portable ACDs should be operated in accordance with the manufacturers' instructions and with any applicable LDEQ permits or directives. *A copy of the manufacturers' instructions shall be maintained on site and made available to the regulatory agencies upon request.*

LDEQ has adopted regulations for portable ACDs. Large-scale air curtain operations may require additional conditions or permits. Operators should be familiar with the air regulations for ACDs. See LAC 33:III.313, which can be found at:
http://www.deg.louisiana.gov/portal/DIVISIONS/LegalAffairs/RulesandRegulations/Title33.aspx.

6.7 Vegetative Debris Disposal

To the extent possible and practicable, vegetative debris that cannot be beneficially used will be disposed in permitted landfills. The total volume of green and woody debris intended for final disposal in a landfill shall be reduced fifty percent (50%) by volume and fifty percent (50%) by weight prior to fmal disposal. This chipped or ground vegetative debris may be used as compost, a component of daily cover (with written permission from LDEQ), ground cover, erosion control material, or as fuel. Vegetative debris may not be disposed in a landfill as the first option, but may be used as a component of the cover system, road bed material, or a means for providing erosion control for a landfill.

Ash from vegetative debris burn sites may be land applied on site or off site. **Off site application of ash will require specific, written prior approval by LDEQ or LDAF.** Whenever possible, soil test data and analysis of the ash should be available to determine appropriate application rates. Ash should not be applied during periods of high winds. Ash should not be applied within 25 feet of surface waters or ditches or drains on vegetated sites. These distances should be doubled on sites that are not vegetated, and the ash should be promptly incorporated into the soil. As an approved *alternative* to land application, ash from combustion of clean vegetative debris may be utilized as a blending or stabilization component, chemical activator, replacement component in masonry products or a component of pozzolanic concrete. Ash that cannot be land applied or used in an alternative manner shall be disposed at a permitted solid waste landfill.

Assistance in obtaining soil test data and waste analysis of ash may be available through the LSU Cooperative Extension Service's Soil Testing Laboratory. http://www.stnal.lsu.edu/

7.0 Marsh Debris Management

Freshwater marsh grass debris can be an effective additive to composting vegetative debris. As marsh grass is almost completely water, it provides a natural moistening agent to composting, and at the same time, accelerating the natural process of decomposition.

According to Bill Carney, Ph.D., Coordinator of the LSU Ag Center, Callegari Center Enviromnental Center, utilization of this freshwater marsh grass in the composting process in a 3:1 ratio of marsh grass (carbon source) to a nitrogen source (manure, green grass) will result in the most effective management of this debris which is extremely difficult to burn. Increased salt content due to storm surge may affect its final use as a soil amendment after composting. There exist field test meters tl1at can be used to detemline salinity levels.

Requests for staging and/or processing marsh should be made when a specific need arises and will be approved on a case-by-case basis. Requests should be made using the Emergency Debris Site Request Form.

If marsh grass is contanlinated with other material, it cannot be burned and should be sent directly to a C&D landfill for disposal.

7.1 Retrievable Debris from Wetlands

Retrievable debris items located in wetland areas shall be retrieved in accordance with the Army Corp of Engineers and transported to an authorized debris management area. Those items will then be either

recycled and/or disposed in accordance with this Plan. The Army Corp can be contacted at the following numbers: New Orleans at (504) 862-2270, Vicksburg at (601) 631-5972, Galveston at (409) 766-3941, or Fort Worth at (817) 886-1731.

Retrievable debris items should, if possible, be retrieved during the initial recovery operation, managed, and transported to facilities that are approved for their receipt and management. These debris recovery and removal activities should not be expected to result in appreciable habitat disturbance.

7.2 Irretrievable Debris

Irretrievable debris items that are located in the marsh, especially sensitive marsh areas, shall be managed in accordance with the Army Corp of Engineers. These debris management activities are expected to result in appreciable habitat disturbance and, therefore, would require an expedited or emergency trustee consultation.

7.3 Marsh Burning

Care needs to be taken with marsh burning during disaster recovery operations. Due to the immense amounts of vegetative debris generated in most disasters, these fires can easily expand beyond anticipated burn areas. Marsh burning near active debris sites can pose risk to the site and site personnel. Burning is a practice utilized in marsh areas, especially in areas designated as a refuge. Refuge areas utilize marsh fires on a 2 to 3 year rotational schedule to manage the accumulation of marsh grass and other vegetative/woody debris. The refuges and other entities (i.e. private, parish, state, or federal) owning marsh areas that are non-oil contaminated areas may utilize this method to address the accumulations of marshy grass and debris generated because of a natural disaster. The utilization of a marsh fire to address the disaster-generated debris must be communicated to and coordinated with local, state and federal entities participating in the disaster response and management activities (i.e., parish government, property owners, parish and local fire departments, LDNR, the Louisiana Department of Wildlife and Fisheries (LDWF), LDEQ, EPA, US Coast Guard, and the US Army Corps of Engineers). The plans and procedures pertaining to marsh burning are to be evaluated and authorized by all entities involved in the effort. The plan must take into consideration the potential presence of hazardous, flammable, ignitable, or reactive materials that could influence the marsh burning operation. This is needed so that the proper environmental and personal safety precautions will be set forth in the marsh burning plans and procedures.

7.4 Transportation in the Marsh

The specific methods of maneuvering transport vehicles (i.e. marsh buggies, pontoons, etc.) in the various areas of the marsh for the purposes of debris management and retrieval activities will need the concurrence of the LDNR, LDWF, other pertinent state level agencies, and property owner(s). This coordination is also needed to address potential navigation hazards or obstructions posed by the presence of disaster-generated debris in the marsh areas.

8.0 Emergency C&D Debris Management

In the event of a considerable amount of the disaster-generated C&D debris, staging may be necessary and debris shall be transported later to LDEQ permitted C&D debris landfills.

If approved, site operations will comply with the temporary staging area Authorization for Pre-approved Emergency Debris Site provided with the site approval. It is **the responsibility of the local government and/or a state agency to provide the Authorization for Pre-approved Emergency Debris Site to any entity charged with the operation of an emergency debris site.** See Attachment B for an example.

The local government or state agency's emergency debris plan should have a detailed process for segregating, as much as is practicable, unsuitable materials such as household garbage, white goods, asbestos containing materials, and HHW. These materials should be placed in appropriate containers and transported to facilities that are approved for their receipt. If more than *de minimus* amounts of these wastes are present, the waste should be handled in a manner consistent with the most stringent management technique necessary for the waste stream. Louisiana has new Louisiana Emission Standard for Hazardous Air Pollutants (LESHAP) **Guidance on Residential Demolitions.** For proper handling of asbestos, see: http://www.deg.louisiana.gov/portal/tabid/2883/Default.aspx.

Emergency C&D debris shall be disposed in permitted C&D debris landfills. However, due to the devastation caused by a natural disaster, it may be necessary for LDEQ to approve disposal of emergency C&D debris at sites that are deemed appropriate but are not permitted.

In extreme circumstances, local governments may request establishment of emergency C&D disposal sites. Sufficient information must be provided to justify the request and that demonstrates the site will operate under efficient, expeditious, and environmentally safe operations. At the time of the request, the local government must address how the closure of the site will be accomplished, who will manage the site closure, and the party responsible for funding the site closure. If approved, site operations must comply with the Authorization for Pre-approved Emergency Debris Site provided by LDEQ.

Restrictions are in place from the Louisiana Department of Agriculture and Forestry (LDAF) designating where in Louisiana potential Formosan termite contaminated debris might be disposed. Landfill operators, contractors, and waste generators should consult with the LDAF regarding proper disposal of Formosan termite debris. For any questions concerning quarantines, contact Mr. Tyrone Dudley at (225) 925-4578 or (504) 286-1125 or email tyrone_d@ldaf.state.la.us.

9.0 Woodwaste

Staging of woodwaste may be necessary. If the site is only approved for staging of woodwaste, no processing, (e.g., burning) shall occur at the site. Separation of woodwaste is allowed. Woodwaste shall be transported later to LDEQ permitted C&D debris and woodwaste landfills. LDEQ may allow burning of woodwaste on a case-by-case basis once a request has been made.

If approved, site operations will comply with the temporary staging area Authorization for Pre-approved Emergency Debris Site provided with the site approval. It is the responsibility of the local government and/or a state agency to provide the Authorization for Pre-approved Emergency Debris Site to any entity charged with the operation of an emergency debris site. See Attachment B for an example.

Arrangements should be made to segregate materials. These materials should be placed in appropriate containers and transported to facilities that are approved for their receipt. If more than *de minimus*

amounts of these wastes are present, the waste should be handled in a manner consistent with the most stringent management technique necessary for the waste stream.

Restrictions are in place from the Louisiana Department of Agriculture and Forestry (LDAF) designating where in Louisiana potential Formosan termite contaminated debris might be disposed. Landfill operators, contractors, and waste generators should consult with the LDAF regarding proper disposal of Formosan termite debris. For any questions concerning quarantines, contact Mr. Tyrone Dudley at (225) 925-4578 or (504) 286-1125 or email tyrone_d@ldaf.state.la.us.

10.0 Electronic Debris

In order to contribute to increased recycling and to reduce the volume of waste disposed in landfills, electronic debris should be recovered. It is recommended that local governments contract with an electronics recycler or use the state recycling contractor to come and collect electronics for recycling and dismantling. A state contract is available for state agencies and local government agencies to utilize for the collection of electronics. A list of electronic recyclers can be found on the Electronic Industries Alliance website located at http://www.ecyclingcentral.com.

Cathode Ray Tubes (CRTs) shall be sent for reuse and/or recycled. See the LDEQ regulations at LAC 33:V.4911, 4913, and 4915. (Conditional Exclusion for Used, Broken Cathode Ray Tubes Undergoing Recycling, Conditional Exclusion for Used, Intact Cathode Ray Tubes (CRTs) Exported for Recycling, Notification and Recordkeeping for Used, Intact Cathode Ray Tubes (CRTs) Exported for Reuse).

11.0 White Goods

Local governments should set up citizen drop-off collection sites for large appliances (white goods) in the event that a large amount of such material is anticipated. It is recommended that local governments contract with a metals/or scrap appliance dealer to come and collect white goods for recycling, as white goods may not be landfilled. Mercury switches and refrigerant must be removed from appliances by the contractor. Mercury containing devices are easily handled. More detailed information on handling mercury devices in appliances is available from LDEQ's web site at:
http://www .deg .louisiana.gov/portal/tabid/28 7/Default.aspx.

Appliances containing refrigerant, including refrigerators, freezers, and window air conditioner units, should have the refrigerant removed by refrigeration technicians certified by the Environmental Protection Agency (EPA) to prevent releases. EPA also maintains a current list of approved refrigerant reclaimers. The approval status of a refrigerant reclaimer can be confirmed by contacting EPA's Ozone Protection Hotline (800-296-1996) or by accessing EPA's Office of Air and Radiation Stratospheric Protection Division webpage: http://www.epa.gov/ozone/title6/608/reclamation/reclist.html. More information about safe federal disposal procedures for household appliances that use refrigerants can be found at: http://www.epa.gov/Ozone/downloads/SafeDisposa!Brochure.pdf.

12.0 Metals

In order to contribute to an increase in recycling and to reduce the volume of waste disposed in landfills, metals should be recycled or salvaged. It is recommended that local governments contract with a recycler or sell the metal for scrap.

13.0 Tires

Tires collected through hurricane debris collection activities and deposited at parish collection centers will be ineligible for payment of the Waste Tire Management Fund subsidy and are to be treated as debris under FEMA funded debris removal programs. Eligibility of tires for the subsidy shall be governed by the most current version of LDEQ's Amended Declaration of Emergency and Administrative Order. For more help, please contact LDEQ Financial Services at (225) 219-3863 or Fax at (225) 219-3867.

14.0 Special Debris Management

14.1 Abandoned Vehicles and Vessels

Local governments will propose a staging point for the temporary storage of abandoned vessels and vehicles. These sites should be secure, fenced, and lighted. LDEQ shall evaluate and, if appropriate, authorize the staging site. The Office of State Purchasing will negotiate contracts related to the recovery and recycling of abandoned vehicles. The Louisiana Department of Transportation and Development will be the project manager for the vehicle recovery and recycling project associated with the disaster response.

Vehicles and vessels brought to the staging areas shall be inventoried by license plate, make, model, color and vehicle identification number. They shall be staged and site tagged for easy retrieval. Scrap vehicles shall be dismantled and properly recycled. The following materials shall be recovered: gasoline and diesel fuel, refrigerants, lubricating oils, mercury ABS switches, mercury convenience switches, lead acid batteries, bral'e and transmission fluid, antifreeze, and tires. Propane tanks and large appliances in recreational vehicles shall be removed.

Louisiana has laws governing the disposal and titling of "water-damaged vehicles" other than an antique, whose power train, computer, or electrical system has been damaged by flooding as the result of a gubernatorial declared disaster or emergency. Government entities should refer to LA R.S. 32:706.1 *et seq.* and confer with the Louisiana Department of Motor Vehicles.

Vessels deemed for scrap shall be crushed to reduce volume for easier handling and management, shredded, and properly recycled when possible. The following disposition for hull materials shall be followed: metal boat hulls shall be handled as scrap metal; wooden boat hulls shall go to a Type I or Type II landfill; and fiberglass and composite hulls shall go to a Type II or Type III (C&D) landfill. The following materials shall be recovered: gasoline and diesel fuel, refrigerants, lubricating oils, mercury bilge switches, propane tanl(s, large appliances, lead acid batteries, transmission fluid, and electronics such as radar sets, radios, GPS units, and depth finders.

Government entities should confer with the LDWF concerning the disposal of abandoned state registered vessels. The US Coast Guard should be consulted concerning the disposal US Registered Vessels. The USCG Documentation Center has vessel title and lien information. Their database can be accessed at: http://www.st.nmfs.noaa.gov/stl/CoastGuard!V esse!ByName.htrnl. The disposal of any vehicle or vessel contaminated with oil or gasoline shall be coordinated with the LDEQ.

14.2 Compressed Gas Cylinders

Compressed gases present a unique hazard. Depending on the particular gas, there is a potential for simultaneous exposure to both mechanical and chemical hazards. Gases may be flammable or combustible, explosive, corrosive, poisonous, inert, or a combination of hazards. If the gas is flammable, flash points lower than room temperature compounded by high rates of diffusion present a danger of fire or explosion. Additional hazards of reactivity and toxicity of the gas, as well as asphyxiation, can be caused by high concentrations of even "harmless" gases such as nitrogen. Since the gases are contained in heavy, highly pressurized metal containers, the large amount of potential energy resulting from compression of the gas makes the cylinder a potential rocket or fragmentation bomb.

Propane is a flammable gas that is generically referred to as LP-Gas or, LPG. It is recommended that local govermnents contract with a local LPG dealer to handle the inspection, pickup, recycling, and redistribution of functional LPG and other flammable gas containers.

There shall be no deliberate release of any compressed gas container, including oxygen and nitrogen tanks, by personnel as a part of the debris collection efforts. De-pressurized gas containers may still contain explosive gas mixtures. Scrap metal shall be segregated and is recommended for recycling.

14.3 Fluorescent lamps

Fluorescent lamps may be a Universal Waste and may be recycled using the state contract for fluorescent lamps. See:
htto://wwwprd.doa.louisiana.gov/osp/lapac/eCat/dsp_ContractDetail.cfrn?Contract=408963 or
http://wwwprd.doa.louisiana. gov/osp/lapac/eCat/dsp_ContractDetail. cfrn?Contract=40 8450.

14.4 Household Hazardous Waste (HHW)

Please contact the LDEQ Headquarters prior to staging any household hazardous waste found.
Hazardous waste is waste that can catch fire, react, explode, is corrosive, and/or toxic. Most HHW produced by residential consumers is in small quantities, so those wastes have been exempted from regulation as a hazardous waste by EPA and the State of Louisiana if the HHW is sent to a Subtitle D landfill for disposal. To be defined as "household" waste and thus considered exempt from federal/state hazardous waste regulations, the waste must be generated by individuals on the premises of a residence for individuals (a household, bunkhouse, hotel) *and* composed primarily of materials found in the wastes generated from homes. Wastes generated by commercial or industrial establishments that appear to be the same as household waste are not exempt from state/federal hazardous waste regulations.

LDEQ strongly recommends that sponsors ofHHW collection programs manage the collected waste as a Subtitle C hazardous waste, that is, it shall be managed at a facility or site following the hazardous waste guidelines. Given the effort and expense put into a HHW collection program, it makes sense to ensure the greater level of personal/personnel safety and environmental protection that will result from the more stringent controls. Precautions must be taken at these sites to prevent the release of materials into the environment. Such precautions include, providing lined temporary storage areas for accumulation of the material, segregation of the various streams, using personnel trained in the management of hazardous waste, obtaining spill kits, and providing personal protective equipment.

HHW staged at a permitted solid waste facility or approved emergency debris site for scrapping/recycling shall be staged away from other solid wastes by category, such as flammable liquids and solids, corrosives, pesticides/herbicides, appliances, electronics, compressed gas cylinders, reactive materials, *etc*.

Please note, an HW-1 form may be required for HHW staging sites. The form can be obtained from the LDEQ webpage at: http://www.deg.louisiana.gov/portal/Default.aspx?tabid=91. Contact the treatment, storage, and disposal facility to see if one is needed. Call (225) 219-3244, if you have questions on filling out the form. AN EPA ID number is required.

14.5 Latex Paint

Latex paint, if not recycled, may be hardened by adding an absorbent, such as cat litter or a co=ercial hardener and then sent to a municipal landfill.

14.6 Munitions and Ordnance

Munitions or ordnance associated with the aftermath of a disaster that remain unexploded by either malfunction, design, or any other cause, should be handled by a law enforcement trained technician in chemical or conventional munitions or explosives handling, transportation, render-safe procedures, or destruction techniques.

14.7 Orphan Drums

Please contact the LDEQ Headquarters prior to staging any household hazardous waste found. Precautions must be taken at these sites to prevent the release of materials into the environment. Such precautions include, providing lined temporary storage areas for accumulation of the material, segregation of the various streams, using personnel trained in the management of hazardous waste, obtaining spillldts, and providing personal protective equipment.

Please note, an HW-1 form is required for staging of orphan drums. The form can be obtained from the LDEQ webpage at: http://www.deg.louisiana.gov/portal/Default.aspx?tabid=91. Call (225) 219-3244, if you have questions on filling out the form.

14.8 Other Hazardous Wastes

Please contact the LDEQ Headquarters prior to staging any household hazardous waste found. Hazardous wastes, such as old gasoline, oil based paints, chemicals, and solvents should be handled using a qualified hazardous waste contractor who is sending the materials to a permitted hazardous waste facility or reclaimer.

14.9 Pesticides

Residentially generated pesticides should be handled as household hazardous waste. Contact the LDAF, Waste Pesticide Program at (225) 925-6914 for pesticide questions or problems.

14.10 Small Engines

Small engines may be sent to a scrap metal processor. Efforts should be made to remove oil, fuel, and any other fluids. These removed fluids can be sent to a use oil recycler.

14.11 Treated Wood

Creosote treated telephone poles, chromated copper arsenate (CCA), or chromium trioxide wood, poles, railroad crossties, or treated wood chips must be disposed in a Type I (Industrial) solid waste landfill. **Do NOT burn or use creosote and pressure treated wood as chips, sawdust, mulch, or compost.** A list of_Type I Landfills in Louisiana can be found at: http://www.deg.louisiana.gov/portal/DIVISIONS/WastePermits/SolidWastePennits/SolidWasteLandfillReport.aspx.

14.12 Used Oil

Used motor oil, transmission fluid, and generator oils may be recycled by contacting a registered used oil transporter. Please contact (225) 219-3244 or (225) 219-0029 for a list of users.

14.13 Animal Carcasses

Animal carcasses that remain after a disaster may be burned or buried upon approval from LDEQ. Please contact the LDEQ Headquarters prior to staging any household hazardous waste found.

14.14 Human Remains/Coffins

The local sheriff's office or coroner should be contacted to arrange proper burial/reburial of human remains and/or co:ffms.

15.0 Final Disposal Options

This Plan is designed to ensure that disaster-generated debris that requires disposal is managed and disposed in a marmer that is protective of public health and the environment. Disaster-generated debris requiring disposal shall be managed and disposed at sites that have either been permitted or authorized bytheLDEQ.

Disaster-generated debris contaminated with oil (e.g., crude oil, petroleum refmed product) shall be disposed in a Type I industrial solid waste landfill, except that oil contaminated marsh grass may be approved by LDEQ with local governments approval for burning on a case-by-case basis. Disaster-generated debris that is visibly covered with oil is considered oil-contaminated debris.

Putrescible waste (e.g., rotting food that has been removed unsalvageable refrigerators and freezers) shall be disposed in a Type II landfill.

The disposal of excessive accumulations of small animal carcasses shall be in accordance with the Louisiana Department of Health and Hospitals sanitary code. The disposal of large animal carcasses (e.g., horses, cows) shall be in accordance with the instructions from the DAF.

Hazardous waste generated because of the disaster event must be separated from other disaster-generated waste and disposed at a permitted commercial hazardous waste disposal facility. Recyclables and hazardous waste must be segregated for beneficial environmental use prior to transport to a landfill. While household wastes are classified as solid wastes that are not hazardous wastes, it is imperative that the household waste collected during this event be managed not only in an environmentally sound

manner but also in accordance with the appropriate LDEQ rules and regulations governing the storage and processing of this type of waste.

Asbestos-laden debris from unabated buildings posed a personal and environmental hazard and must be handled according federal and state regulations. See: http://www.deg.louisiana.gov/portalltabid/2883/Default.aspx.

16.0 Formosan Termite Control

Landfills are an ideal environment for these subterranean termites, especially in humid Louisiana. For this reason, LDAF has quarantines in place to prevent the spread of Formosan termites during debris clean up and removal. Quarantined parishes include, but are not limited to, Calcasieu, Cameron, Jefferson, Jefferson Davis, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany, Tangipahoa, and Washington. The authorized local government and state agency is responsible to ensure that contractors mulching and hauling the debris are aware of the regulations and are abiding by the regulations according to the quarantine requirements. For any questions concerning quarantines, contact Mr. Tyrone Dudley at (225) 925-4578 or (504) 286-1125 or email tyrone_d@ldaf.state.la.us.

ATTACHMENT A: Emergency Debris Site Request Form

Instructions for Completing the Emergency Debris Site Request Form

Complete the attached Emergency Debris Site (EDS) Request Form. **To prevent any delay in receiving your written approval, please make sure all of the requested information on the EDS Request Form is supplied and as accurate as possible.** Refer to the Louisiana Department of Environmental Quality (LDEQ) Comprehensive Plan for Disaster Clean-up and Debris Management for more information on debris management sites:
http://www.deg.louisiana.gov/portal/tabid/2853/Default.aspx.

Please note, FEMA generally only pays to transport debris once, so it is recommended that staging sites also be approved for a reduction method, as vegetative debris must be reduced 50% before disposal in a landfill.

Once LDEQ receives this request, the site suitability will be determined based on the information provided and inspection of the proposed site by LDEQ personnel. The governing authority will be notified when the site is approved. **Email the completed form to** degdebrisreguestlalla.gov **or fax to 225-325-8236. Email debris questions to** degdebrisinguirvlalla.gov **or ca11225-219-3070.**

Applicant Name- Indicate the government type and list the name of the governmental entity applying for the debris site. List only **one. If** more than one governmental entity wishes to use the site, then a separate request should be filled out and sent in for each. This application is for governmental entities only. Private individuals or companies cannot apply.

Applicant Official- List the head of the applicant's government. For example, cities would list the mayor; parishes would list the parish president. This may or may not be the same person as the government site contact.

Site Address/Location- List the site address. **If** there is no address describe, with as much detail as possible, directions for getting to the site from the nearest town or city. Please include a site map.

Government Site Contact- List the contact information for the governmental person who should be contacted with any questions for the site. This is not the contractor and may or may not be the applicant official.

Site entrance GPS- List the latitude and longitude of the site entrance in decimal degrees.

Hours of Operation -Indicate the hours and days the site will be open to process emergency debris.

Previously Approved Sites- Answer questions as applicable. If the site was approved for a previous disaster, indicate this and list the approved emergencies (e.g., Katrina, Gustav, etc.).

Requested Activities & Site Action Requested- Definitions of the requested activities follow on the next page. Check the activities desired. Pre-approvals are only approved for the listed activities. If, after a disaster occurs, more activities are needed, a new request must be filled out and submitted for approval.

Note: Vegetative sites will be **required to implement reductions** of the vegetative debris stream utilizing chipping, grinding, recycling or other methodologies as directed in LA R.S. 30:2413.1. For more information on

vegetative reductions and the Weekly Debris Management Reports (WDMRs) you can email deqdebrisred uctionfalla. gov.

Note: Staging/Segregation of white goods only allows for the placement and segregation of white goods on a debris site. Preparation of white goods allows for removal of putrescible waste, refrigerants, mercury switches, etc. before white goods are sent off for recycling. If the debris site is intended to serve both purposes, please select both.

Parish burn approval- For any site that is requesting burning, a letter from the parish where the site exists must e obtained stating that the parish gives approval to the applicant to burn. The only exceptions to this are for requests for sites from the parish itself (that are located within the boundaries of the requesting parish), for cities where the requested site is within the city limits, and for state agencies. If there is trouble obtaining a burn approval from the parish, please notify us.

SHPO -ALL sites are required to have approval from the Louisiana State Historic Preservation Office (LSHPO). If this approval has been received for a previous disaster, please include this approval. If no SHPO approval exists, please fill out the form on the last page of this request. Once LDEQ receives the request, we will forward this request to SHPO and ask that they send the approval to the applicant and copy LDEQ on this approval. If you have questions on the information needed for this form, please contact SHPO directly. Contact information is provided at the bottom of the SHPO form.

Site criteria -Provide answers to questions. If site criteria are not met, consider finding another location, as this site will likely be denied. The distance between the proposed site and:

- property boundaries and on-site structures should be at least I00 feet.
- proposed burn sites should be at least 1000 feet from residences, businesses, schools, hospitals, clinics, private wells, septic tank systems, and/or roads
- chipping & grinding sites should be at least 300 feet from residences, businesses, schools, hospitals, clinics, private wells, septic tank systems, and/or roads.
- surface waters should be at least 100 feet.
- potable wells should be at least 250 feet.
- airports should be at least 10,000 feet.

Note: LDEQ may approve sites that are below these distances under certain circumstances.

Site Operator- List the person/company who will be operating the site, if this is known.

Site Owner – List the owner of the site. The applicant is responsible for malcing arrangements with the site owner if the applicant is not the owner.

Official Completing Request- List the contact information for the person filling out the form.

Signature Box- List the applicant provided in the first box on the first page. This box should be signed by the applicant official (listed in the second box on the first page).

Definitions of debris types- Notwitl1standing the definitions of debris types as set forth in the solid waste and hazardous waste regulations, the following definitions are applicable to emergency debris types as contained in the DEQ Emergency Debris Site (EDS) Request Form. Thus, when the applicant

selects the requested activities for which approval is sought, it should refer to, and be guided by, the following definitions.

- Animal carcasses are the remains of animals killed by the disaster.
- Emergency C & D debris is nonhazardous waste generally considered not water-soluble, including but not limited to, metal, concrete, brick, asphalt, roofing materials (shingles, sheet rock, plaster), or lumber from a construction, remodeling, repair, renovation, or demolition project that is authorized by the government to be necessary for a disaster. C & D debris does not include asbestos-containing material RACM as defined in LAC 33:III.515l.B, white goods, creosote-treated lumber, and any other item(s) not an integral part of the structure.
- Electronic wastes are devices or components thereof that contain one or more circuit boards and are used primarily for data transfer or storage, communication, or entertainment purposes, including but not limited to, desktop and laptop computers, computer peripherals, monitors, copying machines, scanners, printers, radios, televisions, camcorders, video cassette recorders (VCRs), compact disc players, digital video disc players, MP3 players, telephones, including cellular and portable telephones, and stereos.
- Household hazardous waste (HHW) is waste that can catch fire, react, explode, is corrosive or toxic that is generated by individuals on the premises of a residence for individuals (a household) and composed primarily of materials found in the wastes generated from homes. Wastes generated by commercial or industrial establishments that appear to be the same as household waste are not considered household hazardous waste and must follow state and federal hazardous waste regulations.
- Metals (or scrap metals) are bits and pieces of metal parts (e.g., bars, turnings, rods, sheets, wire) or metal pieces that may be combined together with bolts or soldering (e.g., radiators, scrap automobiles, railroad box cars), which when worn or superfluous can be recycled. Materials not covered by the definition of scrap metal include "residues generated from smelting and refining operations (e.g., dresses, slags, and sludges), liquid wastes containing metals (e.g., spent acids, caustics, or other liquid wastes with metals in solution), liquid metals wastes (e.g., liquid mercury), or metal-containing wastes with a significant liquid component, such as spent batteries.
- Orphan drums (and tanks) are abandoned or lost containers that may contain hazardous substances, such as propane, industrial chemicals, and unknown substances.
- Tires are whole tires that are no longer suitable for their original purpose because of wear, damage, or defect. These do not include any tire weighing over 500 pounds and/or a solid tire.
- Vegetative debris consists of vegetative matter resulting from landscaping, maintenance, right-of-way or land-clearing operations, including trees and shrubbery, leaves and limbs, stumps, grass clippings, and flowers.
- Vessels/vehicles Vehicles include an automobile; motorcycle; truck; trailer; semitrailer; truck, tractor and semitrailer combination; or any other vehicle used to transport persons or property and propelled by power. Vessels include any type of watercraft used, or capable of being used, as a means of transportation on the water.
- White goods approved for receipt at approved emergency non-vegetative debris sites consist of discarded domestic appliances including, but not limited to, refrigerators, ranges, washers, freezers, dryers, air conditioning and heating units, freestanding ice makers, built-in stove surface units and oven units, and water heaters. White goods do not include small household appliances, such as, stand mixers, toasters, blenders, etc.

- **Woodwaste** approved for receipt at approved emergency non-vegetative debris sites consists of wood residue, cutoffs, wood chips, sawdust, wood shaving, bark, wood refuse, wood-fired boiler ash, wood ash, and plywood or other bonded materials that contain only polyurethane, phenolic-based glues, or other glues that are approved specifically by the administrative authority. Uncontaminated, un-treated, or un-painted lumber or wooden pallets are considered woodwaste under this definition.

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)

Emergency Debris Site (EDS) Request Form

Your request cannot be approved unless all of the requested information on this form is supplied and accurate.
Email form to degdebrisreguest@Ja.gov or fax to 225-325-8236. Email questions to degdebrisingui[ll@la.gov or call225-219-3070

Date: | | Agency Interest (AI) Number:' | | Parish: [|

Applicant Name *(City, Parish, Agency,* etc.)

Government Type: 0Parish; D. Municipal; Dstate; DFederal; DOther] |

Official Government Name: . | | .

Other: school boards, waste districts, park commissions, drainage districts, quasi-governmental agencies, etc.

Applicant Official *(Parish President, Mayor,* etc.)

Name: | | Tille: | !

Mailing Address (PO Box/Street Address): | City: | | Zip Code | |

Telephone Number: | | Email Address: | |

A site map is included. Yes 10 No O *(A map wi/1 speed up the approval process.)*

Site Address/Location and Map

Address: | | City/Zip Code: | |

Note: The city *name should be for the closest* city *in the same parish as the requested site. If the site does not have* a *911 address, please provide detailed directions from the nearest town/city and indicate specific street, road, highway, interstate, and/or location names. Indicate any landmarks and/or mite markers, if necessal)l.*

Site Entrance GPS *(required for approval)*

decimal degrees required | LAT: ' | LONG:, | decimal degrees required |

Hours of Operation

Hours | 1<\M *to!* ;PM | Days D M-F or'D 7 DAYS/WK or OM DT Ow DTDF IDs Dsu | Burning will only be allowed between the hours of 8 AM and 5 PM.

Government Site Contact

Name: | | Title: | |

Telephone Number: | | Email Address: '

Previously Approved Sites

YES	NO	Questions for previously approved sites
[J	D	Was this site approved for use in a prior disaster? If yes, which disaster and when did the disaster occur?
D	ID'	Is the requested site activity (i.e. burning of vegetative debris) the same as the approved activity in the last disaster? If not, explain. [ ]
D	ID	Have the site and surrounding area conditions changed (i.e. added development) since the last prior use? If so, explain. '

Requested Activities & Site Action Requested *(Please check one and list name, or FEMA #, of disaster if applicable)*

Requested Activities: Dvegetative debris D. Pre Disaster; D white goods p: D Post Disaster debris .D white goods; Name of Disaster:: |

Site Action	(for approval prior to emergency)	(for approval after an emergency has occurred)
Staging/ Segregation	•D woodwaste; iD C & D debris;]D electronic waste; D tires; D metals	vegetative ,0 woodwaste; ,DC & D debris; D electronic waste; D tires; D. metals; Dother (list): | |
Chipping & Grinding	D vegetative debris	10' vegetative debris; D woodwaste
Composting	D vegetative debris	1D vegetative debris
Burning	Dvegetative debris (open);]D vegetative debris (ACD)	0 vegetative debris (open); Dvegetative debris (ACD)
Preparation	'D white goods	Dwhite goods

Note: Requests for post disaster activities will not be approved *before* the disaster occurs.
Please notify the regional office, if there is a need to stage and/or dispose of household hazardous waste, orphan drums, vessels, vehicles, or animal carcasses.

LDEQ Emergency Debris Site Request Form

NOTE: Both the burn approval and Louisiana State Historic Preservation Office (SHPO) approval are required for FEMA reimbursement.

Parish Burn Approval Requirement	Parish governmental entities and municipalities in which the proposed site is located outside of its jurisdictional city limits must submit a parish burn approval with this form to prevent a delay in processing. The parish burn approval should be for the full time burning is expected (e.g., disaster, pre-approval) and should specifically state each EDS requested by the non-parish governmental entity before a request for burning will be aperoyed by the LDEQ. D A copy of the parish burn approval is attached. :D!fhis request is for a parish requested EDS.
For Municipalities ONLY	Municipalities in which the proposed site is located within its jurisdictional city limits are exempt. ID'A parish burn approval is NOT required for this request because the site is located within the municipality city limits.
SHPO Requirement	'D A previous SHPO approval is attached. D A new SHPO request is filled out on page 3.

Site Criteria *(Please see instructions for acceptable distances regarding site criteria. Add additional page if needed to answer questions.)*	Answer
List the distance from the proposed sited to property boundaries and on-site structures, if less than 100 feet.	
For chipping & grinding and bum sites, list the distance from the proposed site to residences, businesses, schools, hospitals, clinics, private wells, septic tank systems, and roads, if less than 300 feet for chipping & grinding and 1,000 feet for burning.	
List the distance from the proposed site to nearby surface waters, if less than 100 feet. Please name surface water, if it is named.	
List the distance from the proposed site to potable wells, if less than 250 feet.	
List the distance to the nearest airport, if less than 10,000 feet. Please list the airport.	
Is there a potential impact to nearby businesses and/or residences? If yes, explain.	Ye ONciD
Is the proposed site located above the 100-year floodplain and outside of wetlands? If not, explain. (The floodplain map used shall be an original Flood Insurance Rate Map prepared by FEMA, the flood Prone Area Map prepared by the US Geological Survey or a National Wetlands Inventory map that depicts the limits and elevations of any 100 year floodplain or wetland on or adjacent to the proposed site.)	YeDNq'D
Are there any erosion or rainwater runoff control measures needed before approval is made? If yes, explain	YesQNqO
Are there any site safety issues? (power lines, pipelines, traffic) If yes, explain.	Ye QNqQ
Is the site accessible to emergency personnel?	Ye 0No0

Site Operator	Company Name:	Site Contact Person:
	Telephone Number:	Email Address:
Site Owner	Name:	Address:
	Telephone Number:	Email Address:
Official Completing Request	Name:	Title:
	Telephone Number:	Email Address:

I certify thai (Applicant*) has complied with all the above conditions and will comply with the conditions of the Management Plan and effective Declarations of Emergency and Administrative Order.

SIGNATURE	PRINT	DATE

*Applicant is responsible for notifying First Responders (911 Center, Fire & Rescue, Law Enforcement and EMS) of the site entrance location and activities at this site.

Office Use Only
[D Interim approval
0Copyfiled

Regional Office Contact

HQ Processor
Comments:

LDEQ Emergency Debris Site Request Form

If this is a new request or there is no approval from the State Historic Preservation Office (SHPO) for the request site, please fill out the form below and return it to LDEQ with the EDMS form. LDEQ will submit the form to SHPO. Once approved SHPO will return the approved form to the applicant.

Requirements for Debris Activities Involving Ground Disturbance

Requesting Registration as a (check all that apply):
[Dstaging Site [DChipping & Grinding Site Ocomposting Site [DBurn Site 0Disposal Site

If the creation or use of this emergency staging, chipping & grinding, composting, burning, and/or disposal site will include ground disturbance, including the creation of temporary access roads, burying of debris or burn residual, or will impact structures over 45 years old, the applicant must coordinate with, and receive comments from, the Louisiana Office of Cultural Development, State Historic Preservation Office (SHPO), prior to the start of any ground disturbance.

Individual certifications are required for each burning, burial, disposal, and/or staging or stockpiling site. Attach a map, In addition to this form, preferably a copy of a USGS 7.5 minute series quadrangle map with the project site location clearly identified.

Applicant	Name:	Address:
	City: !Zip:	Parish:
	Telephone Number: rax Number:	[Emai1 Address:
Location of Emergency Site *(complete one row)*	Township:	Section: Quarter-section(s):
	Latitude (decimal degree):	Longitude (decimal degree):
	UTM Northing:	UTM Easting:
Site Owner	Name:	Address:
	Telephone Number:	EmailAddress:

Is a NEW road is needed to access the requested site? !DYes .DNo Ifyes, show road on map and provide the following information:
Road length and width:
and Latitude: and Longitude: *or* UTM Northing: and Easting:]

Discovery Clause: In the event that archaeological deposits (soils, features, artifacts, other remnants of human activity) are uncovered in urban or rural areas, or if archaeological deposits are found in tree root balls during removal, the project shall be halted and the applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. The applicant will inform the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) immediately at 225-925-7500 and SHPO at 225-342-8170, will secure all archaeological findings and restrict access to the area. GOHSEP and SHPO will be responsible for notifying the appropriate Native American Tribes if the site is determined to be Native American. Work may not resume until the Applicant is notified by the Division of Archaeology.

In the event that human remains or an unmarked burial site are encountered, under the terms of the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. Statute 8:671), the applicant will immediately stop all work, secure all artifacts and remains, restrict access to the area, and notify GOHSEP, SHPO, and local law enforcement GOHSEP and SHPO will consult with the appropriate Native American Tribes if the remains are determined to be Native American. No artifacts or human remains will be removed from the site until all parties have consulted to determine the proper course of action. Work may not resume until the Applicant is notified by the Division of Archaeology.

I certify that (Applicant) is an authorized representative for the site and will comply with all the above conditions.

SIGNATURE	PRINT	DATE

Contact Information:
Louisiana Office of Cultural Development
State Historic Preservation Office
ATTN: Rachel Watson
P.O. Box 44247
Baton Rouge, Louisiana 70804-4242
Telephone: (225) 342-8170
Fax: (225) 342-4480
section106(a)crt.la.gov

Louisiana State Historic Preservation Office Use ONLY

I certify that the above referenced site:

- Is not located on any known archeological site or historical property.
- Is located on an archeological site and an alternate area needs to be considered.

SHPO Official DATE

ATTACHMENT B: Weeldy Debris Management Reports

Instructions for completing the Weekly Debris Management Report (WDMR)*

The State of Louisiana Comprehensive Plan for Disaster Clean Up and Debris Management mandates that vegetative debris intended for final disposal in a landfill shall be reduced fifty percent by volume and fifty percent by weight prior to transport to the landfill (See La. R.S. 30:2413.1).

In an effort to encourage recycling, the beneficial use of vegetative debris, and the efficient management of debris, the Department of Environmental Quality (LDEQ) will require all emergency debris sites to submit a Weekly Debris Management Report (WDMR). These weekly reports will indicate the volume and weight of debris received, processed, recycled, and finally disposed in a landfill.
Volumes and weights can be determined using the following methods:

1. Debris Volume (cubic yards) is the most common measure for the reporting of vegetative debris. If a scale is used to determine the debris weight, the following conversation factor can be used to convert tons to cubic yards:

   Tons of debris x 6 = cubic yards of debris

   Please use the same method to determine the weight of received, processed, and disposed debris.

2. Truck Capacity = length x width x height of the truck bed.

3. Net Truck Volume= Truck Capacity x% full (for a full truck load assume 1).

Other approved FEMA methods may be used. Please document on the form which method is used.

4. Volume of Vegetative Debris Received= Sum of all Net Truck Volumes.

5. Volume of Vegetative Debris Processed (e.g. chipped, burned) is the quantity of the vegetative debris received that was sent for processing.

6. Volume of Vegetative Debris Recycled (e.g. used as fuel) is the quantity of the vegetative debris received that was sent for beneficial use.

7. Volume of Vegetative Debris sent to a Landfill for Final Disposal is the quantity of the vegetative debris received that was sent to the landfill for final disposal.

Fate of Material indicates the end result of the initial material (e.g. ash was tilled into the soil, chips were sent to a landfill to be used as daily cover, and mulch was sold).

*Please note that the Weekly Debris Management Report (WDMR) shall be submitted to LDEQ each week during operations until the emergency debris site is completely closed or de-activated and the final report has been submitted. The report must be true, accurate, and complete and must be signed and certified by a person duly authorized by the local governmental or state agency responsible for the emergency debris site. Failure to properly complete the report or submit an accurate report timely could result in the possible issuance of compliance orders and/or assessment of civil penalties.

WEEKLY DEBRIS MANAGEMENT REPORT (WDMR)

The State of Louisiana Comprehensive Plan for Disaster Clean Up and Debris Management mandates that vegetative debris intended for final disposal in a landfill shall be reduced fifty percent by volume and fifty percent by weight prior to transport to the landfill. (See La. R.S. 30:2413.1)

Please submit completed weekly debris management report (WDMR) form to the Louisiana Department of Environmental Quality each week, no later than Sunday, during operations until the debris site is completely closed and the final report has been submitted.

PARISH: SITE NAME: SITE LOCATION:----------

AGENCY INTEREST#: CONTACT PERSON: PHONE NUMBER:----------

PLEASE CHECK ONE:

D Initial Report D Weekly Report D Weekly Report no activity this week D Revised Report for monitoring period listed below D Final Report site has closed operations

MONITORING PERIOD FROM TO----------

VOLUME OF VEGETATIVE DEBRIS	VOLUME IN CYs	FATE OF MATERIAL
Received THIS WEEK		
Received TO-DATE		
Processed THIS WEEK via *chipping*		
Processed THIS WEEK via *burning*		
Processed THIS WEEK via *other*		
Processed TO-DATE via *chipping*		
Processed TO-DATE via *burning*		
Processed TO-DATE via *other*		
Recycle THIS WEEK		
Recycle TO-DATE		
Sent to landfill for final disposal THIS WEEK		Name of Landfill
Sent to landfill for final disposal TO-DATE		

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those

ATTACHMENT C: LDEQ Regional Office Contact Information

Acadiana Regional Office	[Parishes Served
Regional Manager: Billy Eakin (acting) Ill New Center Drive Lafayette, LA 70508 phone: (337) 262-5584 fax: (337) 262-5593 email: aroadmin@la.gov	Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, St. [Mary, Vermilion
Capital Regional Office	[Parishes Served
Regional Manager: Bobby Mayweather PO. Box4312 Baton Rouge, LA 70821-4312 phone: (225) 219-3600 fax: (225) 219-3695 email: croadmin@Ja.gov	scension, Assumption, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. J:I Iena, St. James, 1Tang1pahoa, West Baton Rouge, West Fehcmna
Northeast Regional Office	)Parishes Served
Regional Manager: Larry Baldwin 1823 Hwy 546 West Monroe, LA 71292-0442 phone: (318) 362-5439 fax: (318) 362-5448 email: neroadmin@la.gov	IAvoyelles, Caldwell, Catahoula, Concordia, East Carroll, Ouachita, Rapides, Richland, Tensas, Union, West Carroll, Winn
Northwest Regional Office	!Parishes Served
Regional Manager: Larry Baldwin (acting) 1525 Fairfield, Room 520 Shreveport, LA 71101-4388 phone: (318) 676-7476 fax: (318) 676-7573 email: nwroadmin@la.gov	Bienville, Bossier, Caddo, Claiborne, De Solo, Natchitoches, Red River, Sabine, Webster
Southeast Regional Office	!Parishes Served
Regional Manager: Mike Algero 20I Evans Road, Building 4, Suite 420 New Orleans, LA 70123-5230 phone: (504) 736-7701 fax: (504) 736-7702 email: seroadmin@Ia.gov	lefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. John he Baptist, St. Charles, St. Tammany, Terrebonne, Washington
Southwest Regional Office	Parishes Served
Regional Manager: Billy Eakin 1301 Gadwall Street Lake Charles, LA 70615 phone: (337) 491-2667 fax: (337) 491-2682 email: swroadmin@la.gov	lllen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Vernon

ATTACHMENT D: Authorization for Pre-approved Emergency Debris Site

Pre-approval Number: ##
Agency Interest Number: ##

State of Louisiana
Department of Environmental Quality
Office of Environmental Services
Administrative Order

Authorization for Pre-approved Emergency Debris Site

The Louisiana Department of Environmental Quality (LDEQ) recognizes that immediately following a natural disaster, the time required to choose, approve, and prepare emergency debris sites to receive debris can significantly delay the removal of emergency generated debris from affected areas. LDEQ aims to reduce these delays by authorizing local gove=ents and state agencies to activate emergency debris sites immediately after the declaration of an emergency by the Secretary of LDEQ.

Therefore, I hereby authorize the <<Local Gove=ent or State Agency>> to conduct **<<approved activity>> of <<type>> debris** at the site described below, in compliance with the requirements and conditions set forth in Appendix A. Part XI. Section(s) <indicate which section(s)>, if and when LDEQ declares that an emergency exists. Only the authorized activities listed above shall be conducted at the debris site.

Site Name:	<<Site Name>>
Location:	<<Site Address>> in <<municipality>>, <<Parish>>
Front Gate:	Latitude: <<latitude>> and Longitude: <<longitude>>
Agency Interest Number:	AI##
Pre-approval Number:	PEDS##

The following specific requirements are required <<add any specific requirements for this facility here or delete>>.
LDEQ may approve additional staging activities on a case-by-case basis during an emergency.

This Order and the authorization *to* operate a pre-approved emergency debris site shall expire on June 1, 20xx, unless otherwise notified in writing by LDEQ.

Issued and Effective on

_____
Sam L. Phillips
Assistant Secretary

APPENDIX A: Requirements and Conditions

I. EMERGENCY DECLARATIONS

The governor may declare that ao emergency exists in specified areas, resulting from natural or mao made events. Similarly, the President of the United States may declare certain areas to be disaster areas. In order to obtain financial and technical assistance for managing ao emergency through the Federal Emergency Management Agency (FEMA), a request for federal financial assistance must be made through FEMA (see FEMA website at http://www.fema.gov). FEMA requires that all emergency generated debris be managed on state approved debris sites. This order will fulfill that requirement and allow cleanup operations to commence immediately following a LDEQ emergency declaration. Debris approved for receipt at approved emergency debris sites consists of C & D debris, electronic waste, white goods, vegetative debris, and woodwaste. The debris that shall be received at an approved emergency debris site is limited to *only* disaster generated debris. Unauthorized debris at debris sites includes, but is not limited to, vessels and vehicles, household hazardous waste, and orphan drums.

- **C & D debris** approved for receipt at approved emergency debris sites is nonhazardous waste generally considered not water-soluble, including but not limited to, metal, concrete, brick, asphalt, roofing materials (shingles, sheet rock, plaster), or lumber from a construction, remodeling, repair, renovation, or demolition project. C & D debris does not include asbestos-containing material RACM as defined in LAC 33:III.515l.B, white goods, creosote-treated lumber, and any other item(s) not ao integral part of the structure.

- **Electronic wastes** approved for receipt at approved emergency debris sites are devices or components thereof that contain one or more circuit boards and are used primarily for data transfer or storage, communication, or entertainment purposes, including but not limited to, desktop and laptop computers, computer peripherals, monitors, copying machines, scanners, printers, radios, televisions, camcorders, video cassette recorders (VCRs), compact disc players, digital video disc players, MP3 players, telephones, including cellular and portable telephones, and stereos.

- **Metals** (or scrap metals) approved for receipt at approved emergency debris sites consist of bits and pieces of metal parts (e.g., bars, turnings, rods, sheets, wire) or metal pieces that may be combined together with bolts or soldering (e.g., radiators, scrap automobiles, railroad box cars), which when worn or superfluous can be recycled. Materials not covered by the definition of scrap metal include "residues generated from smelting and refining operations (e.g., drosses, slags, and sludges), liquid wastes containing metals (e.g., spent acids, caustics, or other liquid wastes with metals in solution), liquid metals wastes (e.g., liquid mercury), or metal-containing wastes with a significant liquid component, such as spent batteries.

- **Tires** approved for receipt at approved emergency debris sites consist of whole tires that are no longer suitable for their original purpose because of wear, damage, or defect. These do not include any tire weighing over 500 pounds and/or a solid tire.

- **White goods** approved for receipt at approved emergency debris sites consist of discarded domestic appliances including, but not limited to, refrigerators, ranges, washers, freezers, dryers, air conditioning and heating units, freestanding ice makers, built-in stove surface units and oven

units, and water heaters. White goods do not include small household appliances, such as, stand mixers, toasters, blenders, etc.

- **Woodwaste** approved for receipt at approved emergency non-vegetative debris sites consists of wood residue, cutoffs, wood chips, sawdust, wood shaving, bark, wood refuse, wood-fired boiler ash, wood ash, and plywood or other bonded materials that contain only polyurethane, phenolic-based glues, or other glues that are approved specifically by the administrative authority. Uncontaminated, un-treated, or un-painted lumber or wooden pallets are considered woodwaste under this definition. Vegetative debris that would otherwise fall under the definition of woodwaste in LAC 33:III.ll5 is not included in this definition for the purposes of emergency debris sites and is defined below.
- **Vegetative debris** approved for receipt at approved emergency debris sites consists of whole trees, tree stumps, tree branches, tree trunks, and other leafy material. It does *not* include processed, treated, stained or painted wood or other lumber used in construction.

For debris removal to be eligible for FEMA funding, the work must be necessary to: eliminate an immediate threat to lives, public health and safety; eliminate immediate threats of significant damage to improved public or private property; and to ensure the economic recovery of the affected community to the benefit of the community-at-large. FEMA ineligible debris consists of: debris from a previous disaster; debris related to construction; fallen trees in a forest; debris on public golf courses or cemeteries; stump removal; or removal of disaster debris from private property, unless authorized by FEMA; and any type of waste that is not listed in the debris definitions.

Upon the declaration of a LDEQ declared emergency, this order allows immediate activation of the pre-approved emergency debris site allowing for the efficient and expeditious management of emergency generated debris. The activation is valid for the duration of the declared emergency, unless LDEQ specifies otherwise. LDEQ reserves the right to order an emergency debris site to shut down operations before termination of declarations, orders and amendments as well as to extend the timeframe where needed, on a case by case basis.

Please be advised that in the event of a disaster, the LDEQ issued Emergency Declaration and Administrative Order may contain additional restrictions and/or operating conditions applicable to the pre-approved site. This order and the Emergency Declaration and Administrative Order must be used in conjunction to operate the site. Copies of both documents must be kept onsite. If there are any questions regarding applicability or other operating restrictions or requirements, call either the LDEQ Headquarters at (225) 219-3070 or via email at degdebrisinguirv@la.gov.

II. COMPREHENSIVE PLAN FOR DISASTER CLEAN-UP AND DEBRIS MANAGEMENT (the Plan)

At the time of a declared emergency, adherence to the most recent approved Comprehensive Plan for Disaster Clean-up and Debris Management (the Plan) will be required by an LDEQ issued Emergency Declaration and Administrative Order (the Order), except where the Plan may be in conflict with the provisions of the Order. In the event of conflict, the Order shall prevail. Moreover, while the Plan is consistent with state and federal law, it does not supersede any ordinance adopted by a local governing authority.

A copy of the most recent Comprehensive Plan for Disaster Clean-up and Debris Management can be downloaded from the LDEQ webpage at http://www.deq.louisiana.gov or by calling LDEQ debris inquiry at (225) 219-3070 for assistance.

ill. ANNUALRENEWAL

All pre-approved emergency debris site locations may be renewed annually. The LDEQ Regional Surveillance Staff may reinspect a site if it is indicated that the site conditions have changed. If site conditions have changed or if the surrounding area has changed enough to alter the use of the debris site, the site may be deemed no longer appropriate for the pre-approved activity and this authorization will be revoked. At that time, the local government or state agency may wish to consider pre-approval of another site in order to ensure available capacity. If additional activities or sites are wanted, an additional emergency debris site request form must be submitted to LDEQ and written approval must be obtained before the additional activity can be conducted on site.

IV. SITE ACTIVATION REQUIREMENTS

Upon the declaration of an emergency by LDEQ, local governments and state agencies may "activate" a pre-approved emergency debris site for the activities specified in this order. Upon activation, the governmental body shall notify LDEQ Headquarters at (225) 219-3070 that the si,te is being activated. See Attachment C for a complete list of all LDEQ regional office contact information. This verbal notification shall occur as soon as practicable depending on communication capability. If the regional office indicated above does not have communication capability, please call either the LDEQ Headquarters at (225) 219-3070 or one ofLDEQ's other regional offices listed in Attachment C.

The governmental body shall provide written notification mailed or faxed to the regional office and headquarters within 5 days of the activation date. For all faxed notifications, an original must be mailed. Contact information is: Mr. Scott Guilliams, Waste Permits Administrator, Louisiana Department of Environmental Quality, Post Office Box 4313, Baton Rouge, LA 70821-4313 or fax (225) 219-3309. For all faxed notifications, an original must be mailed. A form for the written notification is provided in the appendix of this document (see Appendix C). The LDEQ regional office surveillance staff will conduct an initial assessment for damages to the site as a result of the disaster and changes that may have occurred at the debris site or to the surrounding area since the pre-approval assessment or the annual re-certification that may change the suitability of the emergency debris site. If for any reason the emergency debris site is found to be unsuitable, the authorized local government or state agency will be given the option to request approval of another emergency debris site by modification of this order, or request termination of this order. The LDEQ regional office surveillance staff will periodically monitor the emergency debris site throughout the emergency cleanup and handle the site deactivation once the operations have ceased and the site use is no longer needed for the emergency.

V. REDUCTION REQUIREMENT

Emergency vegetative debris site operations must conform to the legislative mandate (R.S. 30:2413.1), which requires that "the total green and woody debris intended for final disposal in a landfill, shall be reduced fifty percent by weight and fifty percent by volume prior to transport to a landfill" (for disposal). The goal of the statute is to "reuse and recycle material and to divert debris from disposal in landfills to

the maximum extent practical, efficient, and expeditious in a manner that is protective of human health and the environment." Every effort shall be made to consolidate emergency generated vegetative debris in an attempt to beneficially use as much of the material as possible. Emergency generated vegetative debris may be chipped or otherwise reduced by volume to allow for composting, use by local industries for fuel, or use by landfills as part of daily cover (not fmal cover) at landfills, or for other beneficial reuse.

VI. EXPIRATION OF THE EMERGENCY DECLARATION

These emergency debris sites can only be used for managing authorized debris generated in a disaster. The amount oftime an emergency debris site can be active is limited by the expiration of an LDEQ issued Declaration of Emergency. The purpose of the deadline is to insure that storm related activities are completed in a timely manner. All activities authorized under this order must cease and the emergency debris site shall be restored to its previous condition and use upon the expiration of the Declaration of Emergency unless otherwise approved by LDEQ in response to a written request from the authorized local government or state agency. The emergency debris site is only intended to operate as a temporary emergency debris site, not as an ongoing solid waste facility.

VII. SITE DEACTIVATION

Once operations have ceased, the emergency debris site must be restored to its previous condition and use in accordance with the Comprehensive Plan for Disaster Clean-up and Debris Management as directed by LDEQ.

Each emergency debris site, with the exception of those where ash is land-applied, will eventually, to the extent practicable, have emergency generated debris cleared and shall be restored to its previous condition and use. Restoration of a site involves removing all traces of the operations and possible remediation of any contamination that may have taken place during the operations. Debris processing equipment, storage tanl(s, protection berms, and other structures built on the debris site shall be removed from the debris site upon completion of all debris removal and processing operations. The emergency debris site must be restored to its previous environmental state.

The authorized local government or state agency shall notify the appropriate LDEQ regional manager once all operations on the emergency debris site have ceased and the debris site has been restored to its previous condition and use, in order to set up a date and time for a final assessment. A representative with the local government or state agency shall be present at the time of the final assessment unless otherwise indicated by the LDEQ regional manager or surveillance staff.

Any environmental concerns noted at the debris site at the time of the final assessment, will be brought to the local government's or state agency's attention and shall be removed (i.e. unauthorized debris) or remediated (i.e. petroleum spills) in a timely manner, (no later than thirty (30) days from the official written request by LDEQ surveillance staff) or the governmental body will face possible enforcement action. An emergency debris site ***will not*** be de-activated until all environmental contamination is removed from the site.

There may be times when processed chips and mulch are stockpiled with no final disposal. Inthis case, the local government or state agency shall remove it in a timely manner (within 30 days from the day

operations ceased) or shall request and receive approval of a voluntary Best Management Practice (BMP) through the Department of Agriculture before the site can be de-activated.

Vlll. DEACTIVATION LETTER

Once a final assessment is conducted and all reporting requirements have been received, reviewed and verified complete, a deactivation letter will be issued by LDEQ indicating that the emergency debris site is considered de-activated by LDEQ. After the emergency debris site has been officially de-activated by the issuance of a deactivation letter, the local government or state agency shall not accept or process at that site any additional emergency generated vegetative debris from that declared emergency. If the local government or state agency wishes to reactivate the emergency debris site for the same declared emergency, it must request, in writing, the approval ofLDEQ.

IX. DUTY TO RE-SUBMIT A REQUEST FOR AUTHORIZATION

If the governing body wishes to continue the authorization for a pre-approved emergency debris site after the expiration date of this order, the governing body must re-submit a request form. The request form shall be submitted at least 180 before the expiration date of the existing order in order to prevent a lapse in authorization.

X. GENERAL REQUIREMENTS AND CONDITIONS

A. Property rights

The authorization to use a location as an emergency debris site *does not* make LDEQ liable for damages to private property. The authorized local government or state agency is responsible for obtaining the appropriate lease agreement or other authorization from the owner of the property, if applicable.

B. Lease agreement

The local government or state agency is responsible for obtaining and maintaining any necessary lease agreement for the duration of this order, where applicable. LDEQ shall be notified if the lease should be terminated. The local government or state agency will have the option to request modification of this order by requesting another emergency debris site, or to request termination of this order.

C. Changes to the emergency debris site and surrounding area

Through the duration of this order, any changes made to the debris site or to the surrounding area that would change the suitability of the site (e.g., an increase in the number of residences or commercial structures within 1000 feet from the site) for the approved activity shall be reported to LDEQ within 30 days ofbecorning aware of the change.

D. Change in activity

The emergency debris site is limited to the approved activity(s) indicated on the first page of this order. For approval of an additional activity, the local government or state agency shall submit a modification for the new activity. The new activity shall *not* commence at the site until a verbal or written approval is received from LDEQ (for burning, a written approval must be received before the activity can commence).

E. Responsibility of the authorized local government or state agency
To meet overall debris management strategy goals and to ensure that the emergency debris site operates efficiently, the management of the debris site shall be under the direction of the local government or state agency. It is imperative that the debris collected, as a result of an emergency, be managed not only in an environmentally sound manner, but also in accordance with the appropriate LDEQ rules and regulations governing the segregation, storage and processing of debris (a solid waste). The local government or state agency is responsible for maintaining compliance witl1 this order and all other environmental rules and regulations for the duration of the emergency. The local government or state agency is responsible for maldng sure that the site operator(s)/contractors, having day-to-day operational control over the emergency debris site of the authorized activities, are aware of the requirements of this order and all other environmental rules and regulations. Failure to comply with these rules and regulations may result in a formal referral to the LDEQ Enforcement Division and the possible issuance of compliance orders and/or assessment of civil penalties.

F. Best management practices (BMPs)
All vegetative debris generated from declared emergencies must follow LDEQ rules and procedures and shall *not* be included as part of any existing or proposed Louisiana Department of Agriculture & Forestry Best Management Practices (BMP) Program.

No debris site shall be de-activated with processed debris material remaining on the site until a BMP is approved for the debris (see Site Deactivation, page 6 of 20).

G. Right to inspect
LDEQ reserves the right to inspect the site operations at all reasonable times without prior notice. Denial of entry, for any reason, may result in enforcement action.

H. Reopener clause
Should the authorized local government or state agency fail to adhere to this order or any other environmental rules or regulations, LDEQ reserves the right to reopen and modify this order to add additional conditions necessary to reduce any and all human health or environmental impacts. Non-compliance with any portion of this order may result in the issuance of compliance orders and/or assessment of civil penalties.

I. Conditions injurious to public health or the environment
Should conditions at the debris site become injurious to public health or the environment, then the emergency debris site shall be de-activated until conditions are corrected or the site will be permanently closed. If permanently closed, the closure of the emergency debris site shall be in accordance with the site deactivation requirements (see page 6 of20).

J. Copy of authorization
A copy of this order shall be kept on site at all times and made available upon request by an LDEQ Surveillance inspector or other LDEQ representative.

K. Debris sites located and operated at permitted landfills
Emergency generated vegetative debris may be transported to an LDEQ approved emergency debris site (requested by a local government or a state agency) located at a permitted landfill for staging or

reduction; however, the debris may *not* be placed directly into a cell for final disposal. Vegetative debris may be placed into a cell for final disposal once reduced (with the exception of root balls due to the difficulty in reduction by burning and chipping). The vegetative debris shall be reduced by an LDEQ approved method before being placed in the cell(s). The non-vegetative debris may be placed directly into a cell for final disposal *if* the landfill is permitted to dispose of that type of waste. If the landfill is not permitted for the disposal of the non-vegetative debris, the debris must be transported to a landfill permitted for its disposal.

L. Recordkeeping and Reporting Requirements

Recordkeeping is the responsibility of the local government or state agency. Load tickets representing the amount of vegetative debris received, processed, and/or disposed; transport and disposal documentation of all unauthorized waste segregated out from the vegetative debris received, and weekly debris management reports shall be made available to LDEQ upon request.

From activation to deactivation of the emergency debris site, documentation shall be kept of any petroleum spills from fueling equipment, hydraulic fluid spills from equipment breakdowns, and any other spills (including those from electronic waste or white goods, such as refrigerants) causing an environmental impact that has occurred on the emergency debris site.

From the time of activation until deactivation, the authorized local government or state agency shall report all emergency generated vegetative debris received day to day from a Friday to a Friday on a Weekly Debris Management Report (WDMR) form and submit it to LDEQ every Sunday (unless otherwise directed by LDEQ). These reports indicate how much vegetative debris is received, what method(s) or process is utilized (i.e. chipping, grinding, composting, and/or burning), how much vegetative debris is processed, a complete record of the waste stream, which shall include the final fate of the waste stream (i.e. industrial boiler fuel, compost/mulch, component of the daily cover system at landfills, ash tilled into soil, etc.).

The reported data will be reviewed for accuracy and consistency from one week to the next. All reports that *do not* reflect accuracy and consistency must be revised and re-submitted, which could impede the deactivation process for the emergency debris site.

M. Signature certification on Weekly Debris Management Reports

The WDMRs must be signed and certified by a person duly authorized by the local government or state agency responsible for the emergency debris site. For a municipal, state, federal or other public agency, the WDMR shall be signed by either a principal executive officer or ranking elected official. The signature authority may be delegated to someone else in writing by the local government or state agency. However, the local government or state agency will be responsible for the weeldy submittal, the accuracy of the information being submitted, and the consistency of the submittals.

N. Signs

1. **Identification signs.** The local government or state agency shall post a 2 foot by 3 foot weather resistant sign readable from the roadway near the main entrance of the emergency debris site as soon as possible following an emergency. If posting the sign near the main entrance is infeasible due to safety concerns, the sign shall be posted in a publicly accessible location near the activity and moved as necessary. However, the signs shall be posted at all

times until the closure assessment has been conducted by LDEQ Regional office surveillance staff.

The sign shall contain the following information:

- The name of the debris site (as listed on the order).
- The Agency Interest (AI) Number (as listed on the order).
- The approved activity (as listed on the order).
- Local Government or State Agency contact information.

2. **Trailblazer signs.** If the debris site does *not* contain a 911 address and/or is located in a secluded area which is difficult to locate, then weather resistant trailblazer signs in a location and height visible to motorist shall be posted on the primary roadway that provides the most direct route in close proximity to the debris site. Trailblazer signs are used to direct motorists unfamiliar with an area to a specific location.

3. **Site closed sign.** Upon cession of site operations, the local government or state agency shall post a 2 foot by 3 weather resistant sign readable from the roadway near the main entrance of the emergency debris site stating, 'This site is closed. No dumping.'

0. Multiple operations.
If multiple operations (i.e. local government and state agency authorized emergency debris sites) are being conducted at the same location, each operation's boundaries shall be physically located separate from each other; the operational parameters clearly marked off (i.e. earthen berms, temporary barriers, orange plastic fencing, etc.); signs clearly posted separating each operation (in addition to the entrance sign mentioned above) and maintained from the date on which the activation of the emergency debris site was approved until deactivation of each individual operation. Additionally, if more than one debris type is authorized for a site, each debris type shall be staged and processed separately from other debris types.

P. Overlap of Emergencies
When one declared emergency overlaps another declared emergency, the local government or the state agency must malce sure that the location is large enough to handle the expected emergency generated debris from both emergencies. If not, another emergency debris site shall be requested. The debris streams from both emergencies shall be kept separate on the weeldy debris management reports.

Q. Normal site operations
If the location of an emergency debris site is used for other normal day-to-day activities, those activities shall be maintained separate from the emergency debris site operations. For the purpose of inspections, boundaries shall be placed between the two activities and clearly marked (e.g. temporary barrier fencing, perimeter markers).

R. Public Access/Trespassing
To prevent unauthorized access and dumping, adequate security and monitoring shall be established and maintained, from the activation of the emergency debris site until the site is officially de-activated,

to prevent unauthorized access and dumping. Temporary measures shall be taken to limit access to the debris site, which could consist of the use of trucks or equipment to block entry, gates, cables, or swing pipes and shall be installed as soon as possible for permanent access control, if the site is to be used for longer than two (2) weeks. If necessary, "no trespassing" signs shall be posted to prohibit public dumping of debris.

S. Unauthorized non-vegetative debris and other unauthorized wastes

Incoming waste loads containing unauthorized debris/wastes shall *not* be unloaded at the emergency vegetative debris site. Such waste shall be re-directed to an appropriate permitted disposal facility or an appropriate temporary storage container that prevents leachate from escaping or groundwater contamination. If unauthorized debris is inadvertently or illegally dumped at the emergency debris site, it is the responsibility of the local government or state agency to remove and properly dispose of the debris. "No dumping" signs should be placed around the perimeter of the emergency debris site to prevent dumping of unauthorized waste. Records shall be kept of the transportation and the disposal of the unauthorized waste segregated from the authorized debris received.

T. Segregation of debris

Authorized debris consists of C & D debris, electronic waste, white goods, woodwaste, and vegetative debris as defined in Appendix A, Part I. It does *not* include any debris for which the site is not approved or any debris not included in the definition of the authorized debris type.

All unauthorized debris received at an authorized debris site shall be segregated and removed from the site in a reasonable amount of time (7- 10 days from receipt) and disposed of in an approved permitted landfilL Unauthorized debris should be stored in an appropriate container on site until it is transported to a permitted landfill for disposal. Records shall be kept of the transportation and the disposal of the unauthorized waste segregated from the authorized debris received.

U. **Accumulation of debris**

There shall be no significant accumulation of debris allowed to occur, due to environmental and safety concerns, such as the risk of fire. The debris should be managed in an efficient manner to prevent the potential for fire hazards, risks to human health and the environment. All efforts should be made to prevent causing any kind of nuisance to the surrounding area.

V. Equipment and fuel

Equipment and fuel shall have a designated storage area and signs posted appropriately. The fuel storage area shall be designed to contain spills. If necessary, the preparation and implementation of a Spill Prevention and Control plan should be established in accordance with the provisions specified in LAC 33:IX.901-907. The Plan shall contain minimal procedures, methods, equipment, control structures and response actions necessary to protect human health and the environment.

W. Operation of Equipment

All equipment (e.g., grinders, chippers, air curtain destructors, forldifts) shall be operated in accordance with the manufacturers' instructions and any applicable LDEQ authorization. A copy of the manufacturers' instructions shall be maintained on site and made available to LDEQ upon request.

X. Environmental Controls
The authorized local government or state agency shall establish and maintain environmental controls in equipment staging, fueling, and repair areas to prevent and mitigate spills of petroleum products such as fuel and hydraulic fluids. Temporary storage areas for fuels shall be lined to prevent the possibility of soil and groundwater contamination in case of spills. Plastic liners shall be in place under stationary equipment such as generators and mobile lighting plants.

Where necessary, local governments and state agencies shall establish procedures to prevent and mitigate smoke (e.g., ensure bum pits are constructed properly and are being operated according to standards), dust (e.g., employ water trucks to keep dust down), noise (e.g., employ berms or other noise abatement procedures), traffic (e.g., ensure a suitable layout for ingress and egress to help traffic flow) problems that may arise, and smells (e.g., ensure refrigerators are kept sealed when not being cleaned out).

Y. Management of debris piles
Debris piles and shredded material, including chips, shall be managed in accordance with the most recent approved Comprehensive Plan for Disaster Clean-up and Debris Management.

Z. Emergency Declaration and Administrative Order
All emergency debris site requirements contained in an issued LDEQ Emergency Declaration and Administrative Order must be followed.

AA. Notification to local fire department
The local fire department shall be notified upon commencement of emergency debris site activities that receive vegetative debris.

XI. OPERATIONAL GUIDELINES AND REQUIREMENTS

Section A. Staging of emergency generated vegetative debris

1. **Staging only emergency debris sites**
   Approved emergency debris sites that are approved to *only* stage emergency generated vegetative debris shall not process the vegetative debris in any manner. These debris sites shall only store the vegetative debris until such time as it is to be hauled to a processing site for reduction.

   If the local government or state agency wishes to process (e.g., chip, grind, compost, or bum) the vegetative debris, an additional Emergency debris site Evaluation & Request Form must be submitted to LDEQ and written approval must be obtained before the additional activity can be conducted on site.
   No vegetative debris from a staging debris site shall be transported for final disposal at a landfill without being first processed at an LDEQ-authorized processing debris site to meet the statutory mandated reductions.

2. **Pile size and temperature restrictions**
   The staging piles of unprocessed emergency generated vegetative debris shall be limited to a reasonable and manageable height and width of no higher than 20 feet and base width of no wider

than 30 feet, which provides greater surface area for dissipation of heat and volatile gases, thereby minimizing the risks of spontaneous combustion.

The temperature of the staged piles shall be limited to 160°F or less in order to reduce the potential for spontaneous combustion by allowing accumulated heat and gases to escape.

Frequent monitoring of the vegetative debris piles is required to maintain the height and temperature requirements at all times during the operation of the emergency debris site.

Section B. Composting of emergency generated vegetative debris

1. **Reducing the potential for spontaneous combustion**

In preparing compost and/or mulch piles, care should be taken to reduce the potential for spontaneous combustion. Placing chipped or ground organic debris into piles can result in rapid microbial decomposition that generates heat and volatile gases. Temperatures in large piles containing readily degradable debris can rise to greater than 160°F, increasing the chance of spontaneous combustion.

Spontaneous combustion is more likely in large, dense piles under dry, windy conditions, because of a greater possibility of volatile gases building up in the piles and being ignited by the high temperatures. In order for volatile gases to escape from the piles, windrows shall not exceed a height of 6 feet and a width of 10 feet. These piles shall not be compacted. Smoking should only be allowed in designated areas well away from the combustible material.

Turning piles when temperatures reach 160°F can also reduce the potential for spontaneous combustion by allowing accumulated heat and gases to escape and for the contents of the pile to cool. Turning piles when temperatures decline can restore microbial activity and composting temperatures. Optimal moisture should be maintained to reduce combustibility. As a rule, optimal moisture is obtained when squeezing a handful of material yields a drop or two of water. Shredded leafy debris will decompose more rapidly and retain more heat than wood chips. Sufficient wood chips or other bulky material should be mixed with leafy material to ensure rapid diffusion of heat and gases during the early stages of decomposition.

Large piles or windrows should be located away from wooded areas, power lines and structures. They should be accessible to fire fighting equipment, if a fire were to occur. Efforts should be made to avoid driving or operating heavy equipment on large piles because the compaction will increase the amount of heat buildup, which could increase the possibility of spontaneous combustion.

Section C. Chipping/grinding of emergency generated vegetative debris

1. **Buffer zones**

The processing equipment (e.g. chippers, grinders, etc.) shall be located at least 500 feet from the nearest inhabited dwelling. The staging area and processing area shall be located at least 200 feet from the nearest property line and 250 feet from the nearest state water body (e.g. lakes, rivers, creeks, streams).

The processed material (chips) shall be at least 100 feet from site property boundaries, on-site buildings/structures, residential dwellings, commercial or public structures, potable water supply wells, and septic tanks with leach fields.

2. **Reducing the potential for spontaneous combustion**
In preparing compost and/or mulch piles, care should be talcen to reduce the potential for spontaneous combustion. Placing chipped or ground organic debris into piles can result in rapid microbial decomposition that generates heat and volatile gases. Temperatures in large piles containing readily degradable debris can rise to greater than 160°F, increasing the chance of spontaneous combustion.

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Turning piles when temperatures reach 160°F can also reduce the potential for spontaneous combustion by allowing accumulated heat and gases to escape and for the contents of the pile to cool. Turning piles when temperatures decline can restore microbial activity and composting temperatures. Optimal moisture should be maintained to reduce combustibility. As a rule, optimal moisture is obtained when squeezing a handful of material yields a drop or two of water. Shredded leafy debris will decompose more rapidly and retain more heat than wood chips. Sufficient wood chips or other bulky material should be mixed with leafy material to ensure rapid diffusion of heat and gases during the early stages of decomposition.

Large piles or windrows should be located away from wooded areas, power lines and structures. They should be accessible to fire fighting equipment, if a fire were to occur. Efforts should be made to avoid driving or operating heavy equipment on large piles because the compaction will increase the amount of heat buildup, which could increase the possibility of spontaneous combustion.

3. **Location of grinders**
Properly locating grinders is critical for noise and public safety considerations. See setbacks and buffer section above for guidelines in locating grinders.

4. **Formosan Termites**
The Department of Agriculture and Forestry has quarantines in place to prevent the spread of Formosan termites during debris clean up and removal. The authorized local government and state agency is responsible to ensure that contractors mulching and hauling the debris are aware of the regulations and are abiding by the regulations according to the quarantine requirements. For any questions concerning quarantines contact Mr. Bobby Simoneaux at 225.925.3763 or email bobby_s@ldaf .state.la.us.

Section D. Burning of emergency generated vegetative debris

1. **Open burning**
   Open burning may be utilized during the initial emergency/disaster response for a reasonable timeframe to allow for the re-establishment of critical arteries for transportation, emergency response and governmental operations. This timeframe will be determined by the magnitude of the disaster.

2. **Controlled open burning**
   Controlled open burning carefully reduces vegetative debris by burning within a contained fixed area. The reduction of clean vegetative debris (vegetative debris that has been segregated with all unauthorized debris removed) presents little environmental impact.

3. **Air Curtain Destructor (ACD)**
   Air curtain destructors are an effective means of expediting the reduction of volume while substantially reducing the environmental concerns caused by open burning. The ACD method uses a pit constructed by digging below grade or burning above grade using a blower unit. The burning chamber is usually no more than 8 feet wide and 9 to 14 feet deep. The length of the pit varies depending on the debris site size and labor/equipment limitations.

4. **Portable Air Curtain Destructor**
   Portable air curtain destructors are the most efficient because the pre-manufactured pit requires little or no maintenance to complement the blower system. Portable ACDs are ideal for areas with high water tables and sandy soils as well as areas where smoke must be kept to a minimum.

5. **Setbacks and buffer zones**
   Burn areas shall be located on the emergency debris site in a manner to prevent the spread of fires to areas outside the controlled burn area. Setbacks and buffer zones must have an appropriate separation distance between the vegetative debris burn area and all surrounding brush, forestry, structures, and other debris piles for public safety and the safety of the debris operations to prevent fire hazards. A setback of at least I 00 feet shall be maintained between the burn areas and the debris piles, surrounding brush, and forestry. A setback of at least 1,000 feet shall be maintained between the burn area and the nearest occupied dwelling, connercial building, or road (unless the location has been approved by the appropriate LDEQ regional office) to create a generous buffer zone for emergency vehicles in the event an emergency situation should arise.

6. **Ash**
   Wood ash stored on-site shall be located at least 200 feet from incoming vegetative debris piles, processed mulch or tub grinders (if grinding is also occurring at the debris site). Wood ash shall be wetted prior to removal from an ACD device or earth pit and placed in storage. Ifthe wood ash is to be stored prior to removal from the site, then rewetting may be necessary to minimize airborne ermsswns.

   Wood ash to be land applied on site or off site shall be incorporated into the soil immediately upon completion of operations or sooner if the ash becomes dry and airborne. Records shall be maintained to indicate where ash is applied and the approximate quantities of ash applied. Ash

shall *not* be disposed (put in a hole) on site and covered. The application of ash shall be limited to 2 to 4 tons per acre/one time event. Ash shall be land applied in a similar manner as agricultural lime.

Ash shall not be land applied during periods of high wind in order to avoid the ash blowing off the application site. Ash shall not be land applied within 25 feet of surface waters or within 5 feet of drainage ways or ditches on sites that are stabilized with vegetation. These distances shall be doubled on sites that are not vegetated and the ash shall be promptly incorporated into the soil. As an alternative to land application, ash may be managed at an appropriate permitted landfill after cooled to prevent possible fire. Off-site application of ash will require specific, written prior approval by the appropriate LDEQ surveillance staff (see LDEQ surveillance staff contact information, Attachment C) before it can be transported to another site for application.

Whenever possible, soil test data and analysis of the ash should be available to determine appropriate application rates. Assistance in obtaining soil test data and waste analysis of ash should be available through parish offices of the LSU Agriculture Extension Service.

7. **Continued burning**
When continued burning is necessary, such burning shall utilize equipment to efficiently combust waste and reduce emissions if LDEQ or local governing authority deems the use of equipment necessary to protect public health and the environment. Local, state and federal partners associated with the vegetative burning operation will be advised of locations that have been approved for this purpose.

8. **Fire control equipment**
Appropriate fire control equipment shall be available on-site at all times that open burning is occurring.

9. **Stockpiling of vegetative debris**
There shall be *no* stockpiling of vegetative debris with the intention of one big bum event. Vegetative debris shall be burned in small controlled piles in order to control bum events within the operational tirneframe allowed.

10. **Burning of unauthorized debris**
Burning of unauthorized debris is prohibited. Unauthorized debris is required to be segregated from the emergency generated vegetative debris to be reduced. Emergency debris sites approved for burning vegetative debris, at which LDEQ Regional office surveillance staff has observed and documented the burning of unauthorized debris mixed in with authorized vegetative debris will *not* be allowed to land apply the ash as final disposal, but will be required to transport the ash off site to an approved permitted landfill. Until transportation off site, the ash will be required to be stored on a plastic liner to prevent any potential contamination of soil and/or ground water. The authorized local government or state agency will receive a certified written notification restricting the land application of the ash and the requirement to transport the ash off site to an approved permitted landfill.

Unauthorized waste observed being burned with authorized vegetative debris may result in the authorization of the emergency debris site being terminated for the emergency and/or the pre-approval being terminated.

11. Hours of operation
Burning shall only be conducted between the hours of 8:00a.m. and 5:00p.m. An operator shall be on site at all times burning occurs. Piles of combustible material should be of such size to allow complete reduction in this time interval.

12. Notification
Fire-fighting personnel shall be advised of each burning event.

13. Materials used to ignite the fire
Only fossil fuels (e.g. diesel, kerosene) shall be used to ignite the fire. Heavy oils, tires, asphaltic materials, items containing natural or synthetic rubber, or any man-made materials which produce unreasonable amounts of smoke shall ***not*** be burned; nor may these substances be used to start a fire.

14. Prevailing winds
Prevailing winds at the time of a burn event must be away from any city, town or airport, the ambient air of which may be affected by smoke from the burning.

The location of the burn area shall be at least 1000 feet from any dwelling other than a dwelling or structure located on the property on which the burning conducted.

15. Approved air curtain destruction
If an air curtain destructor (ACD) was approved, it ***must*** be used for any burning at the site, unless an exception is granted in writing from LDEQ. As per LAC 33.III.313.C, the owner or operator shall obtain all necessary permits from local and/or state agencies; the owner or operator shall install on the ACD a manufacturer's nameplate giving the manufacturer's name and the unit's model number and capacity; and material shall not be added to the ACD in such a manner as to be stacked above the air curtain.

16. Environmental controls that shall be maintained when ACDs are utilized
The emission of smoke, suspended particulate matter, uncombined water, or any air contaminants or combinations thereof, that passes onto or across a public road and creates a traffic hazard, or intensifies an existing traffic hazard condition is prohibited.

Only clean oils (e.g. diesel fuel, No.2 fuel oil, kerosene) shall be used to ignite waste. Hazardous or contaminated unauthorized ignitable material shall not be placed in the pit. This is to prevent contained explosions.

Hours of operations are restricted from 8:00a.m. to 5:00p.m. each day. An operator shall be on site at all times the ACD is in operation. Piles of vegetative debris shall be of such size as to allow complete reduction in this time interval. The design standards shall be maintained and the ACD shall not be operated if any equipment is malfunctioning.

The amount of dirt on the vegetative debris shall be minimized. Vegetative debris shall not be added to the ACD in such a manner as to be stacked above the air curtain.

The following buffers shall be maintained: a minimum of 1000 feet from the ACD device to homes, dwellings and other structures (unless the location has been approved by the appropriate LDEQ regional office), 250 feet from roadways, and 200 feet from on-site storage areas for incoming vegetative debris.

The local government or state agency shall use fencing and warning signs to keep the public away from the incineration area. There shall be 1 foot high, unbumable warning stops along the edge of the pit's length to prevent the loader from damaging the lip of the incineration pit.

The fire shall be tested for proper cooling temperatures as recommended by the manufacturer.

Ash shall be removed when it reaches 2 feet below the lip of the incineration pit. The fire shall be extinguished approximately two hours before anticipated removal of the ash.

The incineration area shall be placed in an above ground or below ground pit that is no wider than 8 feet and between 9 and 14 feet deep. Above ground pits shall be constructed with limestone and reinforced with earth anchors or wire mesh to support the weight of the loaders. There shall be a 1 foot impervious layer of clay or limestone on the bottom of the pit to seal the ash from the aquifer. The ends of the pits shall be sealed with dirt or ash to a height of 4 feet. A 12 inch dirt seal shall be placed on the lip of the incineration pit area to seal the blower nozzle. The nozzle shall be 3 to 6 inches from the end of the pit.

The airflow shall hit the wall of the pit about 2 feet below the top edge of the pit, and the debris shall not brealc the path of the airflow except during dumping. The pit shall be no longer than the length of the blower system and the pit should be loaded uniformly along its length.

LDEQ has adopted regulations for portable air curtain incinerators. Large scale air curtain operations may require additional conditions or permits. Operators should be familiar with and comply with these regulations, which can be viewed and printed from LDEQ's website at http://www.deg.louisiana.gov/portal/LinkClick.aspx?fJ!eticket=Kbbg%2bg9hlqQ%3d&tabid=285

Section E. Staging and separation of emergency generated woodwaste

1. Staging only emergency debris sites

Approved emergency debris sites that are approved to ***only*** stage emergency generated woodwaste shall not process the woodwaste in any manner. These debris sites shall only store the woodwaste debris until such time as it is to be hauled to a landfill permitted to receive woodwaste. For the purposes of this administrative order, staging of non-vegetative debris is to include segregation of the debris.

If the local government or state agency wishes to process (e.g., chip, grind, or bum) the woodwaste, an additional Emergency debris site Evaluation & Request Form must be submitted to

LDEQ and written approval must be obtained before the additional activity can be conducted on site. These requests should be made once the debris is collected and ready for processing. These requests will be approved on a case-by-case basis and will be heavily dependent on the contents of the staged debris. The woodwaste debris piles must be free of unauthorized waste (see woodwaste definition is Appendix A, Part I of this document).

De minimus contamination of the woodwaste should be an insignificant amount, approximately 5%, of the incoming load. Inno case shall a single load exceed 10% contamination. Arrangements should be made to segregate unsuitable materials such as any treated wood. These materials should be placed in appropriate containers and transported to facilities that are approved for their receipt. If more than de minimus amounts of these wastes are present, the waste should be handled in a manner consistent with the most stringent management technique necessary for the waste stream.

2. Pile size restrictions
   The staging piles of unprocessed emergency generated woodwaste shall not exceed a height of 20 feet and a width of30 feet, which provides greater surface area for dissipation of heat.

   Frequent monitoring of the woodwaste piles is required to maintain the height requirements at all times during the operation of the emergency debris site.

3. Formosan termites
   The Department of Agriculture and Forestry has quarantines in place to prevent the spread of Formosan termites during debris clean up and removal. Quarantined parishes include, but are not limited to, Calcasieu, Cameron, Jefferson, Jefferson Davis, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany, Tangipahoa and Washington. The authorized local government and state agency is responsible to ensure that contractors mulching and hauling the debris are aware of the regulations and are abiding by the regulations according to the quarantine requirements. For any questions concerning quarantines contact Mr. Tyrone Dudley at 225.925.4578 or 504.286.1125 or email tvrone_d@ldaf.state.la.us.

Section F. Staging/transferring and segregation of emergency generated C & D debris

1. Staging only emergency debris sites
   Approved emergency debris sites that are approved *onlv* to stage emergency generated C & D debris shall not process the C & D debris in any manner. These debris sites shall only store the C & D debris until such time as it is to be hauled to a permitted C & D disposal site. For the purposes of this administrative order, staging of C & D debris is to include segregation of the debris.

   De minimus contamination of the C & D debris should be an insignificant amount, approximately 5%, of the incoming load. Inno case shall a single load exceed 10% contamination. Arrangements should be made to segregate unsuitable materials such as household garbage, white goods, asbestos containing materials, and household hazardous waste. These materials should be placed in appropriate containers and transported to facilities that are approved for their receipt. If more

than de minimus amounts of these wastes are present, the waste should be handled in a manner consistent with the most stringent management technique necessary for the waste stream.

2. **Pile size restrictions**
   The staging piles of unprocessed emergency generated C & D debris shall not exceed a height of 20 feet and a width of 30 feet in order to provide for the safety and protection of workers on the site.

3. **Formosan termites**
   The Department of Agriculture and Forestry has quarantines in place to prevent the spread of Formosan termites during debris clean up and removal. Quarantined parishes include, but are not limited to, Calcasieu, Cameron, Jefferson, Jefferson Davis, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany, Tangipahoa and Washington. The authorized local government and state agency is responsible to ensure that contractors mulching and hauling the debris are aware of the regulations and are abiding by the regulations according to the quarantine requirements. For any questions concerning quarantines contact Mr. Tyrone Dudley at 225.925.4578 or 504.286.1125 or email tyrone_d@ldaf.state.la.us.

Section G. Staging and segregation of emergency generated electronic waste

1. **Staging only emergency debris sites**
   Approved emergency debris sites that are approved to only stage emergency generated electronic waste shall not process the electronic waste in any manner. These debris sites shall only store the electronic waste until such time as it is to be hauled to an electronics recycler. A list of electronic recyclers can be found on the Electronic Industries Alliance website located at http://www.ecyclingcentral.com. For the purposes of this administrative order, staging of electronic waste debris is to include segregation of the debris.

   No processing of electronics, including disassembly, should occur at the site.

   Electronic waste should be covered, to the best extent possible, from weather. It is recommended that electronic waste be staged on asphalt or concrete. However, if this is not possible, electronic waste should be staged on plastic liners to protect the soil and groundwater from potential leaks. Upon entry onto the site, electronic waste can be piled until sorted. Electronic waste should be sorted by type, for example, computers, TVs, etc. Before transportation, the electronic waste shall be stacked on pallets and wrapped or placed into gaylord boxes.

2. **Pile size restrictions**
   The staging piles of unprocessed emergency generated electronic waste shall not exceed a height of 6 feet in order to provide for the safety and protection of workers on the site. Stacks of palleted and wrapped materials shall not exceed the height capabilities offorldifts used to move the pallets.

Section H. Staging and segregation of emergency generated white goods

1. Staging only emergency debris sites

Approved emergency debris sites that are approved to only stage emergency generated white goods shall not process the white goods in any manner. These debris sites shall only store the white goods until such time as they are to be hauled to a disposal site. Arrangements should be made to segregate unauthorized materials. These materials should be placed in appropriate containers and transported to facilities that are approved for their receipt. For the purposes of this administrative order, staging of white goods is to include segregation of the debris.

If the local government or state agency wishes to process white goods, an additional Emergency debris site Request Form must be submitted to LDEQ and written approval must be obtained before the additional activity can be conducted on site.

White goods shall be stored in an area separate from other solid wastes and shall be stored in a manner that prevents vector and odor problems. Stacking of white goods is not recommended. White goods shall be separated according to type (e.g., white goods containing refrigerants, such as refrigerators, freezers, and air conditioning units). Additionally, white goods containing refrigerants shall be staged on plastic liners and contained within berms to prevent contamination of the soil from refrigerants and putrescible waste. Plastic liners and putrescible waste shall be disposed of at a Type II Landfill. All white goods shall be removed from the storage facility or staging area and sent offsite for recycling, or recycled onsite, within ninety (90) days of initial receipt at the site.

2. Preparation of white goods

Solid waste, including putrescible waste, should be removed from white goods before recycling. Plastic liners and putrescible waste shall be disposed of at a Type II Landfill.

It is recommended that local governments contract with a metals and/or scrap appliance dealer to collect the white goods for recycling, as white goods may not be landfilled. All mercury switches and refrigerant must be removed from appliances by the contractor. More detailed information on mercury devices in appliances is available from LDEQ's web site at: http://www.deg.louisiana.gov/portal/tabid/287 /Default.aspx.

Appliances containing refrigerant, including refrigerators, freezers, and window air conditioner units, should have the refrigerant removed by refrigeration technicians certified by the Environmental Protection Agency (EPA) to prevent releases. EPA also maintains a current list of approved refrigerant reclaimers. The approval status of a refrigerant reclaimer can be confirmed by contacting EPA's Ozone Protection Hotline (800-296-1996) or by accessing EPA's Office of Air and Radiation Stratospheric Protection Division webpage: http://www.epa.gov/ozone/title6/608/reclamationlreclist.htrnl. More information about safe federal disposal procedures for household appliances that use refrigerants can be found at: http://www.epa.gov/Ozone/downloads/SafeDisposalBrochure.pdf.

Section I. Staging and segregation of emergency generated metals

1. **Staging only emergency debris sites**

   Approved emergency debris sites that are approved to only stage emergency generated metals shall not process the metals in any manner. These debris sites shall only store the metals until such time as it is to be hauled to a recycler. For the purposes of this administrative order, staging of metals debris is to include segregation of the debris.

   Metals should be covered, to the best extent possible, from weather. It is recommended that metals be staged on asphalt or concrete. However, if this is not possible, metals should be staged on plastic liners to protect the soil and groundwater from potential leaks. Upon entry onto the site, metals waste can be piled until sorted. Before transportation, the metals shall be stacked on pallets and wrapped or placed into gaylord boxes.

2. **Pile size restrictions**

   The staging piles of unprocessed emergency generated metals shall be limited to a reasonable and manageable height of no higher than 6 feet in order to provide for the safety and protection of workers on the site. Stacks of palleted and wrapped materials shall not exceed the height capabilities offorklifts used to move the pallets.

Section J. Staging and segregation of emergency generated tires

1. **Staging only emergency debris sites**

   Approved emergency debris sites that are approved to only stage emergency generated tires shall not process the metals in any manner. These debris sites shall only store the tires until such time as it is to be removed. For the purposes of this administrative order, staging of tires debris is to include segregation of the debris. Tires should be covered, to the best extent possible, from weather, so that no water builds up that could lead to mosquito larvae.

2. **Pile size restrictions**

   The staging piles of unprocessed emergency generated tires shall be limited to a reasonable and manageable height of no higher than 6 feet in order to provide for the safety and protection of workers on the site. Stacks of palleted and wrapped materials shall not exceed the height capabilities of forldifts used to move the pallets.

APPENDIX 8: Written Notification of Pre-approval Emergency Debris Site Activation

Required within five {5) days of site activation.

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To: (.JUR"IS"D"IC""I"I"O"N'A'L"RE"• 'T'G 10"N"A"L'N""JA"N""A"G""E"• R'')------------·, LDEQ Regional Manager

From:

(LOCAL GOVERN MEN I, StAIE AGENCY, OR J>EKMII I ED I•ACILII Y)

Emergency Debris Site Name:

(AS LIS I ED UN PRE-APPROVAL)

Agency Interest Number: AI ___________
(A'S LISTED ON PRE-APPROVAL)

This written notification is a follow-up to the verbal notification made to you on______________
20__ (DATE OF VERBAL NOTIFICATION)

For the record, the above mentioned pre-approved emergency debris site was activated on =.....................................,• 20__ for the purpose of debris clean-up for the recently declared
(DAIEOI• SIIEACIIVAIIUN)

Emergency/disaster for'''''''_____________________
(NAME OF EMERGENCY/DISAS

tNAME, II I LE, nnd I ELEPHUNE NUMBER- PLEASE PRIN I)

____
(SIGNATURE)

APPENDIXE

LDEQ Inspection Protocol to comply with the term "thorough inspection"

An LDEQ accredited asbestos inspector performs an inspection whereby all suspect Asbestos Containing Material (ACM) is sampled and samples are analyzed by an LDEQ accredited laboratory, utilizing Polarized Light Microscopy (PLM). This includes but is not limited to:

1. Friable material such as walls, ceilings, insulating materials, floor coverings, fire proofing, window caulking, etc;
2. Category I nonfriable ACM that has become friable;
3. Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading, in accordance with 40 CFR Subpart M-National Emission Standard for Asbestos, 61.141. Definitions; and
4. Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations.

Category II material such as cement asbestos containing roofing shingles and siding are to be assumed ACM.

The number of samples taken shall be in accordance with the Asbestos Hazard Emergency Response Act (AHERA). Where feasible, AHERA should be employed with the exception of a partial inspection.

An inspector may make a determination that Category I material such as resilient floor covering, caulking, etc. is in good condition by administering hand pressure. If the material is not friable and in good condition, it is not necessary to sample the material because it is Category 1 in good condition that does not have a high probability of becoming regulated ACM, and is therefore considered to be non regulated.

Partial Inspection

Where a "thorough inspection" can be conducted on the majority of the structure, including sampling of suspect ACM if any is present, that procedure will be completed to the extent possible. If suspect RACM is present and verified by sampling to be RACM, the structure will be demolished and disposed as RACM. In the case where the partial inspection reveals either no suspect RACM or sampling demonstrates that no RACM is present, that part of the structure will be demolished as C&D debris.

After the unstable/inaccessible portions of the structure are made safe and accessible, the accredited asbestos inspector will verify that the materials in that part of the structure are homogeneous with the materials that were inspected during the partial inspection. If determined to be homogeneous and no other RACM is identified, the remainder of the structure will be determined to be C&D debris. However, if the inspector determines that the materials in the unstable/inaccessible portion of the structure are not homogeneous or that RACM is present, the unstable/inaccessible portion of the structure will be demolished and disposed as RACM.

APPENDIX F

PLAN FOR EVALUATING UNDERGROUND STORAGE TANK SITES AFFECTED BY FLOOD

PROBLEM DEFINITION

Underground Storage Tank (UST) sites may become impacted by flood waters which will require actions be taken to place these sites back into operation. Steps necessary to place the site into operation are being outlined to ensure that new releases do not occur and if releases are identified in this process that they are properly addressed. The focus of this effort will be to place these sites into operation while ensuring protection of human health and the environment.

BACKGROUND

The impact offload damage on USTs must be evaluated to determine what steps are necessary to place these sites back into service.

Damage that occurs to UST systems generally results from: the buoying up of tanks which are partially full or empty, water entering the tanks and displacing product, failure of underground piping as a result of stresses induced by groundwater pressures or debris, and damage to electrical systems from extended contact with water. Additionally, another route of infiltration exists if the level of floodwaters exceeds the top of the vent lines. Regulated USTs which are weighted down with fuel or anchored by other means (deadmen or attached to an underlying pad) and have properly installed and tightened filler caps and vapor recovery port caps should sustain little impact, even after being submerged for days.

Tanks in which fill caps are not tightened will fill with water and then spill product, some of which may percolate into shallow soil. Empty or near-empty tanks will float up, destroying overlying concrete/asphalt and distribution lines, also spilling product. In these situations, it is expected that the entire UST system would require replacement. Presently, the extent and magnitude of damage to UST systems themselves and to the shallow subsurface environment as a result of the flood is unknown. At this time the primary objective is to put these systems back into proper service to meet the fuel supply need of initial and subsequent response efforts. Later, as time and resources permit, assessment and remediation of any environmental impacts will take place.

UNDERGROUND STORAGE TANK EVALUATION

Flooded Underground Storage Tank sites must be evaluated to determine response actions necessary to place these UST facilities back into service and protect human health and the environment. New product should not be placed in the tanks ifthere are indications that the integrity of the tank has been comprised when performing the activities outlined below.

General information:

UST Owners/Operators will be responsible for evaluating underground storage tank systems to determine if they are suitable for receiving product. Flooded systems that are **determined to be suitable for receiving product** may be put back into service and should have an integrity test performed as soon as contractors and services become available to perform the testing and no later than six (6) months after product was first placed into the tank after flooding. If the tank inspection outlined below (or subsequent monitoring of the tank), indicates that the system has been comprised; **the system should be taken out of service** and repaired or replaced as necessary and an integrity test performed prior to again putting the system into operation.

The Department has established a contact telephone number to be used by contractors and citizens for reporting exigent conditions. The hotline number is (225) 219-3640 These procedures for contractors are being provided to tank owners, tank removal and installation contractors, response action contractors and trade groups that represent the industry such as Louisiana Oil Marketers Association and Louisiana Mid-Continent Oil and Gas Association. This information will also be posted on the Department's Web Site.

General Evaluation Protocol for Contractors:

No equipment should be turned on prior to examination. Check all electrical panels and make sure they are clean and dry. All equipment related to electric power service should be inspected and any necessary repairs should be made prior to power restoration. This includes all fueling systems, leak-detection devices and corrosion prevention (impressed current) equipment. The electrical system should be checked for continuity and shorts (pumps, turbines, dispensers, ATG consoles, emergency shutoff, panel box, etc.)

Specifically, all electrical junction boxes and dispenser heads should be opened, inspected and dried if necessary. Conduits should be inspected for the presence of water, insulation damage, shorts or opens. Conduits exhibiting water should be dried or vacuumed as appropriate and all defective wiring should be replaced. To

apply electrical power to a UST system before conducting basic examination could be extremely dangerous.

Submerged pumps and dispensers should not be operated if there is the possibility of water entering into the system as pumping water may damage hydraulic components.

Technical Protocol for Contractors:

These protocols should be followed to place tanks back into service:

1. Stick tanks using water finding paste or read automatic tank gauge system, if operable, to determine whether water has entered the UST.

2. Flooded or water impacted tanks and all lines may need to be drained of water and dirt/mud or perhaps pumped dry and cleaned as conditions warrant. Liquids removed must be properly handled and disposed.
3. Interstitial spaces of tanks and lines of double walled systems, if flood-impacted, will need to be drained and flushed where possible. Blockage of interstitial spaces will render leak detection useless. Depending on the level of residual contamination at the facility, certain leak detection methods may no longer be viable. Tanks with brine or vacuum interstitial sensors may be returned to service if brine or vacuum levels are normal. Be prepared to update damaged leak detection equipment after emergency conditions are abated.

4. All facility sumps, pans, and spill buckets need to be pumped dry and cleaned. Replace sump lid gaskets if applicable. If sump lids are missing, replace with new water tight lids. Replace sumps and spill buckets that fail to prevent water intrusion after initial cleaning and drying.

5. Check tank bottoms for water and debris. Remove and dispose as appropriate (see item #2 above).

6. Check deflection of fiberglass tanks. If deflection is greater than manufacturer's specification (general guideline is 2%) call the manufacturer for instruction.

7. Iftanks shifted and problems are found, **repair or replace them** according to manufacturer's instructions and appropriate industry standards and regulations. Obviously, these **systems should be shut down and not receive fuel** until they are deemed safe for reuse (tightness tested).

8. Check vents for movement, cracking, blockage and proper operation.

9. Check dispenser filters and submersible check-valve screens for plugging with dirt or mud.

10. Flush dispensers and UST system if necessary. Collect fluids for proper disposal.

11. Check critical safety devices (e.g., emergency power off controls, line leak detectors, air compressor pressure limiters, shear valves, stop switches, isolation relays on dispensers, etc.). Shear valves may be salvaged if they can be cleaned and lubricated with corrosion preventative. Some will still have to be replaced.

12. Sump sensors may need to be replaced after emergency conditions cease.

13. 1n-tank pumps, Automatic Tank Gauge (ATG) probes, overfill devices, automatic line leak detectors, fill and vapor dust caps, etc. should be assessed. Assess their condition after cleaning and replace as necessary.

14. ATG consoles and any associated electronics that are not submerged, should have a programming and operability check performed by a certified technician after emergency conditions cease.

15. After emergency conditions are abated, submerged Corrosion Protection (CP) rectifiers and associated aboveground equipment protecting tanks and/or lines may have to be replaced. If not submersed have a National Association of Corrosion Engineers (NACE) certified professional perform an operability check of the equipment. Inspect CP lines in saw cuts for damage and replace as necessary. If CP systems are out of service for an extended period of time perform integrity assessment of affected component before placing CP system back into service. A NACE certified professional will be helpful assessing the CP system.

16. Check accessible fittings, valves and miscellaneous piping for damage and corrosion. Clean and replace as necessary.

17. Document all inspection, assessment and repair activities at each UST system site. Provide this information to the Department in stand-alone report format within ninety (90) days of initiation of operations of that UST facility.

18. Submerged dispensers will have to be replaced or repaired as necessary. This includes the hanging hardware. Any suction system dispensers will probably have flood impacted motors and pumps and may need complete replacement.

General Protocol Upon Resumption of Service:

Depending on the level of residual contamination at the facility, certain leak detection methods may no longer be viable. Daily inventory control (with strict record keeping) may be the short-term leak detection method by necessity. Daily checks for water with water-finding paste should be done for several days until it has been determined that the system is tight. If these daily water checks indicate excessive water or the daily inventory control shows loss of product, **the tanks should be emptied of product and use of the tanks should cease.** Notification of these conditions should be made to the Department's hotline (225) 219-3640 as soon as practical.

Post Start-Up Protocol for Contractors:

This protocol should be followed once flood-impacted tanks have been placed back into service and emergency response and restoration have been completed or as otherwise directed by the Department:

Precision tightness test tanks, lines and interstitial spaces (after emergency conditions abate). Assess interstitial spaces for blockages, especially if used for leak detection. Decisions regarding replacement of tanks and lines should be made based on outcome of these tests. Department field staff should be consulted on these decisions whenever possible. Cathodic protection systems should be checked to make sure they are connected and operational.

These actions are being delayed in an effort to expedite fuel delivery capabilities and due to unavailability of sufficient contractors to perform the otherwise required work in a timely manner. All leak detection equipment must be put back into operation as soon as practically possible or as directed by the Department after the emergency has abated.

Other General Provisions for Owner/Operators and Contractors:

At flood-impacted sites, facilities will be allowed to salvage useable fuel in USTs by checking fuel for water and allow salvage of useable fuel. If flood water covered vent lines, displacement of fuel would have occurred and large volumes of water may exist in the affected USTs and require proper storage/disposal. This water should not be discharged to areas such as streets, storm drains, sumps and ditches that are not permitted to receive these liquids.

Requirements for remediation of contaminated groundwater via approved corrective action plans in place prior to the name are suspended at UST sites in the parishes of the emergency areas unless otherwise directed by the Department. However, the Department may require systems remediating free phased product to continue pumping operations.

Sites which have not experienced impacts from the flood shall continue with routine remedial efforts and reporting (Unless RAG/consulting firm handling the remediation has been affected and displaced by the flooding.

All facilities in which remedial efforts are temporarily suspended or delayed must provide notice to the Department (225) 219-3640 and provide written documentation as directed.

EVALUATION SCHEDULE

The evaluation of UST status should be initiated as soon as conditions allow flood area re-entry. Further testing will be performed once emergency conditions and major restoration efforts are complete and when sufficient contractors are available to perform the work. This further testing should be performed no later than six (6) months after product was first placed into the tank after flooding.

APPENDIXG

GUIDANCE FOR SPECIAL WASTE HANDLING, REUSE AND RECYCLING

The following information is intended to assist operators of solid waste facilities, recycling centers, scrap metal dealer, local governments, and contractors in handling debris from the Emergency Areas. The Debris Management Plan (Appendix D) should be consulted for greater detail.

1. *Intent*

Every effort should be made to mm1m1ze debris disposed in landfills. Diversion, composting and recycling debris are priorities. Debris handlers should make every effort to properly handle and recover debris materials that have reuse value, are recyclable or the release of which into the environment would be detrimental or is prohibited, e.g. used motor oil.

2.Scope

Sources of debris requiring special handling include: households, businesses, schools, public buildings, automobiles and boats.

3. Types of materials by source

The types of debris to which this guidance is directed and the sources from which the subject debris emanates are as follows:

a. From automobiles: gasoline and diesel fuel, refrigerants, lubricating oils, mercury ABS switches, mercury convenience switches, lead acid batteries, brake and transmission fluid, antifreeze and tires. Propane tanks and large appliances in recreational vehicles should be removed.

b. From boats: gasoline and diesel fuel, refrigerants, lubricating oils, mercury bilge switches, propane tanks, large appliances, lead acid batteries, transmission fluid and electronics, such as, radar sets, radios, GPS units, and depth finders.

c. From households and businesses: paints and varnishes, solvents, acids, pesticides, cleaning fluids, pool chemicals, used motor oil, propane tanks, mercury thermostats, liquid mercury, mercury-containing devices, and refrigerants. Large appliances also known as "white goods" may not be landfilled. Refrigerants must be removed. Food should not be left in appliances. Every reasonable effort should be made to recover large electronic devices, such as, television sets, computers and computer monitors.

d. From schools and public buildings: paints and varnishes, solvents, acids, pesticides, cleaning fluids, pool chemicals, used motor oil, propane tanks,

mercury thermostats, liquid mercury, mercury-containing devices, and refrigerants. Large appliances also known as "white goods" may not be landfilled. Refrigerants must be removed. Food should not be left in appliances. Every reasonable effort should be made to recover large electronic devices, such as, television sets, computers and computer monitors. Special attention should be given to school chemistry laboratories.

3. Monitoring

Demolition teams, debris collectors, local governments and landfill operators should be vigilant for proper handling the above listed items.

4. Recordkeepinq

Processors should keep a record of the amount of materials recovered and transported for recycling. Some products already require recordkeeping, e.g. used oil, and duplicate recordkeeping is not required.

APPENDIX H

PUBLIC NOTICE AND PUBLIC PARTICIPATION PROCEDURES REGARDING PROPOSED PERMIT ACTIONS IN FLOOD IMPACTED AREAS

The dislocation of residents and the damage to infrastructure in the Emergency Areas has affected the ability of the Department of Environmental Quality to solicit and receive comments on proposed permit actions. The following procedures are intended to address these issues in a manner that offers the opportunity for meaningful public participation and that meets the requirements and intent of the state and federal permitting statutes and regulations.

Public notice and comment procedures will vary according to the categorization of the parish in which the facility at issue is located. The Department will categorize parishes after evaluating all relevant factors, including but not limited to:

1. newspaper circulation rates (both paid subscriptions and free distribution), comparing pre-Flood with current rates;
2. basic services - power, potable water, and sewage treatment;
3. local government approval for residents to return for long-term habitation;
4. number of schools that are open;
5. availability of locations to serve as document repositories and in which to conduct public hearings should they be requested;
6. condition of roads.

Category 1 parishes are those with newspaper circulation rates of at least 90% pre-Flood levels. Basic services are restored to at least 90% pre-Flood levels. The parish is open for long-term habitation and public schools have resumed operation.

In Category 1 parishes, the Department will continue to implement the public notice procedures in place before the Flood. This includes publication in the required newspapers, sending notice to individuals on the Department's permits mailing list, placing notice on the Department's web page, and sending electronic notice to individuals who have registered with the Department to receive notices in this manner. The DEQ Public Participation Group (PPG) will use its knowledge of newspaper distribution rates and patterns to determine if the notice should be placed in more than one local newspaper. Some permit procedures require notice to also be placed in the official state journal, *The Advocate.*

Category 2 parishes are those with newspaper circulation rates of at least 50% pre-Flood levels, and basic services restored to at least 50% of the parish. The parish is open for long-term habitation and public schools have resumed operation.

In Category 2 parishes, the Department will follow the same procedures provided herein for Category 1, with the addition of the following: Notices will be placed in *The Advocate* to identify the permits placed on public notice for the previous week, sorted by parish. These notices will clearly identify the electronic web link to view the public notices and will give the phone number to call to request additional information or to find out where documents may be reviewed locally.

Category 3 parishes are the most severely affected parishes. Any parish not meeting all of the criteria for Category 2 are considered Category 3.

In Category 3 parishes, the Department will follow the same procedures provided herein for Category 2, with the addition of the following:

1. Comment periods will be extended a total of fifteen (15) extra days.
2. Notices will be published twice in the selected newspaper(s).
3. An additional newspaper will be selected in which to publish the notices. This will be the newspaper with the largest circulation in a parish that physically adjoins the parish in which the facility is located.
4. If not already required to do so, the Department will publish notices in *The Advocate,* the official state journal.

When arranging public hearings to solicit comments regarding permitting activities, the Department will work with stakeholders to find suitable hearing site locations.