

**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL
QUALITY**

**Sixteenth Amended Declaration of
Emergency and Administrative Order**

**Hurricane Katrina and its Aftermath
Agency Interest No. 130534**

December 30, 2009

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**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY**

**IN THE MATTER OF
HURRICANE KATRINA
AND ITS AFTERMATH**

AGENCY INTEREST NO. 130534

**SIXTEENTH AMENDED 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(D)(6), I hereby make the following findings, declaration and order, which supersede all previous Declarations of Emergency and Administrative Orders issued by this agency in connection with the above captioned and entitled matter.

FINDINGS AND DECLARATION

1. On the 29th day of August, 2005, Hurricane Katrina (hereinafter "Hurricane") struck Louisiana, causing widespread damage within the parishes of Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, St. Bernard, St. Charles, St. Helena, St. James, St. John, St. Mary, St. Martin, St. Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge, and West Feliciana, which parishes initially constituted the specific areas covered by previous Emergency Declarations and Administrative Orders.

2. By State of Louisiana Proclamation No. 48 KBB 2005, the Governor declared on August 26, 2005, that a state of emergency exists in the state of Louisiana, as the Hurricane posed an imminent threat, carrying severe storms, high winds and torrential rain that caused flooding and damage to private property and public facilities and threatened the safety and security of the citizens of the state of Louisiana. By State of Louisiana Proclamation No. 54 KBB 2005, the Governor extended the state of emergency

due to the extreme damage caused by the Hurricane and the continuing disaster and emergency conditions in the affected areas.

3. On August 29, 2005, Federal Emergency Management Agency (FEMA) issued a Disaster Declaration, FEMA-1603-DR covering south Louisiana.

4. I find that the Hurricane has created conditions that require immediate action to prevent irreparable damage to the environment and serious threats to life or safety in the Emergency Areas. In a previous declaration, I found that the progress of recovery efforts in Jefferson Parish, Orleans Parish, Plaquemines Parish, and St. Tammany Parish was such that an emergency no longer existed in those areas. However, the Louisiana Land Trust has begun demolishing a large number of Hurricane-damaged residential structures in those parishes, as well as in Terrebonne Parish. These demolitions are vital to the recovery of these areas, and will be delayed without the flexibility provided by the Administrative Order that follows below. Therefore, Jefferson, Orleans, Plaquemines, St. Bernard, St. Tammany, and Terrebonne Parishes will be covered by this Emergency Declaration and Administrative Order. These parishes shall herein be referred to as the "Emergency Areas."

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 in the Emergency Areas.

ORDER

Unless otherwise specified, each of the provisions below applies to every parish in the Emergency Areas.

§ 1. Solid Waste Management

a. In St. Bernard Parish only, disposal or processing of any solid waste in or at unpermitted facilities or sites may be authorized by the Louisiana Department of Environmental Quality (LDEQ) on a case-by-case basis.

b. For purposes of this Order, and in St. Bernard Parish only, C&D debris shall be the materials indicated in Appendix A of this Declaration. Uncontaminated C&D

debris may be managed at a temporary staging area authorized by the LDEQ. Uncontaminated C&D debris that is mixed with other uncontaminated hurricane-generated debris, such as white goods or household hazardous waste, should be segregated from other solid waste prior to disposal in a permitted landfill or authorized disposal site.

c. 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 in or on any permitted landfill cells that have not undergone final closure and have not received written authorization from the LDEQ specifically allowing storage in that area. 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.

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

e. In St. Bernard Parish only, authorizations may be issued prior to or following a site inspection by LDEQ personnel for staging areas to be used for temporary storage and chipping, grinding or burning of hurricane-generated debris. Authorizations may be requested by providing a notice to the LDEQ containing a description of the staging area design and operation, the location of the staging area, and the name, address, and telephone number of the site manager as described in LDEQ correspondence dated September 13, 2004, to the Parish Governing Authorities.

f. C&D debris generated from residential structures of four units or less that are subject to a government-ordered demolition, and that are assumed to contain potential asbestos-containing waste material (ACWM), shall be disposed of in a permitted Type I or II landfill or an "enhanced" C&D landfill that has been authorized by the LDEQ in accordance with LDEQ requirements (Appendix C1). See Section 3, *Asbestos Clean-up*, of this Order, for additional information on receiving ACWM in Type I and II Landfills, C&D Landfills, and "enhanced" C&D landfills.

§ 2. Hazardous Waste

Hazardous waste generated as a result of the Hurricane event must be separated from other hurricane-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.

§ 3. Asbestos Clean-up

a. The LDEQ waives the requirement for prior notification for emergency demolition or emergency cleanup of asbestos-containing material resulting from the Hurricane. Within one (1) business day of commencing such demolition or cleanup, however, the person responsible for such work shall notify the LDEQ in writing. The notification shall be submitted on the Asbestos Notification of Demolition or Renovation Form AAC-2, which may be found at <http://www.deq.louisiana.gov/portal/tabid/2883/Default.aspx>. The procedures in LAC 33:III.5151 (demolition/renovation) and LAC 33:III.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. C&D debris generated from residential structures of four units or less that are subject to a government ordered demolition and that are assumed to contain potential asbestos-containing waste material shall be disposed of in a permitted Type I or II landfill or an "enhanced" C&D landfill that has been authorized by the LDEQ in accordance with LDEQ requirements (Appendix C). Burning of asbestos-containing material is prohibited.

b. The fee charged for the Emergency processing of Asbestos Notification of Demolition and Renovation Form AAC-2 (i.e. LAC 33:III.223, Fee code # 2030) shall be reduced to \$66 (sixty-six dollars) for FEMA-financed and HUD-financed hurricane-related demolition of residential structures of four (4) units or less, subject to a government ordered demolition.

c. The LDEQ shall generate a single Asbestos Disposal Verification Form ("ADVF") per day, per landfill, per contractor, per parish, for FEMA-financed and HUD-financed hurricane-related demolitions for use with multiple loads of C&D debris that contains asbestos containing waste material, notwithstanding any provision to the contrary in LAC 33:III.5151.F.2.g. The LDEQ will also generate a blank "Addendum to ADVF for Transportation and Disposal of AWCM," which will accompany the ADVF and which is to be completed and signed by the contractor and landfill operator. Detailed instructions and a sample Addendum are available on the LDEQ's Website under ****Special Interest - Hurricane Related: Please Take Note**** on the Asbestos Hurricane Demolition web page at <http://www.deq.louisiana.gov/portal/tabid/2883/Default.aspx>, or by contacting the Notifications and Accreditations Section at 225-219-0789.

§ 4. Special Waste (Reuse and Recycle)

Every effort should be made to minimize the disposal of reusable and recyclable material 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. Appendix B lists special waste from specific sources (households, businesses, schools, public buildings, automobiles and boats) and references the LDEQ Comprehensive Plan for Disaster Clean-up and Debris Management (<http://www.deq.louisiana.gov/portal/portals/0/news/pdf/DEQDebrisPlan-8-25-FINAL.pdf>), which provides information intended to assist operators of solid waste facilities, recycling centers, scrap metal dealer, local governments, contractors, and the general public in handling of certain debris from the Emergency Area.

§ 5. 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 the Order from the regulatory and proprietary requirements of the LDEQ, 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.

§ 6. General Limitations

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

§7. 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.

§ 8. 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 FEMA, the U.S. Army Corps of Engineers, or other local, state, or federal agencies.

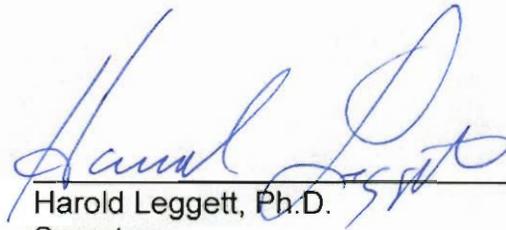
§ 9. Amendments

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

§ 10. Expiration Date

This Sixteenth Amended Declaration of Emergency and Administrative Order shall take effect immediately upon execution by the Secretary of the Department, and shall expire at 11:59 p.m. on March 31, 2010, unless modified or extended by further order.

DONE AND ORDERED on this 30 day of December, 2009,
in Baton Rouge, Louisiana.



Harold Leggett, Ph.D.
Secretary
Louisiana Department of Environmental Quality

APPENDIX A

HURRICANE GENERATED MATERIALS ALLOWED AT A PERMITTED CONSTRUCTION AND DEMOLITION DEBRIS (C&D) LANDFILL OR DEPARTMENT AUTHORIZED SITE

The following hurricane generated materials shall be allowed for disposal at a permitted construction and demolition debris (C&D) landfill or a Department authorized site¹:

- Nonhazardous waste generally considered not water-soluble, including but not limited to metal, concrete, brick, asphalt, roofing materials, sheet rock, plaster, lumber from a construction or demolition project, and other building or structural materials;
- Furniture, carpet, and painted or stained lumber contained in the demolished buildings;
- The incidental admixture of construction and demolition debris with asbestos-contaminated waste². (i.e., incidental asbestos-contaminated debris that cannot be extracted from the demolition debris); and
- Yard waste and other vegetative matter.

The following materials shall not be disposed in a construction and demolition debris landfill, but segregated and transported to a Department approved staging area for eventual management, recycling and/or disposal at a permitted Type II Landfill, unless it is not practicable to segregate such wastes at any point prior to disposal:

- White goods
- Putrescible Waste

¹ In accordance with the Comprehensive Plan for Disaster Clean-Up and Debris Management prepared by the LDEQ (dated July 2006), the presence of hazardous materials, electronic goods, etc. shall be minimized to the extent possible through local government requirement that contractors remove and properly handle household hazardous materials, such as: paints and varnishes, solvents, acids, pesticides, cleaning fluids, pool chemicals, used motor oil, propane tanks, mercury thermostats, liquid mercury, mercury containing devices, smoke detectors and refrigerants, and electronic goods such as: televisions, computers/computer peripherals, audio/video equipment, VCR's DVD players, video cameras, telephones, fax and copy machines, cell phone, wireless devices and video game consoles. An example of such a requirement can be found in the Scope of Work for the Structural Demolition, Debris Removal and Site Cleanup Work, Orleans Parish in Louisiana between the U.S. Army Corps. of Engineers and Orleans Parish, in particular sections: 2.2, 3.0, 4.1 a) & c), 5.2, and 6.3. This is not a substantive change from prior Declarations of Emergency and Administrative Orders, but a clarification of the agency's intent.

² This provision is, and in prior Declarations of Emergency and Administrative Orders has been, intended to provide an authorized deviation from the definition of "Construction/Demolition Debris provided in LAC 33:VII.115. Any Asbestos Containing Waste Material subject to regulation under the Air Quality Regulations (Louisiana Emission Standards for Hazardous Air Pollutants [LESHAP - LAC 33:III.5151] or the National Emission Standard for Hazardous Air Pollutant [NESHAP - 40 CFR 61.140 et. seq]) shall be managed and disposed of in accordance with the standards established therein as provided in the protocols established in Appendix D.

APPENDIX B

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 Area. The FEMA Debris Plan should be consulted for greater detail.

1. Intent

Every effort should be made to minimize 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. Recordkeeping

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 C

Asbestos Cleanup Guidance Documents

- C1 LDEQ Requirements for "Enhanced" C & D Landfills, Revised June 28, 2006
- C1A Sample Perimeter Monitoring Plan
- C2 Air Monitoring Report for Enhanced C&D Landfills

APPENDIX C1

LDEQ REQUIREMENTS FOR "ENHANCED" C & D LANDFILLS Revised June 28, 2006

The site must give prior notice to the LDEQ in advance of initiation of implementation of enhanced C&D activities. Each owner or operator of an enhanced construction and demolition debris (C&D) landfill that receives asbestos-containing waste material (ACWM) shall meet the following requirements:

1. Adequate Perimeter Air Monitoring shall be conducted for the presence of asbestos fibers to evaluate and ensure the effectiveness of engineering and operational controls designed to prevent off-site migration of asbestos fibers. Receptors will primarily be workers at the site and drivers delivering waste material, therefore OSHA protection standards should be considered. The plan must be submitted to LDEQ along with a completed AAC-7 for review and approval. See **Appendix C1A** for an example of a perimeter monitoring plan.

a. Sample Methods

- i. Perimeter monitoring shall be conducted in accordance with NIOSH method 7400. Calibrate an SKC or equivalent sampling pump and collect approximately 1 liter per minute (L/min) of air into the filter. This method uses PCM, which is not specific for asbestos.
- ii. NIOSH method 7402 uses TEM to confirm presence or absence of asbestos fibers.
- iii. All perimeter air monitoring samples must be conducted by LDEQ accredited Contractor/Supervisors,
- iv. All samples must be analyzed at a Louisiana Environmental Laboratory Accreditation Program (LELAP) accredited laboratory to perform the sample method.
- v. Sample turn-around time should be no greater than 48 hours.
- vi. All samples and sample results are subject to these requirements

b. Detection Limits and OSHA limits

- i. The sample method detection limit shall be 0.01 – 0.02 f/cc
- ii. The OSHA permissible exposure limit (PEL) for asbestos fibers is 0.1 f/cc.
- iii. The OSHA excursion or short-term limit is one fiber per cubic centimeter of air (1 f/cc)

c. Minimum Frequency of Sampling during Disposal of ACWM (unless otherwise approved by the department).

1. First Week – sample daily

2. 2nd Week – daily if all available results of first week samples are below acceptable levels
 3. If results of 2nd week samples confirm results of first week, sampling goes to 1/week
- d. Record Keeping
- i. Chain of Custody documentation shall be kept to document and verify samples.
 - ii. Calibration checks shall also be recorded
 - iii. All records required by this section shall be maintained for 2 years
 - iv. All records required by this section shall be maintained on-site and be made available for inspection purposes or at the request of the Department.
- e. Notification and Response Actions
- i. The operator of an enhanced C&D landfill shall notify LDEQ's Single point of Contact (SPOC) at 225-219-3640 immediately (within 1 hour) upon receipt of sample results indicating the presence of asbestos fibers above the OSHA PEL of 0.1 f/cc.
 - ii. Operations at the enhanced C&D landfill shall immediately cease upon receipt of sample results indicating the presence of asbestos fibers above the OSHA PEL of 0.01 f/cc. The operator of the enhanced C&D landfill shall investigate site operations to determine the source of the asbestos fibers.
 - iii. Results of the incident shall be reported in writing to SPOC within 24 hours of completion of the investigation.
 - iv. The operator of the enhanced C&D landfill will determine and implement appropriate corrective action. These corrective actions must be submitted to the Department in writing for review within 10 days of the incident.
 - v. Once the corrective action has been approved by the Department, the enhanced C&D landfill may begin site operations. However frequency of sampling shall return to daily. Procedures in Section 1.b above must be followed to return to a weekly sampling frequency.
- f. Reporting
- i. Results of all monitoring and sampling results must be reported to the Department
 - ii. During the first quarter (3 month period) of operation, monitoring and sampling results must be reported monthly
 - iii. After the first quarter of operation, monitoring and sampling results must be reported semi-annually (every six months)
 - iv. Use the DEQ approved air monitoring report form (see **Appendix C2**) or other form approved by LDEQ. The forms shall be submitted to the

Office of Environmental Services, Air Permits Division, ATTN: Jodi Miller.

2. ACWM shall be placed in a dedicated area separate from C&D waste areas
3. No Visible Emissions allowed and Daily Cover must be applied.
 - a. There must be no visible emissions to the outside air from any active waste disposal site where ACWM has been deposited;
 - b. At least once every 24-hour period while the site is in continuous operation, the ACWM that has been deposited at the site during the operating day or previous 24-hour period shall:
 - i. Be covered with at least 15 centimeters (6 inches) of compacted nonasbestos-containing material, *or*
 - ii. Be covered with a resinous or petroleum-based dust suppression agent that effectively binds dust and controls wind erosion. Such an agent shall be used in the manner and frequency recommended for the particular dust by the dust suppression agent manufacturer to achieve and maintain dust control. Other equally effective dust suppression agents may be used upon prior approval by the Department. Used, spent, or other waste oil is not considered a dust suppression agent; *or*
 - iii. Use an alternative emissions control method that has received prior written approval by the EPA Administrator by demonstrating that the following criteria are met:
 - 1) The alternative method will control asbestos emissions equivalent to currently required methods.
 - 2) The suitability of the alternative method for the intended application.
 - 3) The alternative method will not violate other regulations.
 - 4) The alternative method will not result in increased water pollution, land pollution, or occupational hazards.
4. Unless a natural barrier adequately deters access by the general public, warning signs and fencing must be installed and maintained as follows:
 - a. Warning signs must be displayed at all entrances and at intervals of 100 m (330 ft) or less along the property line of the site or along the perimeter of the sections of the site where ACWM is deposited. The warning signs must:
 - i. Be posted in such a manner and location that a person can easily read the legend; and
 - ii. Conform to the requirements of 51 cm × 36 cm (20 inch × 14 inch) upright format signs; and
 - iii. Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified below.

Legend

*Disposal Site May Contain
Asbestos Containing Waste Material
or Block*

*Do Not Create Dust
Block*

Breathing Asbestos is Hazardous to Your Health

Notation

2.5 cm (1 inch) Sans Serif, Gothic

1.9 cm (3/4 inch) Sans Serif, Gothic or

14 Point Gothic.

- b. The perimeter of the disposal site must be fenced in a manner adequate to deter access by the general public.
 - c. Upon request and supply of appropriate information, the Department will determine whether a fence or a natural barrier adequately deters access by the general public.
5. For all ACWM received, the owner or operator of the active waste disposal site shall:
- a. Maintain waste shipment records, using the LDEQ ADVF form.
 - b. As soon as possible and no longer than 30 days after receipt of the waste, send a copy of the signed waste shipment record to the waste generator and the Office of Environmental Services, Air Permits Division.
 - c. Upon discovering a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to LDEQ, Office of Environmental Services, Air Permits Division and the appropriate LDEQ Regional office. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report.
 - d. Retain a copy of all records and reports required by this paragraph for at least 2 years.
6. Maintain, until closure, records of the location, depth and area, and quantity in cubic meters (cubic yards) of ACWM within the disposal site on a map or diagram of the disposal area.
7. Upon closure, comply with all the provisions of LAC 33:III.5151.N.
8. Submit to the Department, upon closure of the facility, a copy of records of asbestos waste disposal locations and quantities.
9. Furnish upon request, and make available during normal business hours for inspection by the Department, all records required under this section.
10. Notify the Department in writing at least 45 days prior to excavating or otherwise disturbing any ACWM that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Department at least 10 working days before excavation begins and in no event shall

excavation begin earlier than the date specified in the original notification. Include the following information in the notice:

- a. Scheduled starting and completion dates.
- b. Reason for disturbing the waste.
- c. Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated ACWM. If deemed necessary, the Department may require changes in the emission control procedures to be used.
- d. Location of any temporary storage site and the final disposal site.

11. A request by a landfill owner or operator for authorization to accept such ACWM must include a certification that the owner or operator will manage the ACWM in accordance with the landfill's quality assurance/quality control (QA/QC) plan and LDEQ requirements.

APPENDIX C1A

SAMPLE PERIMETER MONITORING PLAN

- A. Perimeter Sampling
 - 1. Sampling location determined daily
 - 2. Consider wind direction and speed using weather forecasts and on-site wind indicator
 - 3. Sample 2 downwind and 2 upwind locations
 - 4. The set-back from public access areas should be 100 feet
- B. Frequency of Sampling during Disposal of ACWM
 - 1. First Week – sample daily
 - 2. 2nd Week – daily if all available results of first week samples are below acceptable levels
 - 3. If results of 2nd week samples confirm results of first week, sampling goes to 1/week.
- C. Detection Limit and Action Levels
 - 1. The sample method detection limit shall be 0.01 – 0.02 f/cc
 - 2. The OSHA permissible exposure limit (PEL) for asbestos fibers is 0.1 f/cc.
 - 3. The OSHA excursion or short-term limit is one fiber per cubic centimeter of air (1 f/cc)
 - 4. If phase contrast microscopy (PCM), results exceed ½ of the OSHA PEL (or 0.05 f/cc), transmission electron microscopy (TEM) analyses must be performed.
- D. Sample Methods
 - 1. Perimeter monitoring shall be conducted in accordance with NIOSH method 7400. Calibrate an SKC or equivalent sampling pump and collect approximately 1 liter per minute (L/min) of air into the filter. This method uses PCM, which is not specific for asbestos.
 - 2. NIOSH method 7402 uses TEM to confirm presence or absence of asbestos fibers.
 - 3. All samples must be analyzed at a Louisiana Environmental Laboratory Accreditation Program (LELAP) accredited laboratory to perform the sample method.
 - 4. Sample turn-around time should be no greater than 48 hours.
 - 5. Samples may be taken more frequently than required, but all samples and sample results are subject to these requirements

E. Record Keeping

1. Meteorological data (wind speed and direction) shall be recorded daily whenever disposal activities occur.
2. Chain of Custody documentation shall be kept to document and verify samples.
3. Calibration checks shall also be recorded
4. All records required by this section shall be maintained for 2 years
5. All records required by this section shall be maintained on-site and be made available for inspection purposes or at the request of the Department.

F. Notification and Response Actions

1. The operator of an enhanced C&D landfill shall notify LDEQ's Single point of Contact (SPOC) at 225-219-3640 immediately (within 1 hour) upon receipt of sample results indicating the presence of asbestos fibers above the OSHA PEL of 0.1 f/cc.
2. Operations at the enhanced C&D landfill shall immediately cease upon receipt of sample results indicating the presence of asbestos fibers above the OSHA PEL of 0.1 f/cc. The operator of the enhanced C&D landfill shall investigate site operations to determine the source of the asbestos fibers.
3. Results of the investigation shall be reported in writing to SPOC within 24 hours of completion of the investigation.
4. The operator of the enhanced C&D landfill will determine and implement appropriate corrective action. If necessary, these corrective actions must be approved by the Department prior to implementation.
5. Once the corrective action has been approved by the Department, the enhanced C&D landfill may begin site operations. However frequency of sampling shall return to daily. Procedures in Section 1.b above must be followed to return to a weekly sampling frequency.

G. Reporting

1. Results of all monitoring and sampling results must be reported to the Department
2. During the first quarter (3 month period) of operation, monitoring and sampling results must be reported monthly
3. After the first quarter of operation, monitoring and sampling results must be reported semi-annually (every six months)
4. Use the DEQ approved air monitoring report form (see **Appendix C2**) or other form approved by LDEQ. The forms shall be submitted to the Office of Environmental Services, Air Permits Division, ATTN: Jodi Miller.

