



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
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JUL 3 2012

Mr. Vladimir Alexander Appeaning, Ph.D.
Deputy Secretary
Louisiana Department of Environmental Quality
P.O. Box 4301
Baton Rouge, Louisiana 70821-4301

Dear Dr. Appeaning:

Enclosed is the FY 2012 Resource Conservation and Recovery Act (RCRA) Hazardous Waste Program Midyear Report. The Midyear Review was conducted on May 3, 2012 via conference call. Overall programmatic progress, accomplishment of Performance Partnership Grant (PPG) workplan commitments, and achievement of Government Performance and Results Act (GPRA) goals were discussed and evaluated by the EPA. The Louisiana Department of Environmental Quality (LDEQ) prepared a Midyear Progress Report which provided specific information on the status of cooperative agreement commitments and programmatic activities. This report was utilized for the review, and pertinent information was incorporated into this report.

Overall, the RCRA program is running very well in Louisiana. We look forward to the LDEQ's continued progress in the areas of permitting, closure, and corrective action during the remainder of the fiscal year.

During the Midyear Review, the EPA and the LDEQ discussed the content of the Oversight Document and progress made during the fiscal year. The LDEQ received satisfactory ratings in all areas on the evaluation document.

The EPA commends the LDEQ for meeting its authorization commitments. At Midyear, the State submitted a final RCRA Cluster XX application. EPA reviewed the State's final application for RCRA Cluster XX and prepared a Federal register (FR) notice to authorize the State. EPA anticipates publishing the FR notice by June 29, 2012. Codification for RCRA Clusters XVI through XVIII is under regulatory review and EPA anticipates publishing the codification Federal Register Notice by July 31, 2012.

The LDEQ showed significant progress in accomplishing corrective action measurements during the reporting period and has already met or exceeded some of their FY 2012 grant commitments.

The LDEQ has continued to work collaboratively with EPA Region 6 toward achieving Ready for Reuse (RfR) determinations at several facilities in Louisiana. The EPA and the LDEQ jointly issued an RfR determination to the Shell Chemical Norco

Plant in December, 2011. Several other facilities have been identified as potential candidates for RfR determinations in the second half of the grant year including ExxonMobil Maryland Tank Farm, Motiva Convent, Crescent Downtown Park, and Timeless Treasures.

The LDEQ submitted a Ready for Anticipated Use (RAU) determination (CA 800) to the EPA on December 13, 2011. The State completed the RAU form, along with the status/type of use indicator form. In the second half of the grant year, the Region will be working closely with LDEQ staff to code additional facilities as RAU, with a particular emphasis on sites with historical CA 550 determinations.

The LDEQ's permitting program has made excellent progress over the past few years. Since the State has issued permits to all facilities in the permitting universe, they will only issue additional renewals as applications are received. For oversight and monitoring purposes, the EPA completed reviews of the Clean Harbors Baton Rouge and Rubicon operating permits. No issues were identified.

The EPA encourages the LDEQ to continue promoting sustainable materials management. The EPA and the LDEQ have also been collaborating on a natural gas manometer project that addresses the historical, and sometimes current, use of mercury manometers on natural gas pipelines. The EPA and the LDEQ will continue to work with the natural gas community to encourage location and cleanup of mercury contamination associated with the manometers.

During the fiscal year, the LDEQ inspected 35% of the Operating TSDF Universe. Additional information about these enforcement activities is included in the attached FY 2012 Enforcement Midyear Report.

The LDEQ identified four new Significant Non-Compliers during the fiscal year, achieving a 2.2% rate. There were ten facilities due to be addressed or addressed as identified in RCRAInfo. Six of these facilities were addressed with formal enforcement action; penalties for the other facilities are in process. For more information, please refer to the FY 2012 Enforcement Midyear Report.

We appreciate your continued efforts to meet our mutual program goals during the fiscal year. If you have any questions or concerns, please contact Sarah Perham, RCRA Project Officer, at (214) 665-2752.

Sincerely,



Susan G. Spalding
RCRA Associate Director
Multimedia Planning and
Permitting Division

Enclosures

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