STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF
POTENTIAL HEAVY RAIN, FLASH FLOODS,
AND WINTERY WEATHER FEBRUARY 14, 2021

AGENCY INTEREST NO. 227522

FIRST AMENDMENT TO THE SECOND 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:

FINDINGS AND DECLARATION

1. On the **14th** day of **February, 2021**, a winter storm with heavy rain, flash flooding, and wintery weather (hereinafter "**the EVENT**") moved into the state, bringing with it the heavy rains and wintery precipitation that had impacts across the state. There was localized heavy rainfall and flash flooding across the state. Colder air moved into the state bringing a hard freeze and a more significant round of winter precipitation.

2. By State of Louisiana Proclamation No. **20 JBE 2021,** Louisiana Governor John Bel Edwards, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. R.S. 29:271 et seq., declared on **February 11, 2021**, that a state of emergency exists in the State of Louisiana, as a result of **the EVENT** and the State of Louisiana could potentially experience severe damage which threatens the safety, health, and security of the citizens of the State of Louisiana, along with damage to private property and public facilities.

3. I find that **the EVENT** has created conditions that require immediate action to prevent irreparable damage to the environment and serious threats to life or safety throughout the Emergency Areas.

WHEREFORE, I hereby declare that an emergency exists, and amend the Second Declaration of Emergency and Administrative Order to include the following measures deemed necessary to prevent irreparable damage to the environment and serious threats to life or safety. This **Order** has statewide application, which shall be hereinafter referred to as, the "**Emergency Areas**".

ORDER

Within the **Emergency Areas**:

§ *1.* ***Solid Waste Management***

a. State of Louisiana "Comprehensive Plan for Disaster Clean-up and Debris Management," (the Debris Management Plan)

When handling and managing wastes generated as a result of **the EVENT**, owners and operators of solid waste management facilities and local governments shall adhere to the Debris Management Plan except where the Debris Management Plan may be in conflict with the provisions of this **Order**, in which case the provisions of this **Order** shall prevail. The Debris Management Plan contains provisions and instructions for handling various types of waste material and for locating and receiving authorization for Emergency Debris Sites. A copy of the Debris Management Plan can be obtained via LDEQ's website at the following link,
http://deq.louisiana.gov/page/disaster-debris-management.

b. Emergency Debris Sites

i. Upon the declaration of an emergency by LDEQ and the issuance of this **Order**, local governments and state agencies may "activate" a pre-approved emergency debris site. Upon activation, the governmental body shall notify LDEQ Headquarters via the debris hotline (225-364-7901) that the site is being activated. This verbal notification shall occur as soon as practicable depending on communication capability. If LDEQ Headquarters does not have communication capability, please call one of LDEQ's regional offices listed in Appendix A.

Written notification (Written Notification of the Activation of Pre-Approved Emergency Site) shall be sent to the LDEQ Regional Manager and the LDEQ

Headquarters within five (5) days of verbally activating the site, or as soon as mail delivery is possible. A copy of the form is contained in the Debris Management Plan or can be obtained via LDEQ's website at the following link:
http://deq.louisiana.gov/page/disaster-debris-management.

LDEQ Headquarters address is as follows: Waste Permits Division, Louisiana Department of Environmental Quality, Post Office Box 4313, Baton Rouge, LA 70821-4313 or fax (225) 325-8236 or email deqdebrisrequest@la.gov.

ii. New temporary emergency debris sites may be considered in accordance with procedures contained in the Debris Management Plan. Authorizations may be requested by providing a notice to the Department on approved forms (Emergency Debris Site Request Form). The request forms can be obtained via LDEQ's website at the following link:
http://deq.louisiana.gov/page/disaster-debris-management.

New temporary emergency debris sites can be requested as follows:

(1). Emailing a completed request form to deqdebrisrequest@la.gov;

(2). Faxing a completed request form to (225) 325-8236, or

(3). If a request form is not immediately available, the local government can call the emergency debris hotline at (225) 364-7901, and provide the information over the phone to receive verbal approval to stage. The verbal request shall be followed up with a written request as soon as possible after mail delivery is available but no later than 21 days after verbal approval is given.

iii. All temporary and activated pre-approved emergency debris sites accepting vegetative debris shall submit completed weekly debris management report (WDMR) forms to the Department each week, no later than Sunday, during operations until the debris site is completely closed or deactivated and the final report has been submitted in accordance with the Debris Management Plan. A copy of the WDMR form is contained in the Debris Management Plan or can be obtained via LDEQ's website at the following link,
http://deq.louisiana.gov/page/disaster-debris-management.

§ 2. Open Burning

The Department will consider, on an individual basis, requests for approval for open burning, by persons other than local governments or their agents, of **EVENT**-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 the Debris Management Plan and LAC 33:III.1109.D.6 and as authorized by the Department. Local governments and their agents shall follow the provisions of the Debris Management Plan.

§ 3. Records Management

Copies of LDEQ documents are may be available online in LDEQ's Electronic Document Management System (EDMS). The EDMS is available at http://edms.deq.louisiana.gov.

Additional documents may be available by placing a Public Records Request using the online form at http://edms.deq.louisiana.gov/prr or the printable paper form available at http://deq.louisiana.gov/assets/docs/General/PublicRecordsRequestForm.pdf. There is no charge to replace copies of documents destroyed by **the EVENT**. Please contact Records Management with any questions at (225) 219-3171 or deqrecords@la.gov.

§ 4. 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.

§ 5. General Limitations

The Department issues this **Order** solely to address the emergency created by **the EVENT**. 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.

§ 6. 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.

§ 7. 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.

§ 8. Amendments

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

§ 9. Expiration Date

This Second 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 April 11, 2021, unless terminated sooner, modified, or extended by further order.

DONE AND ORDERED on this 12th day of March 2021, in Baton Rouge, Louisiana.

Dr. Chuck Carr Brown
Secretary

APPENDIX A

LDEQ Regional Office Contact Information

Acadiana Regional Office	Parishes Served
Regional Manager: Rhonda McCormick 111 New Center Drive Lafayette, LA 70508 **phone: (337) 262-5584** fax: (337) 262-5593 **email: aroadmin@la.gov**	Acadia, Avoyelles, Catahoula, Concordia, Evangeline, Grant, Iberia, Lafayette, LaSalle, Rapides, St. Landry, St. Martin, St. Mary, Vermilion
Capital Regional Office	**Parishes Served**
Regional Manager: April Baiamonte PO. Box 4312 Baton Rouge, LA 70821-4312 **phone: (225) 219-3600** fax: (225) 219-3695 **email: croadmin@la.gov**	Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James, Tangipahoa, West Baton Rouge, West Feliciana
Northeast Regional Office	**Parishes Served**
Regional Manager: Casey Head 508 Downing Pines Road West Monroe, LA 71292-0442 **phone: (318) 362-5439** fax: (318) 362-5448 **email: neroadmin@la.gov**	Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn
Northwest Regional Office	**Parishes Served**
Regional Manager: Mark Juneau 1525 Fairfield, Room 520 Shreveport, LA 71101-4388 **phone: (318) 676-7227** fax: (318) 676-7573 **email: nwroadmin@la.gov**	Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Red River, Sabine, Webster
Southeast Regional Office	**Parishes Served**
Regional Manager: Brian Tusa 201 Evans Road, Building 4, Suite 420 New Orleans, LA 70123-5230 **phone: (504) 736-7701** fax: (504) 736-7702 **email: seroadmin@la.gov**	Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. John the 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**	Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Vernon