

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

RELIABLE LANDFILL, L.L.C.

AI # 25491

PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT
LA. R.S. 30:2001, ET SEQ.

* Settlement Tracking No.
* SA-SE-18-0028
*
* Enforcement Tracking No.
* SE-CN-10-00250
* SE-CN-10-00250B
* SE-CN-17-00083
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* Docket No. 2012-4151-EQ
* Docket No. 2018-4565-EQ

SETTLEMENT

The following Settlement is hereby agreed to between Reliable Landfill, L.L.C. (“Respondent”) and the Department of Environmental Quality (“DEQ” or “the Department”), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. (“the Act”).

I

Respondent is a limited liability company that owns and/or operates a facility located in Livonia, Point Coupee Parish, Louisiana (“the Facility”).

II

On December 29, 2010, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. SE-CN-10-00250 (Exhibit 1).

On June 13, 2011, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. SE-CN-10-02028.

On December 6, 2011, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. SE-CN-10-00250A (Exhibit

2) that rescinded Paragraphs II.A., II.D and II.G of the Findings of Fact portion, and Paragraphs I and VI of the Order portion, of the December 29, 2010 Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. SE-CN-10-00250.

On October 24, 2012, the Department rescinded Enforcement No. SE-CN-10-02028, and on November 1, 2012, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. SE-CN-10-00250B (Exhibit 3).

On February 24, 2017, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. SE-CN-17-00083 (Exhibit 4).

III

In response to the Consolidated Compliance Orders & Notices of Potential Penalty, Respondent made timely requests for a hearing.

IV

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties.

V

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of FOUR THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$4,500.00), of which One Thousand Eighty-Six and 54/100 Dollars (\$1,086.54) represents the Department's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

VI

By the terms of this settlement, the Department and Respondent resolve any potential violations or noncompliance of La. R.S. 30:2151, et seq. and LAC 33: Part VII disclosed to the Department in writing or otherwise known to Department up to and through November 1, 2017.

VII

Respondent further agrees that the Department may consider the inspection report(s), the Consolidated Compliance Orders & Notices of Potential Penalty, Amended Compliance Order & Notice of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

VIII

This agreement shall be considered a final order of the Secretary for all purposes, including, but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may be required for interpretation of this agreement in any action by the Department to enforce this agreement.

IX

This settlement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and settlement, the Department considered the factors for issuing civil penalties

set forth in La. R. S. 30:2025(E) of the Act.

X

As required by law, the Department has submitted this Settlement Agreement to the Louisiana Attorney General for approval or rejection. The Attorney General's concurrence is appended to this Settlement Agreement.

XI

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Pointe Coupee Parish, Louisiana. The advertisement, in form and wording approved by the Department, announced the availability of this settlement for public view and comment and the opportunity for a public hearing. Respondent has submitted an original proof-of-publication affidavit and an original public notice to the Department and, as of the date this Settlement is executed on behalf of the Department, more than forty-five (45) days have elapsed since publication of the notice.

XII

Payment is to be made within ten (10) days from notice of the Secretary's signature. If payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit A).

XIII

In consideration of the above, any claims for penalties are hereby compromised and settled in accordance with the terms of this Settlement.

XIV

Each undersigned representative of the parties certifies that he or she is fully authorized to execute this Settlement Agreement on behalf of his or her respective party, and to legally bind such party to its terms and conditions.

RELIABLE LANDFILL, L.L.C.

BY: David Myham
(Signature)

DAVID MYHAM
(Printed)

TITLE: PRESIDENT

THUS DONE AND SIGNED in duplicate original before me this 5th day of November, 20 18, at Madison, MS.

Deidi Deal
NOTARY PUBLIC (ID # 105001)



(stamped or printed)

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
Chuck Carr Brown, Ph.D., Secretary

BY: [Signature]
Lourdes Iturralde, Assistant Secretary
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 20th day of Feb, 20 19, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # 19181)

Perry Theriot
(stamped or printed)

Approved: [Signature]
Lourdes Iturralde, Assistant Secretary

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

December 29, 2010

CERTIFIED MAIL (7005 1820 0002 2361 7716)
RETURN RECEIPT REQUESTED

RELIABLE LANDFILL, L.L.C.
c/o C T Corporation System
Agent of Service
5615 Corporate Blvd. Suite 400B
Baton Rouge, Louisiana 70808

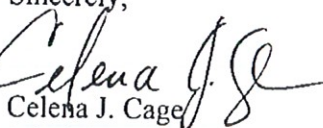
RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. SE-CN-10-00250
AGENCY INTEREST NO. 25491

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **RELIABLE LANDFILL, L.L.C. (RESPONDENT)** for the violations described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Richie Coleman at 225-219-3792.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/RLC/rlc
Alt ID No. D-077-1314/P0032R2
Attachment



STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF

RELIABLE LANDFILL, L.L.C.
POINTE COUPEE PARISH
ALT ID NO. D-077-1314/P-0032R2

PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT,
La. R.S. 30:2001, ET SEQ.

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ENFORCEMENT TRACKING NO.

SE-CN-10-00250

AGENCY INTEREST NO.

25491

CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **RELIABLE LANDFILL, L.L.C. (RESPONDENT)** by the Louisiana Department of Environmental Quality (the Department), under the authority granted by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001, et seq., and particularly by La. R.S. 30:2025(C), 30:2050.2 and 30:2050.3(B).

FINDINGS OF FACT

I.

The Respondent owns and/or operates a facility known to the Department as Reliable Landfill located on US Highway 190 W in Livonia, Pointe Coupee Parish, Louisiana. The Respondent is registered with the Department as a Type I/II Landfill by registration number D-077-1314 and operates under solid waste Standard Permit P-0032R2.

II.

On or about November 20, 2009, February 11, 2010, April 13, 2010, and September 22, 2010, inspections were made at the Respondent's facility. During the inspections, the following violations were noted:

- A. The Respondent failed to have the required units of the facility as required in Part II 521.B.1.a of the Solid Waste Permit Application, in violation of Condition 6 of Standard Permit P-0032R2, LAC 33:VII.709.B.1, and LAC 33:VII.901.A. Specifically, the facility does not have a Liquid Stabilization/Solidification Container as stated in the permit.
- B. The Respondent failed to apply cover to reduce fire-hazard potential, in violation of LAC 33:VII.711.B.2.a.iii. Specifically, the landfill was on fire on February 11, 2010.
- C. The Respondent failed to deposit waste in the smallest practical area as required in Part II 521.F.3.a of the Solid Waste Permit Application, in violation of Condition 6 of Standard Permit P-0032R2, LAC 33:VII.711.D.3.b, and LAC 33:VII.901.A. Specifically, the facility's working face was larger than the required 50 feet wide X 130 feet long X 5 feet high. The working face is approximately 25 to 30 yards wide X 100 yards long as noted during the November 20, 2009, and February 11, 2010, inspections.
- D. The Respondent failed to apply interim cover within forty-eight (48) hours of last receipt of solid waste to all operating areas that will not receive solid waste for a period longer than sixty (60) days as required in Part II 521.F.3.b.3 of the Solid Waste Permit Application, in violation of Condition 6 of Standard Permit P-0032R2, LAC 33:VII.711.B.2.e, and LAC 33:VII.901.A. Specifically, a large area of waste was exposed at the time of the inspection and interim cover had not been applied to the area that was on fire during the February 11, 2010, inspection.
- E. The Respondent failed to use alternate daily cover as required in Part II 521.F.3.b.3 of the Solid Waste Permit Application, in violation of Condition 6 of Standard Permit P-0032R2 and LAC 33:VII.901.A. Specifically, the facility can use a tire shed/soil mixture in a 1:1 ratio during periods of inclement weather. During the April 13, 2010, inspection, alternate daily cover of waste tire chips was used during a

period in which inclement weather was not experienced.

- F. The Respondent failed to maintain records to ensure safe operations of the landfill as required in Part II 521.G.1.a of the Solid Waste Permit Application, in violation of Condition 6 of Standard Permit P-0032R2, LAC 33:VII.711.C.2.c, and LAC 33:VII.901.A. Specifically, there is no indication in the daily cover log that daily cover was applied to the working face on March 2, 2009, March 19, 2009, November 9, 2009, February 10, 2010, April 12, 2010, and August 9, 2010.
- G. The Respondent failed to prevent the disposal of unprocessed waste tires in the landfill as required in Part II 521.H.1.d of the Solid Waste Permit Application, in violation of Condition 6 of Standard Permit P-0032R2, LAC 33:VII.10509.A, and LAC 33:VII.901.A. Specifically, ten (10) whole tires were noted in the working face of the landfill during the November 20, 2009, inspection. At the time of the site visit on February 11, 2010, due to a fire, two (2) whole tires were noted in the working face of the landfill. At the time of the site visit on April 13, 2010, two (2) whole tires were noted on the top portion of the working face which had daily cover of waste tire chips.

COMPLIANCE ORDER

Based on the foregoing, the Respondent is **hereby ordered**:

I.

To install, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a Liquid Stabilization/Solidification Container as required by Part II 521.B.1.a of the Solid Waste Permit or modify the Solid Waste permit in accordance with LAC 33:VII.517.A.

II.

To immediately begin, upon receipt of this **COMPLIANCE ORDER**, applying waste in the smallest practical area in accordance with the required size of 50 feet wide X 130 feet long X 5 feet high and apply cover to the waste to decrease the size of the working face as specified in Part II 521.F.3.a of the Solid Waste Permit.

III.

To immediately begin, upon receipt of this **COMPLIANCE ORDER**, applying daily cover to reduce fire-hazard potential in accordance LAC 33:VII.711.B.2.a.iii and interim cover to all operating areas that will not receive solid waste for a period longer than sixty (60) days in accordance with Standard Permit P-0032R2 Part II 521.F.3.b.3 and LAC 33:VII.711.B.2.c.

IV.

To immediately begin, upon receipt of this **COMPLIANCE ORDER**, using alternate daily cover that is a tire shred/soil mixture in a 1:1 ratio during inclement weather as specified in Part II 521.F.3.b.3 of the Solid Waste Permit.

V.

To submit to the Enforcement Division, within seven (7) days after receipt of this **COMPLIANCE ORDER**, the daily cover volume logs, in accordance with Standard Permit P-0032R2 Part II 521.G.1.a and LAC 33:VII.711.C.2.c.

VI.

To immediately cease, upon receipt of this **COMPLIANCE ORDER**, the disposal of unprocessed waste tires in the landfill.

VII.

To immediately take, upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with solid waste Standard Permit P-0032R2 and the Solid Waste Regulations.

VIII.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attention: Richie Coleman
Enforcement Tracking No. SE-CN-10-00250
Agency Interest No. 25491

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the **Enforcement Tracking Number and Agency Interest Number**, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. SE-CN-10-00250
Agency Interest No. 25491

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Department's Rules of Procedure. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

NOTICE OF POTENTIAL PENALTY

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Richie Coleman at 225-219-3792 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

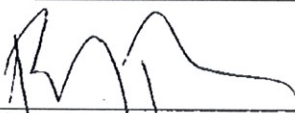
III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement.

IV.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 29 day of December, 2010.



Beau James Brock
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Roselle Foote

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

December 6, 2011

CERTIFIED MAIL (7005 0390 0006 1028 0384)
RETURN RECEIPT REQUESTED

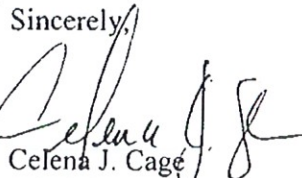
RELIABLE LANDFILL, L.L.C.
c/o C T Corporation System
Agent of Service
5615 Corporate Blvd. Suite 400B
Baton Rouge, Louisiana 70808

**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. SE-CN-10-00250A
AGENCY INTEREST NO. 25491**

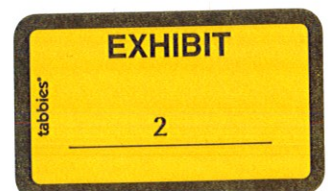
Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **RELIABLE LANDFILL, L.L.C. (RESPONDENT)** for the violations described therein.

Any questions concerning this action should be directed to Richie Coleman at 225-219-3792.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/RLC/rlc
Alt ID No. D-077-1314/P0032R2
Attachment



STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF

RELIABLE LANDFILL, L.L.C.
POINTE COUPEE PARISH
ALT ID NO. D-077-1314/P0032R2

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ENFORCEMENT TRACKING NO.

SE-CN-10-00250A

AGENCY INTEREST NO.

PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT,
La. R.S. 30:2001, ET SEQ.

25491

AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY

The Louisiana Department of Environmental Quality (the Department) hereby amends the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. SE-CN-10-00250** issued to **RELIABLE LANDFILL, L.L.C. (RESPONDENT)** on December 29, 2010 in the above-captioned matter as follows:

I.

The Department hereby rescinds Paragraph II.A, II.D, and II.G of the Findings of Fact portion of the **COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. SE-CN-10-00250**, in their entirety.

II.

The Department hereby rescinds Paragraph I and VI of the Order portion of the **COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. SE-CN-10-00250**, in their entirety.

III.

The Department hereby amends Paragraph III of the Order portion of the **COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. SE-CN-10-00250**, to read as follows:

To immediately begin, upon receipt of this **COMPLIANCE ORDER**, applying daily cover to reduce fire-hazard potential in accordance with Standard Permit P-0032R2 Part II 521.F.3.b.3 and LAC 33:VII.711.B.2.a.iii.

IV.

The Department incorporates all of the remainder of the original **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. SE-CN-10-00250** and **AGENCY INTEREST NO. 25491** as if reiterated herein.

V.

This **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 06 day of December, 2011.



Cheryl Sonnier Nolan
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, LA 70821-4312
Attention: Richie Coleman



BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE
November 1, 2012

CERTIFIED MAIL (7005 0390 0006 1028 0636)
RETURN RECEIPT REQUESTED

RELIABLE LANDFILL, L.L.C.
c/o C T Corporation System
Agent of Service
5615 Corporate Blvd. Suite 400B
Baton Rouge, Louisiana 70808

**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. SE-CN-10-00250B
AGENCY INTEREST NO. 25491**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **RELIABLE LANDFILL, L.L.C. (RESPONDENT)** for the violations described therein.

Any questions concerning this action should be directed to Richie Coleman at 225-219-3792.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/RLC/rlc
Alt ID No. D-077-1314/P0032R2
Attachment



**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE**

IN THE MATTER OF

**RELIABLE LANDFILL, L.L.C.
POINTE COUPEE PARISH
ALT ID NO. D-077-1314/P0032R2**

**PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT,
La. R.S. 30:2001, ET SEQ.**

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*
* **ENFORCEMENT TRACKING NO.**
*
* **SE-CN-10-00250B**
*
* **AGENCY INTEREST NO.**
*
* **25491**
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**AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY**

The Louisiana Department of Environmental Quality (the Department) hereby amends the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. SE-CN-10-00250** issued to **RELIABLE LANDFILL, L.L.C. (RESPONDENT)** on December 6, 2011 in the above-captioned matter as follows:

I.

The Department hereby amends **COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. SE-CN-10-00250**, to read as follows:

"FINDING OF FACT

I.

The Respondent owns and/or operates a facility known to the Department as Reliable Landfill located on US Highway 190 W in Livonia, Pointe Coupee Parish, Louisiana. The Respondent is registered with the Department as a Type I/II Landfill by registration number D-077-1314 and operates under solid waste Standard Permit P-0032R2.

II.

On or about November 20, 2009, February 11, 2010, April 13, 2010, September 22, 2010, November 18, 2010, March 24, 2011, and October 25, 2011, inspections were made at the Respondent's facility. During the inspections, the following violations were noted:

- A. The Respondent failed to apply cover to reduce fire-hazard potential, in violation of LAC 33:VII.711.B.2.a.iii. Specifically, the landfill was on fire on February 11, 2010.
- B. The Respondent failed to deposit waste in the smallest practical area as required in Part II 521.F.3.a of the Solid Waste Permit Application, in violation of Condition 6 of Standard Permit P-0032R2, LAC 33:VII.711.D.3.b, and LAC 33:VII.901.A. Specifically, the facility's working face was larger than the required 50 feet wide X 130 feet long X 5 feet high. The working face is approximately 25 to 30 yards wide X 100 yards long as noted during the November 20, 2009, and February 11, 2010, inspections.
- C. The Respondent failed to use alternate daily cover as required in Part II 521.F.3.b.3 of the Solid Waste Permit Application, in violation of Condition 6 of Standard Permit P-0032R2 and LAC 33:VII.901.A. Specifically, the facility can use a tire shed/soil mixture in a 1:1 ratio during periods of inclement weather. During the April 13, 2010, inspection, alternate daily cover of waste tire chips was used during a period in which inclement weather was not experienced.
- D. The Respondent failed to use daily cover as required in Part II 521.F.3.b.3 of the Solid Waste Permit Application, in violation of Condition 6 of Standard Permit P-0032R2, LAC 33:VII.711.B.2.f, and LAC 33:VII.901.A. Specifically, the facility had an area of exposed waste in the working face prior to the facility accepting any waste for the day which was noted during the November 18, 2010, inspection. During the October 25, 2011, inspection, the facility did not apply enough hydro-mulch to cover the entire active face with at least one-quarter of an inch ($\frac{1}{4}$) of cover as required.
- E. The Respondent failed to minimize blowing paper and litter as required in Part II 521.F.3.b.3 of the Solid Waste Permit Application, in violation of Condition 6 of Standard Permit P-0032R2, LAC 33:VII.711.B.2.a.iv, and LAC 33:VII.901.A. Specifically, during the March 24, 2011, inspection, excessive wind blown litter was noted at the landfill close to the working face and on the slope; litter was also noted past the security fence surrounding the facility. This violation was corrected as noted during a April 29, 2011, inspection.