

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

JEFFERSON PARISH GOVERNMENT

AI # 6961

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

\* Settlement Tracking No.

\* SA-MM-23-0001

\*

\* Enforcement Tracking Nos.

\* MM-CN-18-00614

\* SE-PP-18-00875

\* MM-CN-19-00026

\* MM-CN-21-00130

\*

\*

\* Docket Nos. 2018-10122-EQ

\* 2021-7922-DEQ

\*

SETTLEMENT

The following Settlement is hereby agreed to between Jefferson Parish Government (“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 governmental entity that owns and/or operates a landfill located in Avondale, Jefferson Parish, Louisiana (“the Facility”).

II

On September 18, 2018, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. MM-CN-18-00614 (Exhibit 1).

On November 19, 2018, the Department issued to Respondent a Notice of Potential Penalty, Enforcement Tracking No. SE-PP-18-00875 (Exhibit 2).

On March 11, 2019, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. MM-CN-19-00026 (Exhibit 3).

On July 8, 2021, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. MM-CN-21-00130 (Exhibit 4).

III

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

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 SEVEN HUNDRED THOUSAND AND NO/100 DOLLARS (\$700,000.00), of which One Hundred Fifty-One Thousand Two Hundred Sixty-Two and 56/100 Dollars (\$151,262.56) 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

Respondent further agrees that the Department may consider the inspection report(s), permit record(s), the Consolidated Compliance Orders & Notices of Potential Penalty, 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.

## VII

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.

## VIII

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.

## IX

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.

## X

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Jefferson 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.

XI

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).

XII

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

XIII

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.

**JEFFERSON PARISH GOVERNMENT**

BY: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed)

TITLE: \_\_\_\_\_

THUS DONE AND SIGNED in duplicate original before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC (ID # \_\_\_\_\_)

\_\_\_\_\_  
(stamped or printed)


**LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY**  
Roger W. Gingles, Secretary

BY: \_\_\_\_\_  
Celena J. Cage, Assistant Secretary  
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at Baton Rouge, Louisiana.

\_\_\_\_\_  
NOTARY PUBLIC (ID # \_\_\_\_\_)

\_\_\_\_\_  
(stamped or printed)

Approved:  \_\_\_\_\_  
Celena J. Cage, Assistant Secretary



JOHN BEL EDWARDS  
GOVERNOR

CHUCK CARR BROWN, PH.D.  
SECRETARY

**State of Louisiana**  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

September 18, 2018

CERTIFIED MAIL (7012 2210 0001 1915 8381)  
RETURN RECEIPT REQUESTED

**JEFFERSON PARISH GOVERNMENT**  
c/o The Honorable Michael S. Yenni, Parish President  
1221 Elmwood Park Blvd., Suite 1002  
Jefferson, LA 70123

**RE: CONSOLIDATED COMPLIANCE ORDER  
& NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. MM-CN-18-00614  
AGENCY INTEREST NO. 6961**

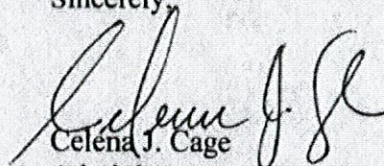
Dear Sir:

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 **JEFFERSON PARISH GOVERNMENT (RESPONDENT)** for the violation(s) described therein.

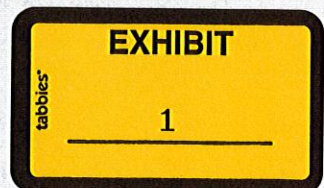
Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violation(s) cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Antoinette Cobb at (225) 219-3072.

Sincerely,

  
Celena J. Cage  
Administrator  
Enforcement Division

CJC/AFC/KAO/BKB  
Alt ID Nos. 1340-00140; D-051-0090; P-0297R1-M7; & LAR05M138  
Attachment



c: Jefferson Parish Department of Environmental Affairs  
c/o Mr. Michael Lockwood, MSPH, Director  
834 S. Clearview Parkway  
Harahan, LA 70123

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

<b>IN THE MATTER OF</b>	*	
	*	
<b>JEFFERSON PARISH GOVERNMENT</b>	*	<b>ENFORCEMENT TRACKING NO.</b>
<b>JEFFERSON PARISH</b>	*	
<b>ALT ID NOS. 1340-00140; D-051-0090;</b>	*	<b>MM-CN-18-00614</b>
<b>P-0297R1-M7; &amp; LAR05M138</b>	*	
	*	<b>AGENCY INTEREST NO.</b>
<b>PROCEEDINGS UNDER THE LOUISIANA</b>	*	
<b>ENVIRONMENTAL QUALITY ACT,</b>	*	<b>6961</b>
<b>La. R.S. 30:2001, ET SEQ.</b>	*	

**CONSOLIDATED**  
**COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **JEFFERSON PARISH GOVERNMENT (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 landfill known as the Jefferson Parish Sanitary Landfill located at 5800 Highway 90 West in Avondale, Jefferson Parish, Louisiana. The facility is a Type I/II landfill permitted to accept municipal solid waste, commercial solid waste, non-hazardous industrial waste, trash, construction debris, vegetative waste, dewatered municipal wastewater sludge, and compatible non-hazardous industrial waste. The landfill is currently operating under Solid Waste Standard Permit P-0297R1. The Respondent was granted coverage under Louisiana Pollutant Discharge Elimination System (LPDES) Multi-Sector General Permit (MSGP) for Storm Water Discharges Associated with Industrial Activities LAR050000 on May 27, 2011, and was specifically assigned permit number LAR05M138. LPDES MSGP LAR05M138 expired on May 3, 2016, and was administratively continued. LPDES MSGP LAR05M138 was reissued to the Respondent on September 6, 2016, with an



expiration date of May 8, 2021. Under the terms and conditions of LPDES MSGP LAR05M138, the Respondent is authorized to discharge storm water associated with industrial activities into waters of the state. Louisiana Regional Landfill Company f/k/a IESI LA Landfill Corporation (Operator) operates the facility. The facility operates or has operated under the authority of the following Title V Air Permits:

	PERMIT NUMBER	ISSUE DATE	EXPIRES DATE
Facility	1340-00140-V7	07/15/2016	06/23/2020
	1340-00140-V6	06/23/2015	06/23/2020
	1340-00140-V5	12/29/2014	08/17/2015
	1340-00140-V4	08/17/2010	08/17/2015

II.

**COMPLIANCE ORDER SE-C-18-00372** was issued to the Respondent on or about June 22, 2018, for violations noted during inspections conducted on or about April 27, 2018, and April 30, 2018. The Respondent received **COMPLIANCE ORDER SE-C-18-00372** on or about July 9, 2018, and requested an adjudicatory hearing on or about July 27, 2018. The Department and the Respondent entered into informal dispute resolution discussions on August 29, 2018.

III.

The Department conducted inspections on or about July 31, 2018 and August 7, 2018 at the above referenced facility, and conducted a subsequent file review on or about September 13, 2018, to determine the degree of compliance with the Act and the Solid Waste Regulations. While the investigation by the Department is not yet complete, the following violations were noted during the course of the inspections and file review:

- A. The Respondent failed to properly operate the leachate collection system, in accordance with Part II, Sections 521.C.2.b and 521.G.2.a of the Solid Waste Permit Application, in violation of Conditions 7 & 8 of Standard Permit P-0297R1, and LAC 33:VII.901.A. Specifically, representatives of the Respondent stated at the time of the August 7, 2018 inspection that approximately thirty (30) percent of the facility's leachate pumps were not operational. Additionally, representatives of the Respondent stated that leachate pump motors are continuously burning out due to backpressure caused by the inadequate size of the force main. According to the Landfill Gas System Assessment for the Jefferson Parish Landfill prepared by Carlson Environmental Consultants (CEC), the Respondent's third party engineering

consultant, dated August 15, 2018, only sixteen (16) out of thirty-four (34) leachate riser pumps were in operation at the time of the CEC inspection.

- B. The Respondent failed to maintain the leachate head in a pumped-down condition such that not more than one (1) foot of head exists above the lowest elevation of the leachate collection lines, in accordance with Part II, Section 521.E.3.f and 521.G.2.a of the Solid Waste Permit Application, in violation of Conditions 7 & 8 of Standard Permit P-0297R1, and LAC 33:VII.901.A. Specifically, according to the Solid Waste Permit Application, leachate levels are maintained through the use of leachate pumps containing integral level controls calibrated to maintain less than one (1) foot of head within the leachate sumps which are inspected on a monthly basis to ensure proper operation. According to the CEC report, only sixteen (16) out of thirty-four (34) leachate riser pumps were in operation at the time of the CEC inspection which is a less than fifty (50) percent rate of pump availability.
- C. The Respondent failed to maintain on-site and provide records of the results of the quarterly gas emission monitoring, in accordance with Part II, Sections 521.E.5 and 521.F.1.a of the Solid Waste Permit Application, in violation of Conditions 7 & 8 of Standard Permit P-0297R1, LAC 33:VII.711.D.3.a.v, and LAC 33:VII.901.A. Specifically, during the August 7, 2018 inspection, the Respondent did not provide records of the results of the quarterly gas emission monitoring.

#### IV.

The Department conducted inspections on or about August 2, 2018 and August 10, 2018 at the above referenced facility, and conducted a subsequent file review on or about August 28, 2018, to determine the degree of compliance with the Act and the Water Quality Regulations. While the investigation by the Department is not yet complete, the following violations were noted during the course of the inspections and file review:

- A. The Respondent caused and/or allowed the discharge of leachate into the Waggaman Canal, waters of the state, through storm water Outfall 011 on December 27, 2017. The leachate seep originated several hundred feet uphill from Outfall 011 at the transition between Phase 3B and Phase 4A. Phase 3B has final cover installed. Phase 4A is an active landfill area and has interim cover installed. The transition between the phases has a two (2) to three (3) foot elevation difference over a very small distance. The rainfall runoff channeled along the interface and gradually eroded the interim cover allowing leachate to begin seeping. The unauthorized discharge of leachate is a violation of La. R.S. 30:2075.

- B. The August 28, 2018 file review revealed that the Respondent exceeded effluent limitations. These effluent limitation exceedances, as reported by the Respondent on annual Discharge Monitoring Reports (DMRs) and a Non-Compliance Report (NCR), are summarized in the following table:

Monitoring Period	Outfall	Parameter	Permit Limit	Reported Value
2017	003-Y	TSS (Monthly Avg.) - mg/L	27	35
	007-Y	TSS (Monthly Avg.) - mg/L	27	311.5
		TSS (Daily Max.) - mg/L	88	326
	007A-Y	TSS (Monthly Avg.) - mg/L	27	104
		TSS (Daily Max.) - mg/L	88	148

Each effluent limitation exceedance is a violation of LPDES MSGP LAR05M138 (Best Management Practices, Limitations, and Monitoring Requirements, Table 3, Sector L, Pages 36-37 of 122; and Standard Permit Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

- C. The August 28, 2018 file review revealed the Respondent failed to conduct benchmark sampling for the first, second, and third quarters of 2017 for Outfalls 002, 003, 006, 007, 007A, 008, 009, 010, 011, and 012 in accordance with LPDES MSGP LAR05M138. Specifically, the Respondent is required by LPDES MSGP LAR05M138 to sample once per quarter for Total Suspended Solids and Total Iron for each outfall. Each failure to sample is a violation of (Best Management Practices, Limitations, and Monitoring Requirements, Table 3, Sector L, Pages 36-37 of 122; and Standard Permit Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076 (A)(3), and LAC 33:IX.501.A.
- D. The August 10, 2018 inspection revealed that the Respondent had an inadequate Storm Water Pollution Prevention Plan (SWPPP). Specifically, the Respondent failed to establish corrective actions for Total Suspended Solids and Total Iron benchmark effluent exceedances for the fourth quarter of 2017. The Respondent was using natural background concentrations for these two (2) parameters to offset the benchmark effluent exceedances; however, the Respondent did not meet the criteria of the permit for establishing natural background locations. Specifically, LPDES MSGP LAR05M138 requires that the natural background samples must be collected from a non-human impacted reference site upstream of the facility or a non-human impacted reference site in a comparable stream within the same watershed. The reference sample sites used by the Respondent were clustered around the facility and could have been influenced by the facility storm water outfalls and an adjacent landfill's storm water outfalls.

The exceedances could not be attributed solely to natural background pollutant levels; therefore, corrective actions were required to be taken and the SWPPP updated accordingly. The failure to implement an adequate SWPPP is a violation of LPDES MSGP LAR05M138 Best Management Practices, Limitations, and Monitoring Requirements, Section 3.4; and Standard Permit Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

- E. The August 28, 2018 file review revealed that the Respondent failed to submit annual DMRs for Outfalls 002, 003, 006, 007, 007A, 008, 009, 010, 011, and 012 for 2015, and for Outfall 012 for 2016. Each failure to submit a DMR is a violation of LPDES MSGP LAR05M138 (Sections 7.1 and 9.1 prior to September 6, 2016; Evaluations, Record Keeping, and Reporting, Section 5.5 and Standard Permit Conditions for LPDES Permits, Section A.2 after September 6, 2016), La. R.S. 30:2076 (A)(3), and LAC 33:IX.2701.L.4.a.

V.

The Department conducted inspections on or about November 14, 2013 and August 28, 2018 at the above referenced facility, and conducted a subsequent file review on or about August 29, 2018, to determine the degree of compliance with the Act, the Air Quality Regulations, and all applicable permits. While the investigation by the Department is not yet complete, the following violations were noted during the course of the inspections and file review:

- A. The Respondent operated the 11 engines listed in the table below prior to submitting a permit application and receiving authorization from the Department.

6" Pump 1	Phase 4A	67-74	Diesel	310
6" Pump 2	Phase 4A	67-74	Diesel	150
6" Pump 3	Phase 4A	67-74	Diesel	150
3" Pump 1*	Phase 4A	8.5	Gas	25
3" Pump 2*	Phase 4A	8.5	Gas	30
3" Pump 3*	Phase 4A	8.5	Gas	25
3" Pump 4*	Phase 4A	8.5	Gas	25
Pressure Washer*	Maintenance Shop	23	Gas	30
Generator 1	In Front of Office	31.5	Diesel	25
Generator 2*	Phase 4A	5.5	Gas	50
Light Plant*	Phase 4A	11.7-13.1	Diesel	350

Failure to submit a permit application to the permitting authority prior to the construction, reconstruction, or modification is a violation of LAC 33:III.501.C.1 and

La. R.S. 30:2057(A)(2). The unauthorized operation of each engine is a violation of LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent submitted a permit application dated February 18, 2014, requesting a permit modification, which included, but was not limited to adding the above engines to the permit. The Respondent submitted a revised permit application dated April 2, 2014. In the revised application, the Respondent noted the application was revised as the result of an initial review and discussions with the Department. Several of the engines were determined to be "non-road" engines, not emissions sources (denoted with an asterisk) and therefore, were not required to be permitted. Title V Permit No. 1340-00140-V5 was issued on December 29, 2014.

- B. The Respondent failed to submit the Title V 2016 First Semiannual Monitoring Report by the September 30, 2016 due date. The report was postmarked April 6, 2018. The Respondent is required to submit a semiannual report by September 30<sup>th</sup> for the preceding period encompassing January through July. Failure to comply with the reporting requirement is a violation of Specific Requirement 121 of Title V Permit No. 1340-00140-V6, LAC 33:III.535, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- C. The Respondent failed to submit the Title V 2017 Second Semiannual Monitoring Report. The Respondent is required to submit a semiannual report by March 31<sup>st</sup> for the preceding period encompassing July through December. The report was due by March 31, 2018. Failure to comply with the reporting requirement is a violation of Specific Requirement 141 of Title V Permit No. 1340-00140-V7, LAC 33:III.535, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- D. The Respondent failed to submit the Title V 2017 Annual Compliance Certification. The Respondent is required to submit a compliance certification to the Department by March 31<sup>st</sup> for the preceding calendar year. The report was due by March 31, 2018. Failure to comply with the reporting requirement is a violation of Specific Requirement 141 of Title V Permit No. 1340-00140-V7, LAC 33:III.535, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- E. The Respondent failed to diligently maintain control equipment. Specifically, during the August 28, 2018 inspection, emissions were detected from the flange on Leachate Riser #20-N with a FLIR infrared (IR) camera. The MultiRAE Model PGM-6208 gas detector was used to monitor the emissions escaping from the flange detected H<sub>2</sub>S emissions of 13.6 ppm and a 99% Lower Explosive Limit (LEL). This is a violation of LAC 33:III.905.A.
- F. The Respondent failed to diligently maintain control equipment. Specifically, during the August 28, 2018 inspection, Leachate Riser #20-S was open-ended with the cap located on the

ground beneath the riser. The IR camera detected emissions escaping from the opening of the riser. The MultiRAE Model PGM-6208 gas detector detected H<sub>2</sub>S emissions in excess of 20 ppm and a 99% LEL. This is a violation of LAC 33:III.905.A.

VI.

New Source Performance Standards (NSPS) for Municipal Solid Waste (MSW) Landfills, 40 CFR 60, Subpart WWW mandates operational standards for collection and control systems. In addition to a temperature standard, 40 CFR 60.753(c) requires each interior wellhead in the collection system to be operated with a nitrogen level less than twenty (20) percent or an oxygen level less than five (5) percent unless a higher level is established by the owner or operator. 40 CFR 60.755(a)(5) requires the owner or operator to monitor each well monthly for temperature and nitrogen or oxygen. If a well exceeds one of the operating parameters, action must be initiated within five (5) calendar days to correct the exceedance. If the exceedance cannot be corrected within fifteen (15) calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial exceedance. The aforementioned federal regulation allows the owner or operator to submit an alternative timeline for correcting the exceedance for approval. The table below lists the Respondent's alternative timeline submissions to correct oxygen exceedances:

03/13/2014	304	07/30/2013	11/27/2013*	90 days from 03/13/2014	05/24/2014	90 days from 04/01/2014 [06/30/2014]
	348	07/30/2013	11/27/2013*			
	349	07/30/2013	11/27/2013*			
	358	07/29/2013	11/26/2013*			
12/19/2014	305	06/19/2014	10/17/2014	150 days from 12/19/2014	01/14/2015	120 days the approval date, 05/14/2015
06/23/2015	137	02/24/2015	06/24/2015	150 days from 06/23/2015	07/27/2015	120 days from the approval date, 11/24/2015
	146					
	148					
	151					
01/21/2016	362	11/06/2015	03/05/2016	150 days from 01/21/2016	N/A	N/A
	393					
	397					
	399					
04/15/2016	423	12/28/2015	04/26/2016	150 days from 04/15/2016	N/A	N/A
	424					
	348					
10/11/2016	362	12/28/2015	04/26/2016	150 days from 10/11/2016	N/A	N/A
	416					
	416					
10/11/2016	135	06/23/2016	10/21/2016	150 days from 10/11/2016	N/A	N/A

12/08/2016	362	08/31/2016	12/29/2016	150 days from 12/08/2016	N/A	N/A
	374					
	423					
04/25/2017	362	08/31/2016	12/29/2016**	120 days from 04/25/2017	06/09/2017	120 days from the date of the request
05/11/2017	323	01/30-31/2017	05/30-31/2017	150 days from 05/11/2017	06/09/2017	150 days from the date of the request
	348					
07/05/2017	135	04/27/2017	08/25/2017	90 days from 08/25/2017	08/04/2017	90 days
08/28/2017	362	***	***	180 days	11/07/2017	180 days from the expiration date of the previously approved timeline (08/23/2017)
12/21/2017	396	09/28/2017	01/26/2018	05/20/2018	02/14/2018	05/20/2018
	136	09/29/2017	01/27/2018			
	145	09/29/2017	01/27/2018			
	304	09/29/2017	01/27/2018			
	348	09/29/2017	01/27/2018			
	349	09/29/2017	01/27/2018			
	412	09/29/2017	01/27/2018			
	416	09/29/2017	01/27/2018			
	421	09/29/2017	01/27/2018			
	422	09/29/2017	01/27/2018			
	321	10/17/2017	02/14/2018			
420	10/19/2017	02/16/2018				
02/08/2018	423	11/21/2017	03/21/2018	120 days from 02/08/2018 [07/08/2018]	06/05/2018	07/08/2018
	427	11/21/2017	03/21/2018			
	104	12/22/2017	04/21/2018			
	119	12/22/2017	04/21/2018			
	206	12/27/2017	04/26/2018			
	374	12/27/2017	04/26/2018			
	393	12/27/2017	04/26/2018			
417	12/29/2017	04/28/2018				

\* Requests for alternative timelines to correct the exceedances were submitted to the Department on or about November 7, 2013, and November 25, 2013

\*\* Initial request for an alternative timeline to correct the exceedance was sent to the Department on or about December 8, 2016

\*\*\* Alternative approved timeline expired August 23, 2017.

VII.

In correspondences dated May 18, 2018, and July 2, 2018, the Respondent requested alternative timelines to address exceedances of the oxygen concentration at five (5) wells listed in the table below:

412	Collection System (interior wellhead): Nitrogen <20% or Oxygen <5%	09/29/2017*	Oxygen concentration >5%. Exceedance attributed to the well being watered-in with leachate. As a result, the perforation on the well casing was blocked and limited gas flow.
-----	--	-------------	---

421	Collection System (interior wellhead): Nitrogen <20% or Oxygen <5%	09/29/2017*	Oxygen concentration >5%. Well 421 was watered-in with leachate. As a result, the perforations on the well casing were blocked and limited gas flow.
422	Collection System (interior wellhead): Nitrogen <20% or Oxygen <5%	09/29/2017*	Oxygen concentration >5%. Exceedance attributed to the well being watered-in with leachate. As a result, the perforation on the well casing was blocked and limited gas flow.
420	Collection System (interior wellhead): Nitrogen <20% or Oxygen <5%	10/19/2017*	Oxygen concentration >5%. Exceedance attributed to the well being watered-in with leachate. As a result, the perforation on the well casing was blocked and limited gas flow.
427	Collection System (interior wellhead): Nitrogen <20% or Oxygen <5%	11/21/2017**	Oxygen concentration >5%. Exceedance attributed to the well being watered-in with leachate. As a result, the perforation on the well casing was blocked and limited gas flow.
154	Collection System (interior wellhead): Nitrogen <20% or Oxygen <5%	03/27/2018	Oxygen concentration >5%. Well 154 was watered-in with leachate. As a result, the perforation on the well casing was blocked and limited gas flow.
155	Collection System (interior wellhead): Nitrogen <20% or Oxygen <5%	03/27/2018	Oxygen concentration >5%. Well 155 was watered-in with leachate. As a result, the perforation on the well casing was blocked and limited gas flow.
156	Collection System (interior wellhead): Nitrogen <20% or Oxygen <5%	03/27/2018	Oxygen concentration >5%. Well 156 was watered-in with leachate. As a result, the perforation on the well casing was blocked and limited gas flow.
321	Collection System (interior wellhead): Nitrogen <20% or Oxygen <5%	03/27/2018	Oxygen concentration >5%. Well 321 was watered-in with leachate. As a result, the perforation on the well casing was blocked and limited gas flow.

\* The Respondent submitted an initial alternative timeline request to the Department dated December 21, 2017. The Department approved the alternative timeline on February 14, 2018.

\*\* The Respondent submitted an initial alternative timeline request to the Department dated February 8, 2018. The Department approved the alternative timeline on June 5, 2018.

The Respondent requested an alternative timeline for Wells 412, 420, 421, 422 and other wells exhibiting oxygen levels greater than five (5) percent in correspondence dated December 21, 2017. The Respondent requested an additional 150 days to continue corrective actions. The Department approved the request on February 14, 2018, granting a May 20, 2018 deadline. The Respondent requested an alternative timeline for Well 427 and other wells exhibiting oxygen levels greater than five (5) percent in



correspondence dated February 8, 2018. The Department approved the request on June 14, 2018, granting an additional 150 days from the date of the request, February 8, 2018. The Respondent submitted a subsequent alternative timeline request dated May 18, 2018 to the Department requesting an additional 150 days until October 15, 2018 to continue corrective action for Wells 412, 420, 422, and 427. In correspondence dated July 2, 2018, the Respondent reported that Well 421 was excluded from the May 18, 2018 request and reported that an additional assessment of the well is scheduled for August-September 2018.

In the July 2, 2018 correspondence, the Respondent reported corrective actions were initiated within five (5) days of the initial exceedance date for Wells 154, 155, 156 and 321 by adjusting the throttle valves on the wellhead. In addition to adjusting the throttle valves on the wellhead, the Respondent reported that the watered in well(s) were pumped down on several occasions to aid in decreasing the oxygen content; subsequent re-monitoring still detected oxygen levels greater than five (5) percent. However, the exceedance could not be corrected within fifteen (15) days of the initial exceedance. The Respondent further reported that it believes expanding the gas collection system will not correct the exceedances at Wells 154, 155, 156, and 321. Additionally, and in the July 2, 2018 correspondence, the Respondent reported that additional assessment of the wells is scheduled for July-September 2018. The Respondent requested the deadline to address the exceedances be extended to November 29, 2018. In correspondence dated September 12, 2018, the Department denied the Respondent's May 18, 2018, and July 2, 2018 requests for alternative timelines to address the oxygen exceedances. Each failure to comply with the permitted operating parameters is a violation of 40 CFR 60.753(c), Specific Requirement 86 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). Each failure to complete the corrective actions within 120 days of the initial exceedance and/or within the alternative timeline approved by the Department is a violation of 40 CFR 60.755(a)(5), Specific Requirement 91 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

### **COMPLIANCE ORDER**

Based on the foregoing, the Respondent is hereby ordered:

#### **I.**

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Solid Waste Regulations and Standard Permit P-0297R1.

II.

To submit, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a comprehensive plan for the Department's approval addressing the repair and maintenance of the leachate collection system, including procedures to ensure the leachate levels are maintained less than one (1) foot above the lowest elevation of the leachate collection lines, and for the entire gas collection system. Such plan shall include specific corrective actions to be taken, and a critical path schedule for the achievement of compliance within the shortest time possible. The plan shall be submitted to the Office of Environmental Services, Waste Permits Division, Post Office Box 4313, Baton Rouge, Louisiana, 70821, Attention: Estuardo Silva, Administrator. The Respondent shall immediately implement the plan upon the Department's approval. The Respondent shall also submit a copy of the plan to the Enforcement Division.

III.

To institute procedures, immediately upon receipt of this **COMPLIANCE ORDER**, to ensure all records cited in **FINDINGS OF FACT** Paragraph III.C are maintained on-site, in accordance with Part II, Section 521.F.1.a of the Solid Waste Permit Application.

IV.

To immediately take, upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to achieve and maintain compliance with LPDES permit LAR05M138 and the Water Quality Regulations including, but not limited to, ceasing all unauthorized discharges, complying with all effluent limitations, sampling in accordance with permit requirements, implementing an adequate SWPPP, and submitting DMRs.

V.

To submit to the Department, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, an adequate SWPPP following the requirements outlined in the LPDES MSGP LAR05M138 with regards to establishing natural background locations for adequate background sampling and/or establishing corrective actions.

VI.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Air Quality Regulations and all applicable permits.

**VII.**

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the Title V 2017 2<sup>nd</sup> Semiannual Report and Title V 2017 Annual Compliance Certification as cited in Paragraph V.B-C of the **FINDINGS OF FACT** portion of this action.

**VIII.**

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report identifying the date of completion for all corrective activities approved via alternative timeline as listed in Paragraph VI of the **FINDINGS OF FACT** portion of this action.

**IX.**

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 violation(s) 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  
**Attn: Antoinette Cobb**  
**Re: Enforcement Tracking No. MM-CN-18-00614**  
**Agency Interest No. 6961**

**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. MM-CN-18-00614**  
**Agency Interest No. 6961**

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 Division of Administrative Law (DAL) Procedural Rules. 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 Antoinette Cobb at (225) 219-3072 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. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

IV.


The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer

amount may be entered on the attached "**CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form. The Respondent must include a justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

V.

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

Baton Rouge, Louisiana, this 18<sup>th</sup> day of September, 2018.

  
\_\_\_\_\_  
Lourdes Iturralde  
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: Antoinette Cobb

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
 OFFICE OF ENVIRONMENTAL COMPLIANCE  
 ENFORCEMENT DIVISION CONSOLIDATED COMPLIANCE ORDER &  
 POST OFFICE BOX 4312 NOTICE OF POTENTIAL PENALTY  
 BATON ROUGE, LOUISIANA 70821-4312 REQUEST TO CLOSE



Enforcement Tracking No.	MM-CN-18-00614	Contact Name	Antoinette Cobb
Agency Interest (AI) No.	6961	Contact Phone No.	(225) 219-3072
Alternate ID Nos.	1340-00140; D-051-0090; P-0297R1-M7; & LAR05M138		
Respondent:	JEFFERSON PARISH GOVERNMENT	Facility Name:	Jefferson Parish Sanitary Landfill
	c/o The Honorable Michael S. Yenni, Parish President	Physical Location:	5800 Highway 90 West
	Agent for Service of Process		
	1221 Elmwood Park Blvd., Suite 1002 Jefferson, LA 70123	City, State, Zip:	Avondale, LA 70094
		Parish:	Jefferson

**STATEMENT OF COMPLIANCE**

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph IX of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraphs II, V, VII, and VIII of the "Order" portion of the COMPLIANCE ORDER.		
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:		

**SETTLEMENT OFFER (OPTIONAL)**

*(check the applicable option)*

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (MM-CN-18-00614), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (MM-CN-18-00614), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional)= \$ _____</li> <li>• <b>DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.</b></li> </ul>
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (MM-CN-18-00614) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

**CERTIFICATION STATEMENT**

*I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.*

<b>Respondent's Signature</b>	<b>Respondent's Printed Name</b>	<b>Respondent's Title</b>
<b>Respondent's Physical Address</b>	<b>Respondent's Phone #</b>	<b>Date</b>
<b>MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:</b>		
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Antoinette Cobb		



JOHN BEL EDWARDS  
GOVERNOR



CHUCK CARR BROWN, PH.D.  
SECRETARY

## State of Louisiana

DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

November 19, 2018



CERTIFIED MAIL (7016 2140 0000 3607 4199)  
RETURN RECEIPT REQUESTED

**JEFFERSON PARISH GOVERNMENT**  
c/o The Honorable Michael S. Yenni, Parish President  
1221 Elmwood Park Blvd., Suite 1002  
Jefferson, LA 70123

**RE: NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. SE-PP-18-00875  
AGENCY INTEREST NO. 6961**

Dear Sir:

On or about October 10, 2018, an inspection of **JEFFERSON PARISH SANITARY LANDFILL**, a Type I/II landfill, owned and/or operated by **JEFFERSON PARISH GOVERNMENT (RESPONDENT)**, was performed to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Solid Waste Regulations. The facility is located at 5800 Highway 90 West in Avondale, Jefferson Parish, Louisiana. The landfill is currently operating under Standard Permit P-0297-R1-M7.

**COMPLIANCE ORDER SE-C-18-00372** was issued to the Respondent on or about June 22, 2018, for violations, including failure to provide sufficient daily cover, noted during an inspection conducted on or about April 27, 2018. The Respondent received **COMPLIANCE ORDER SE-C-18-00372** on or about July 9, 2018, and requested an adjudicatory hearing in correspondence dated on or about July 27, 2018.

While the investigation by the Louisiana Department of Environmental Quality (the Department) is not yet complete, the following violation was noted during the course of the inspection:

The Respondent failed to provide sufficient daily cover to the entire open working face, in accordance with Part II, Section 521.E.4.a of the Solid Waste Permit Application and LAC 33:VII.711.B.2.a, in violation of Conditions 7 & 8 of Standard Permit P-0297R1M7, LAC 33:VII.711.B.2.f and LAC 33:VII.901.A. Specifically, prior to being uncovered for the day, areas of exposed wastes were observed in the tipping area. Additionally, exposed wastes were observed in the working face in areas where tarps were in place but were not overlapped completely or not pulled completely to the top of the slope of the working face leaving wastes exposed.

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.

Prior to the issuance of any additional appropriate enforcement action, 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 Kelly O'Neal at (225) 219-3932 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

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 in order 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 violations 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 this statement. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

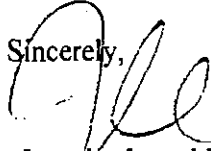
For each violation described herein, the Department reserves the right to seek civil penalties and the right to seek compliance with its rules and regulations in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties and compliance.

The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY**, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "**NOTICE OF POTENTIAL PENALTY REQUEST TO SETTLE**" form. The Respondent must include a justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

The **NOTICE OF POTENTIAL PENALTY** will not be closed if the Respondent owes outstanding fees to the Department. Please contact the Financial Services Division at 225-219-3865 or via email at [\\_DEQ-WWWFinancialServices@la.gov](mailto:_DEQ-WWWFinancialServices@la.gov) to determine if you owe outstanding fees.

To reduce document handling, please refer to the Enforcement Tracking Number and Agency Interest Number on the front of this document on all correspondence in response to this action.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Iturralde', written over the word 'Sincerely,'.

Lourdes Iturralde  
Assistant Secretary  
Office of Environmental Compliance

LI/KAO/kao  
Alt ID No. P-0297-R1-M7

**LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE  
ENFORCEMENT DIVISION  
POST OFFICE BOX 4312  
BATON ROUGE, LOUISIANA 70821-4312**



**NOTICE OF POTENTIAL PENALTY  
REQUEST TO SETTLE (OPTIONAL)**

Enforcement Tracking No.	SE-PP-18-00875	Contact Name	Kelly O'Neal
Agency Interest (AI) No.	6961	Contact Phone No.	(225) 219-3932
Alternate ID No.	P-0297-R1-M7		
Respondent:	<b>JEFFERSON PARISH GOVERNMENT</b>	Facility Name:	Jefferson Parish Sanitary Landfill
	c/o The Honorable Michael S. Yenni, Parish President	Physical Location:	5800 Highway 90 West
	Agent for Service of Process		
	1221 Elmwood Park Blvd., Suite 1002 Jefferson, LA 70123	City, State, Zip:	Avondale, LA 70094
		Parish:	Jefferson

**SETTLEMENT OFFER (OPTIONAL)**

*(check the applicable option)*

The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.

In order to resolve any claim for civil penalties for the violations in **NOTICE OF POTENTIAL PENALTY (7016 2140 0000 3607 4199)**, the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.

In order to resolve any claim for civil penalties for the violations in **NOTICE OF POTENTIAL PENALTY (7016 2140 0000 3607 4199)**, the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ \_\_\_\_\_ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance.

- Monetary component = \$ \_\_\_\_\_
- Beneficial Environmental Project (BEP) component (optional)= \$ \_\_\_\_\_
- **DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM-** the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

The Respondent has reviewed the violations noted in **NOTICE OF POTENTIAL PENALTY (7016 2140 0000 3607 4199)** and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

**CERTIFICATION STATEMENT**

*I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.*

Respondent's Signature	Respondent's Printed Name	Respondent's Title
Respondent's Physical Address	Respondent's Phone #	Date

**MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:**

Louisiana Department of Environmental Quality  
Office of Environmental Compliance  
Enforcement Division  
P.O. Box 4312  
Baton Rouge, LA 70821  
Attn: Kelly O'Neal



JOHN BEL EDWARDS  
GOVERNOR

CHUCK CARR BROWN, Ph.D.  
SECRETARY

**State of Louisiana**  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

March 11, 2019

CERTIFIED MAIL (7012 2210 0001 1915 8558)  
RETURN RECEIPT REQUESTED

**JEFFERSON PARISH GOVERNMENT**  
c/o The Honorable Michael S. Yenni, Parish President  
1221 Elmwood Park Blvd., Suite 1002  
Jefferson, LA 70123

**RE: CONSOLIDATED COMPLIANCE ORDER  
& NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. MM-CN-19-00026  
AGENCY INTEREST NO. 6961**

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 **JEFFERSON PARISH GOVERNMENT (RESPONDENT)** for the violation(s) described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violation(s) 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 Antoinette Cobb at (225) 219-3072 or via email at [antoinette.cobb@la.gov](mailto:antoinette.cobb@la.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Celena J. Cage".

Celena J. Cage  
Administrator  
Enforcement Division

CJC/AFC/KAO/BKB  
Alt ID Nos. 1340-00140; D-051-0090; P-0297R1-M7; & LAR05M138  
Attachment



c: Jefferson Parish Department of Environmental Affairs  
c/o Mr. Michael Lockwood, MSPH, Director  
834 S. Clearview Parkway  
Harahan, LA 70123

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

**IN THE MATTER OF**

**JEFFERSON PARISH GOVERNMENT  
JEFFERSON PARISH  
ALT ID NO. 1340-00140;D-051-0090;  
P-0297R1-M7; & LAR05M138**

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

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

**ENFORCEMENT TRACKING NO.**

**MM-CN-19-00026**

**AGENCY INTEREST NO.**

**6961**

**CONSOLIDATED  
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **JEFFERSON PARISH GOVERNMENT (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 landfill known as the Jefferson Parish Sanitary Landfill (facility) located at 5800 Highway 90 West in Avondale, Jefferson Parish, Louisiana. The facility is a Type I/II landfill. The facility is currently operating under Solid Waste Standard Permit P-0297R1M8. The Respondent was granted coverage under Louisiana Pollutant Discharge Elimination System (LPDES) Multi-Sector General Permit (MSGP) for Storm Water Discharges Associated with Industrial Activities LAR050000 on September 6, 2016, and was specifically assigned permit number LAR05M138. LPDES MSGP LAR05M138 will expire on May 8, 2021. Under the terms and conditions of LPDES MSGP LAR05M138, the Respondent is authorized to discharge storm water associated with industrial activities into waters of the state. Louisiana Regional Landfill Company f/k/a IESI LA Landfill Corporation is an

operator at the facility. The facility currently operates under the authority of Title V Air Permit No. 1340-00140-V7 issued on July 15, 2016.

II.

On June 22, 2018, Compliance Order (CO), Enforcement Tracking No. SE-C-18-00372, was issued to the Respondent, for violations noted during inspections conducted on or about April 27, 2018, and April 30, 2018. The Respondent received the CO on or about July 9, 2018, and requested an adjudicatory hearing on or about July 27, 2018. The Department and the Respondent entered into informal dispute resolution discussions on August 29, 2018. The adjudicatory hearing was granted on November 26, 2018.

III.

On September 18, 2018, the Department issued Consolidated Compliance Order & Notice of Potential Penalty (CONOPP), Enforcement Tracking No. MM-CN-18-00614, to the Respondent for violations noted during inspections conducted on or about July 13, 2018, August 2, 2018, August 7, 2018, August 10, 2018, and August 28, 2018 or during subsequent file reviews conducted to determine the Respondent's degree of compliance with the Air Quality Regulations, Solid Waste Regulations, and Water Quality Regulations. The CONOPP was hand delivered to the Respondent on September 27, 2018. The Respondent submitted a request for an adjudicatory hearing dated October 26, 2018. The adjudicatory hearing was granted on November 26, 2018.

IV.

On November 19, 2018, the Department issued Notice of Potential Penalty (NOPP), Enforcement Tracking No. SE-PP-18-00875, to the Respondent for a violation noted during an inspection conducted on or about October 10, 2018. The Respondent received the NOPP on or about December 12, 2018.

V.

The Department conducted multimedia (Air, Solid Waste, and Water) assessment inspections at the facility from October 1, 2018, through November 30, 2018, to determine the degree of compliance with the Air Quality Regulations, Solid Waste Regulations, Water Quality Regulations, and all applicable permits. While the investigation by the Department is not yet complete, the following violation(s) were noted during the course of the assessments:

- A. The Respondent failed to properly operate the leachate collection system, in accordance with Part II, Sections 521.C.2.b and 521.G.2.a of the Solid Waste Permit Application, in violation of Conditions 7 & 8 of Standard Permit P-0297R1, and LAC 33:VII.901.A. Specifically, leachate breakouts were noted during assessment inspections conducted on or about October 29, 2018, October 31, 2018 and November 8, 2018. During the October 29, 2018



assessment inspection, a leachate breakout was observed on the south slope of cell 13S. During the October 31, 2018 and November 8, 2018 assessment inspections, leachate breakouts were observed on the north slope of the landfill at the boundary of Phases IIIB and IVA. An assessment inspection conducted on or about November 9, 2018, revealed the leachate breakout previously observed on the north slope of the landfill at the boundary of Phases IIIB and IVA was covered with clay. Additionally, there are a total of seventy-seven (77) leachate risers at the landfill. At least twenty-three (23) leachate risers were not in service each day between October 2, 2018 and November 30, 2018, according to the Department's daily assessment inspection reports. On October 15, 2018, thirty-eight (38) leachate risers were not in service and on November 30, 2018, twenty-six (26) leachate risers were not in service.

- B. The Respondent failed to maintain the leachate head in a pumped-down condition such that not more than one (1) foot of head exists above the lowest elevation of the leachate collection lines, in accordance with Part II, Section 521.E.3.f and 521.G.2.a. of the Solid Waste Permit Application, in violation of Conditions 7 & 8 of Standard Permit P-0297R1, and LAC 33:VII.901.A. Specifically, on October 26, 2018, the Respondent self-reported to the Department that there was greater than twelve (12) inches of contact storm water in cell 23N due to heavy rains. The sump area on the north side of cell 23N was filled with contact storm water/leachate. According to the Department's daily assessment inspection reports, water was ponded on the north side of the cell where the leachate riser sump is located from October 26, 2018 through November 7, 2018. The contact storm water/leachate was being pumped from Cell 23N to a frack tank and hauled by a vacuum truck to lift station #2. During the November 8, 2018 daily assessment inspection by the Department, no standing water was observed in the sump area on the north side of Cell 23N. Additionally, according to the Solid Waste Permit Application, leachate levels are maintained through the use of leachate pumps containing integral level controls calibrated to maintain less than one (1) foot of head within the leachate sumps which are inspected on a monthly basis to ensure proper operation. At least twenty-three (23) of seventy-seven (77) leachate risers were not in service each day between October 2, 2018 and November 30, 2018, according to daily inspection reports. During the October 15, 2018 daily assessment inspection by the Department, thirty-eight (38) leachate risers were not in service, and during the November 30, 2018 daily assessment inspection by the Department, twenty-six (26) leachate risers were not in service.
- C. The Respondent failed to implement erosion control measures on slopes on which interim cover was applied, in accordance with Part II, Section 521.E.4.b of the Solid Waste Permit Application, in violation of Conditions 7 & 8 of Standard Permit P-0297R, in violation of LAC 33:VII.711.B.2.e. and LAC 33:VII.711.B.2.f. Specifically, interim cover had been placed on cells 22N and 22S since waste is no longer being disposed of in these cells. During the November 26, 2018 assessment inspection, an erosion channel with exposed waste and leachate seeps was noted on the east side of the diversion berm located on the northwest corner of cell 22N. Additionally, on the west slope of cell 22S, multiple erosion channels with exposed waste and leachate seeps were observed. Water was pooled against a diversion berm on the west toe of cell 22S, and landfill gas was bubbling in pools of standing leachate and ponded storm water/leachate. The November 30, 2018 assessment inspection noted additional cover was applied on the erosion channel on the east side of the diversion berm on the northwest

corner of cell 22N, and on the west slope of cell 22S. The November 30, 2018 assessment inspection noted all areas of previously exposed waste were covered.

D. The following unauthorized discharges into waters of the state were noted during the course of the assessment inspections:

- i. On October 29, 2018, a leachate breakout was observed on the south slope of cell 13S. Storm water contaminated with leachate from this area drains into the ditch located along the South Access Road, thence into the Waggaman Canal via Outfalls 006 and 009, thence into Lake Cataouatche.
- ii. On October 31, 2018, a leachate breakout was observed on the north access road at the boundary of Phases IIIB and IVA. Storm water contaminated with leachate from this area drains into the ditch located along the North Access Road on the north side of Phases IIIB and IVA, thence into the Waggaman Canal via Outfalls 011 and 012, thence into Lake Cataouatche.
- iii. On November 5, 2018, exposed waste was observed on the north slope between cells 20N and 22N. Storm water that contacts exposed waste from this area drains into the ditch located along the North Access Road on the north side of Phases IIIB and IVA, thence into the Waggaman Canal via Outfalls 011 and 012, thence into Lake Cataouatche.
- iv. On November 8, 2018, leachate breakout was observed on the north slope of the landfill at the boundary of Phases IIIB and IVA. Storm water contaminated with leachate from this area drains into the ditch located along the North Access Road on the north side of Phases IIIB and IVA, thence into the Waggaman Canal via Outfalls 011 and 012, thence into Lake Cataouatche.
- v. On November 26, 2018, exposed waste and several leachate seeps were observed in an erosion channel on the east side of the diversion berm located on the northwest corner of cell 22N. The diversion berm prevents water from the west side of cell 22N from flowing into cell 23N. Storm water contaminated by leachate and exposed waste drains into a ditch located along the North Access Road on the north side of Phases IIIB and IVA, thence into the Waggaman Canal via Outfalls 011 and 012, thence into Lake Cataouatche.

Each unauthorized discharge of storm water contaminated by leachate and exposed waste is a violation of La. R.S. 30:2075.

E. The Respondent failed to control emissions as noted in the table below:

10/22/2018	Leachate Riser 14N	Landfill gas leak where the force main penetrates the 16" casing. MultiRAE readings were taken at the site of the leak.	O <sub>2</sub> = 6.6 ppm SO <sub>2</sub> = 14 ppm LEL= 99% H <sub>2</sub> S= 15.9 ppm
10/22/2018	Leachate Riser 20N	Landfill gas leak where the force main penetrates the 16" casing. MultiRAE readings were taken at the site of the leak.	O <sub>2</sub> = 1.0 ppm LEL= 99% H <sub>2</sub> S= 41 ppm

10/29/2018	Leachate Riser 14N	Landfill gas emissions at leachate force main penetration into 16" leachate riser casing.	O <sub>2</sub> = 20.9% LEL= 99% H <sub>2</sub> S= 0.8 ppm
10/29/2018	Leachate Riser 20N	Landfill gas emissions at leachate force main penetration into 16" leachate riser casing, 16" leachate riser casing end cap and the cleanout pipe.	O <sub>2</sub> = 20.9% LEL= 99% H <sub>2</sub> S= 6.0 ppm
11/26/2018	Leachate Riser 20N	Landfill gas emissions at leachate force main penetration into 16" leachate riser casing and the cleanout pipe. MultiRAE readings were taken at the end of the cleanout pipe.	O <sub>2</sub> = 10.6 ppm LEL= 99% H <sub>2</sub> S= 13.1 ppm VOC= 1.0 ppm CO= 0.0 ppm
11/26/2018	Leachate Riser 21N	Landfill gas emissions at leachate force main penetration into 16" leachate riser casing the flange on the 16" leachate riser casing. Landfill gas being released from the flange was hissing loudly and could be heard 20-25 feet away from the flange. MultiRAE readings were taken at the end of the cleanout pipe.	O <sub>2</sub> = 12.4 ppm LEL= 99% H <sub>2</sub> S= 20.1 ppm VOC= 1.0 ppm CO= 0.0 ppm
10/30/2018	Manhole #3	Landfill gas was being emitted from the lid on manhole #3 which was not closed properly. The Jerome meter reading was taken at the open manhole	H <sub>2</sub> S= 44 ppm

Each failure to operate control equipment which is defined as any device or contrivance, operating procedure or abatement scheme to prevent or reduce air pollution, in the proper manner is a violation of LAC 33:III.905.A and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

VI.

A file review conducted on or about February 19, 2019 revealed the Respondent failed to ensure contaminated surface runoff from operating areas or areas that have not received interim compacted cover or final cover is separated from noncontaminated surface runoff, in violation of LAC 33:VII.711.A.5. Specifically, the Respondent submitted a report to the Department on or about January 9, 2018, detailing the interim compacted cover thickness for cells 20-22 based on an investigation conducted by the Respondent on or about November 27, 2018. Samples taken in cells 20-22 revealed multiple areas do not have two (2) feet of interim compacted cover. Rainfall data from the meteorological station at the landfill indicated numerous periods of rain from October 5, 2018 to November 27, 2018.

## VII.

A file review conducted by the Department on or about February 13, 2019, revealed that the Respondent exceeded effluent limitations. These effluent limitation exceedances, as reported by the Respondent on the annual summary Discharge Monitoring Report (DMR) and sampling reports submitted to the Department, are summarized in the following table:

Monitoring Period	Outfall	Parameter	Permit Limit	Reported Value
2018	001-Y/003-Y	TSS (Monthly Avg.) - mg/L	27	32
	001-Y/006-Y	TSS (Monthly Avg.) - mg/L - January 2018	27	148
		TSS (Daily Max.) - mg/L	88	148
		TSS (Monthly Avg.) - mg/L - February 2018	27	30
		Nitrogen, Ammonia Total - (Monthly Avg.) - mg/L	4.9	10.2
		Nitrogen, Ammonia Total - (Daily Max.) - mg/L	10	10.2
	001-Y/008-Y	TSS (Monthly Avg.) - mg/L	27	86
	001-Y/009-Y	TSS (Monthly Avg.) - mg/L	27	48
	001-Y/011-Y	TSS (Monthly Avg.) - mg/L	27	28

Each effluent limitation exceedance is a violation of LPDES MSGP LAR05M138 (Best Management Practices, Limitations, and Monitoring Requirements, Table 3, Sector L, Pages 36-37 of 122; and Standard Permit Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

## VIII.

A file review conducted by the Department on or about February 13, 2018, revealed that the Respondent had an inadequate Storm Water Pollution Prevention Plan (SWPPP) as evidenced by the benchmark monitoring effluent limitation exceedances. The benchmark monitoring effluent limitation exceedances, as reported by the Respondent on the summary quarterly DMRs and sampling reports submitted to the Department, are summarized below:

Monitoring Period	Outfall	Parameter	Permit Limit	Reported Value
1 <sup>st</sup> Qtr. 2018	001-Q/003-Q	Total Iron (Daily Max.) - mg/L	1.0	1.41
	001-Q/006-Q	Total Iron (Daily Max.) - mg/L	1.0	4.30
		TSS (Daily Max.) - mg/L	100	148
	001-Q/007-Q	Total Iron (Daily Max.) - mg/L	1.0	1.12
	001-Q/008-Q	Total Iron (Daily Max.) - mg/L	1.0	2.88
	001-Q/009-Q	Total Iron (Daily Max.) - mg/L	1.0	3.60
	001-Q/010-Q	Total Iron (Daily Max.) - mg/L	1.0	1.54
	001-Q/012-Q	Total Iron (Daily Max.) - mg/L	1.0	1.10
2 <sup>nd</sup> Qtr. 2018	001-Q/003-Q	Total Iron (Daily Max.) - mg/L	1.0	4.46
		TSS (Daily Max.) - mg/L	100	116
	001-Q/006-Q	Total Iron (Daily Max.) - mg/L	1.0	2.75

Monitoring Period	Outfall	Parameter	Permit Limit	Reported Value
2 <sup>nd</sup> Qtr. 2018	001-Q/007-Q	Total Iron (Daily Max.) - mg/L	1.0	3.03
	001-Q/008-Q	Total Iron (Daily Max.) - mg/L	1.0	4.66
		TSS (Daily Max.) - mg/L	100	175
	001-Q/009-Q	Total Iron (Daily Max.) - mg/L	1.0	7.79
		TSS (Daily Max.) - mg/L	100	225
		001-Q/010-Q	Total Iron (Daily Max.) - mg/L	1.0
001-Q/012-Q		Total Iron (Daily Max.) - mg/L	1.0	2.61
3 <sup>rd</sup> Qtr. 2018	001-Q/003-Q	Total Iron (Daily Max.) - mg/L	1.0	5.08
		TSS (Daily Max.) - mg/L	100	147
	001-Q/006-Q	Total Iron (Daily Max.) - mg/L	1.0	11.20
		TSS (Daily Max.) - mg/L	100	377
	001-Q/007-Q	Total Iron (Daily Max.) - mg/L	1.0	3.36
		TSS (Daily Max.) - mg/L	100	110
	001-Q/008-Q	Total Iron (Daily Max.) - mg/L	1.0	3.41
		TSS (Daily Max.) - mg/L	100	104
	001-Q/009-Q	Total Iron (Daily Max.) - mg/L	1.0	5.84
		TSS (Daily Max.) - mg/L	100	154
	001-Q/010-Q	Total Iron (Daily Max.) - mg/L	1.0	5.78
		TSS (Daily Max.) - mg/L	100	204
001-Q/011-Q	Total Iron (Daily Max.) - mg/L	1.0	1.32	
001-Q/012-Q	Total Iron (Daily Max.) - mg/L	1.0	1.21	
4 <sup>th</sup> Qtr. 2018	001-Q/002-Q	Total Iron (Daily Max.) - mg/L	1.0	10.60
		TSS (Daily Max.) - mg/L	100	350
	001-Q/003-Q	Total Iron (Daily Max.) - mg/L	1.0	13.00
		TSS (Daily Max.) - mg/L	100	402
	001-Q/006-Q	Total Iron (Daily Max.) - mg/L	1.0	34.80
		TSS (Daily Max.) - mg/L	100	1280
	001-Q/007-Q	Total Iron (Daily Max.) - mg/L	1.0	4.36
		TSS (Daily Max.) - mg/L	100	176
	001-Q/008-Q	Total Iron (Daily Max.) - mg/L	1.0	1.96
	001-Q/009-Q	Total Iron (Daily Max.) - mg/L	1.0	23.30
		TSS (Daily Max.) - mg/L	100	530
	001-Q/010-Q	Total Iron (Daily Max.) - mg/L	1.0	11.30
TSS (Daily Max.) - mg/L		100	675	
001-Q/011-Q	Total Iron (Daily Max.) - mg/L	1.0	1.84	
001-Q/012-Q	Total Iron (Daily Max.) - mg/L	1.0	2.98	

Benchmark monitoring is primarily for the Respondent to use in determining the overall effectiveness of the facility's SWPPP controls related to the protection of water quality. The failure to implement an adequate SWPPP is a violation of LPDES MSGP LAR05M138 Best Management Practices, Limitations, and Monitoring Requirements, Section 3.3; and Standard Permit Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

IX.

An inspection conducted by the Department on or about October 17, 2018, and a subsequent file review conducted on or about February 21, 2019, revealed the Respondent failed to submit a written notification report within seven (7) calendar days after an incident, in violation of LAC 33:I.3925.A. Specifically, on or about October 12, 2018, the Respondent self-reported a fire at the landfill via the Single Point of Contact (SPOC) on the Department's public webpage. According to a representative of the Respondent, operators noticed smoke and a small area of the working face smoldering after applying nightly cover due to smoldering paper disposed of in the landfill. Clay was used to smother the fire. During the October 17, 2018 assessment inspection, no smoke, fire, or ash was noted. As of March 7, 2019, the Respondent has not submitted a seven (7) day written notification report.

X.

An inspection conducted by the Department on or about February 21, 2019, revealed the Respondent failed to provide sufficient daily cover to the entire open working face, in accordance with Part II, Section 521.E.4.a of the Solid Waste Permit Application and LAC 33:VII.711.B.2.a, in violation of Conditions 7 & 8 of Standard Permit P-0297R1, LAC 33:VII.711.B.2.f and LAC 33:VII.901.A. Specifically, prior to being uncovered for the day, exposed waste was observed in the northwest corner of the working face that was not covered with tarps.

**COMPLIANCE ORDER**

Based on the foregoing, the Respondent is hereby ordered:

I.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Air Quality Regulations, Solid Waste Regulations, Water Quality Regulations, and all related permits including, but not limited to, ceasing all unauthorized discharges, complying with all effluent limitations, and implementing an adequate SWPPP.

II.

To complete application of two (2) feet of interim compacted cover to all areas of the landfill that contain solid waste and have not yet received interim compacted cover or final cover by March 31, 2019 so that contaminated and noncontaminated surface runoff are not allowed to mix.

III.

To submit, within seven (7) days after receipt of this **COMPLIANCE ORDER**, a seven (7) day written notification report regarding the incident noted in Findings of Fact paragraph IX, in accordance with LAC 33:I.3925.

IV.

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 violation(s) 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  
Attn: Antoinette Cobb  
Re: Enforcement Tracking No. MM-CN-19-00026  
Agency Interest No. 6961

**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. MM-CN-19-00026  
Agency Interest No. 6961

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 Division of Administrative Law (DAL) Procedural Rules. 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 Antoinette Cobb at (225) 219-3072 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. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

### IV.

The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "**CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form. The Respondent must include a

justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

V.

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

Baton Rouge, Louisiana, this 11<sup>th</sup> day of March, 2019.



---

Lourdes Iturralde  
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: Antoinette Cobb

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
 OFFICE OF ENVIRONMENTAL COMPLIANCE  
 ENFORCEMENT DIVISION  
 POST OFFICE BOX 4312  
 BATON ROUGE, LOUISIANA 70821-4312

CONSOLIDATED COMPLIANCE ORDER &  
 NOTICE OF POTENTIAL PENALTY  
 REQUEST TO CLOSE



Enforcement Tracking No.	MM-CN-18-00026	Contact Name	Antoinette Cobb
Agency Interest (AI) No.	6961	Contact Phone No.	(225) 219-3072
Alternate ID Nos.	1340-00140; D-051-0090; P-0297R1-M7; & LAR05M138		
Respondent:	JEFFERSON PARISH GOVERNMENT	Facility Name:	Jefferson Parish Sanitary Landfill
	c/o The Honorable Michael S. Yenni, Parish President	Physical Location:	5800 Highway 90 West
	Agent for Service of Process		
	1221 Elmwood Park Blvd., Suite 1002 Jefferson, LA 70123	City, State, Zip:	Avondale, LA 70094
		Parish:	Jefferson

**STATEMENT OF COMPLIANCE**

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph IV of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph III of the "Order" portion of the COMPLIANCE ORDER.		
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:		

**SETTLEMENT OFFER (OPTIONAL)**

*(check the applicable option)*

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart 1.Chapter 7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (MM-CN-19-00026), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (MM-CN-19-00026), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional) = \$ _____</li> <li>• DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.</li> </ul>
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (MM-CN-19-00026) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

**CERTIFICATION STATEMENT**

*I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.*

<b>Respondent's Signature</b>	<b>Respondent's Printed Name</b>	<b>Respondent's Title</b>
<b>Respondent's Physical Address</b>	<b>Respondent's Phone #</b>	<b>Date</b>
<b>MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:</b>		
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Antoinette Cobb		

JOHN BEL EDWARDS  
GOVERNOR



CHUCK CARR BROWN, PH.D.  
SECRETARY

**State of Louisiana**  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

July 8, 2021

CERTIFIED MAIL (7019 2970 0000 6037 3107)  
RETURN RECEIPT REQUESTED

**JEFFERSON PARISH GOVERNMENT**  
c/o The Honorable Cynthia Lee-Sheng, Parish President  
1221 Elmwood Park Blvd., Suite 1002  
Jefferson, LA 70123

**RE: CONSOLIDATED COMPLIANCE ORDER  
& NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. MM-CN-21-00130  
AGENCY INTEREST NO. 6961**

Dear Sir/Madam:

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 **JEFFERSON PARISH GOVERNMENT (RESPONDENT)** for the violation(s) described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violation(s) 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 Antoinette Cobb at (225) 219-3072 or via email at [antoinette.cobb@la.gov](mailto:antoinette.cobb@la.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Celena J. Cage".

Celena J. Cage  
Administrator  
Enforcement Division

CJC/AFC/KAO/BKB  
Alt ID Nos. 1340-00140; P-0297R1-M9; & LAR05M138  
Attachment



**c: Jefferson Parish Department of Environmental Affairs  
c/o Mr. Blake Vincent, Director of Environmental Affairs  
834 S. Clearview Parkway  
Harahan, LA 70123**

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

**IN THE MATTER OF**

**JEFFERSON PARISH GOVERNMENT  
JEFFERSON PARISH  
ALT ID NOS. 1340-00140; P-0297R1-M9;  
& LAR05M138**

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

\*  
\*  
\* **ENFORCEMENT TRACKING NO.**  
\*  
\* **MM-CN-21-00130**  
\*  
\* **AGENCY INTEREST NO.**  
\*  
\* **6961**  
\*

**CONSOLIDATED  
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **JEFFERSON PARISH GOVERNMENT (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 Jefferson Parish Sanitary Landfill (facility), a solid waste landfill, located at 5800 United States Highway 90 West in Avondale, Jefferson Parish, Louisiana. The facility is a Type I/II landfill. Contracted operators are responsible for various operational aspects of the facility. Previous and/or current operators of the facility include, but are not limited to, the following: 1) Louisiana Regional Landfill Company f/k/a IESI LA Landfill Corporation, 2) Waste Connections, 3) APTIM, and 4) BLD. As of May 20, 2019, River Birch LLC is responsible for the operation and maintenance for the gas and leachate collection systems at the facility. The Respondent was granted coverage under Louisiana Pollutant Discharge Elimination System (LPDES) Multi-Sector General Permit (MSGP) for Storm Water Discharges Associated with Industrial Activities LAR050000 on September 6, 2016, and was specifically assigned permit number LAR05M138. LPDES MSGP LAR05M138 has an expiration date of

May 8, 2021. Under the terms and conditions of LPDES MSGP LAR05M138, the Respondent is authorized to discharge storm water associated with industrial activities into waters of the state. The facility is currently operating under Solid Waste Standard Permit P-0297R1M9. The facility previously operated under the authority of Title V Permit No. 1340-00140-V6 issued on June 23, 2015. The facility currently operates under the authority of Title V Air Permit No. 1340-00140-V7 issued on July 15, 2016, which has been administratively continued by the Department. The Respondent submitted a Part 70 Operating Permit Renewal and Modification Application dated December 18, 2019.

II.

The Department issued **WARNING LETTER MM-L-21-00130** on or about February 19, 2021, for violations discovered during inspection conducted on or about August 20, 2020. The Respondent submitted a response dated March 30, 2021.

III.

An inspection conducted by the Department on or about July 30, 2020, revealed that the Respondent did cause and/or allow the discharge of leachate and storm water that had come into contact with leachate and/or exposed waste into waters of the state. Specifically, storm water from Cell 24S, commingled with storm water in future Cell 25, breached the levee and flowed into the Waggaman Canal. Cell 24S contained waste and contact storm water. The cause of the breach was due to heavy rain. The Respondent estimated 10 million gallons of storm water and heavily diluted leachate was released into the Waggaman Canal, waters of the state. The unauthorized discharge of storm water contaminated by leachate and exposed waste is a violation of La. R.S. 30:2075.

IV.

An inspection conducted by the Department on or about August 20, 2020, revealed that the Respondent, during rain events, did cause and/or allow the discharge of leachate and storm water that had come into contact with leachate and/or exposed waste into waters of the state. Specifically, at the time of the inspection, the facility's working face was located on the west slope of Cell 23S. Waste was observed being pushed down hill towards standing water present in Cells 24S and 24N. Additionally, on the northwest corner of Cell 23N, there is a diversion berm that prevents water from the west side of Cell 23N from flowing into Cell 24N. There was an erosion channel on the east side of the diversion berm that was observed to have exposed waste and several leachate seeps. Contact storm water and leachate flowed from Cells 23S and 23N into Cells 24S and 24N. According to facility representatives, the water from Cells 24S and 24N is pumped to the ditch that is adjacent to the North Access Road on the north side of



Phases IIIB and IVA and discharges through Outfalls 011 and 012 into the Waggaman Canal, thence into Lake Cataouatche, waters of the state. The unauthorized discharge of storm water contaminated by leachate and exposed waste is a violation of La. R.S. 30:2075.

## V.

A file review conducted by the Department on or about March 22, 2021, revealed that the Respondent exceeded effluent limitations. These effluent limitation exceedances, as reported by the Respondent on the annual summary Discharge Monitoring Reports (DMRs) and supporting documentation, are summarized in the following table:

Monitoring Period	Outfall	Sample Date	Parameter	Permit Limit	Reported Value
2019	001-Y/002	09/16/2019	TSS (Monthly Avg.) - mg/L	27	28
		01/23/2019	TSS (Monthly Avg.) - mg/L	27	109
	001-Y/003		TSS (Daily Max.) - mg/L	88	109
		03/15/2019	TSS (Monthly Avg.) - mg/L	27	31
		04/25/2019	TSS (Monthly Avg.) - mg/L	27	365
			TSS (Daily Max.) - mg/L	88	365
		09/16/2019	TSS (Monthly Avg.) - mg/L	27	30
		12/21/2019	TSS (Monthly Avg.) - mg/L	27	78
	001-Y/006	01/23/2019	TSS (Monthly Avg.) - mg/L	27	380
			TSS (Daily Max.) - mg/L	88	380
			Zinc, Total - (Monthly Avg.) - mg/L	0.11	0.112
		03/15/2019	TSS (Monthly Avg.) - mg/L	27	91.2
			TSS (Daily Max.) - mg/L	88	91.2
			Zinc, Total - (Monthly Avg.) - mg/L	0.11	0.174
		04/25/2019	TSS (Monthly Avg.) - mg/L	27	4,640
			TSS (Daily Max.) - mg/L	88	4,640
			Zinc, Total - (Monthly Avg.) - mg/L	0.11	0.23
			Zinc, Total - (Daily Max.) - mg/L	0.20	0.23
		09/16/2019	TSS (Monthly Avg.) - mg/L	27	71
			Zinc, Total - (Monthly Avg.) - mg/L	0.11	0.358
			Zinc, Total - (Daily Max.) - mg/L	0.20	0.358
		12/21/2019	TSS (Monthly Avg.) - mg/L	27	275
			TSS (Daily Max.) - mg/L	88	275
	Zinc, Total - (Monthly Avg.) - mg/L		0.11	0.195	
	001-Y/007	01/23/2019	TSS (Monthly Avg.) - mg/L	27	270
			TSS (Daily Max.) - mg/L	88	270
		03/15/2019	TSS (Monthly Avg.) - mg/L	27	124
			TSS (Daily Max.) - mg/L	88	124
		04/25/2019	TSS (Monthly Avg.) - mg/L	27	114
			TSS (Daily Max.) - mg/L	88	114
		09/16/2019	TSS (Monthly Avg.) - mg/L	27	47
		12/21/2019	TSS (Monthly Avg.) - mg/L	27	129
	001-Y/008	01/23/2019	TSS (Daily Max.) - mg/L	88	129
TSS (Monthly Avg.) - mg/L			27	1,820	
TSS (Daily Max.) - mg/L			88	1,820	
		Zinc, Total - (Monthly Avg.) - mg/L	0.11	0.160	

Monitoring Period	Outfall	Sample Date	Parameter	Permit Limit	Reported Value
2019	001-Y/008	04/25/2019	TSS (Monthly Avg.) - mg/L	27	1,640
			TSS (Daily Max.) - mg/L	88	1,640
		12/21/2019	TSS (Monthly Avg.) - mg/L	27	199
			TSS (Daily Max.) - mg/L	88	199
	001-Y/009	01/23/2019	TSS (Monthly Avg.) - mg/L	27	143
			TSS (Daily Max.) - mg/L	88	143
		03/5/2019	TSS (Monthly Avg.) - mg/L	27	215
			TSS (Daily Max.) - mg/L	88	215
		04/25/2019	TSS (Monthly Avg.) - mg/L	27	482
			TSS (Daily Max.) - mg/L	88	482
	001-Y/010	01/23/2019	TSS (Monthly Avg.) - mg/L	27	88
			TSS (Daily Max.) - mg/L	88	88
		03/15/2019	TSS (Monthly Avg.) - mg/L	27	55
			TSS (Daily Max.) - mg/L	88	55
		04/25/2019	TSS (Monthly Avg.) - mg/L	27	275
			TSS (Daily Max.) - mg/L	88	275
	12/21/2019	TSS (Monthly Avg.) - mg/L	27	121	
		TSS (Daily Max.) - mg/L	88	121	
	001-Y/011	01/23/2019	TSS (Monthly Avg.) - mg/L	27	1,570
			TSS (Daily Max.) - mg/L	88	1,570
			Zinc, Total - (Monthly Avg.) - mg/L	0.11	0.137
			TSS (Daily Max.) - mg/L	88	1,570
		04/25/2019	TSS (Monthly Avg.) - mg/L	27	737
			TSS (Daily Max.) - mg/L	88	737
TSS (Monthly Avg.) - mg/L			27	135	
TSS (Daily Max.) - mg/L			88	135	
001-Y/012	01/23/2019	TSS (Monthly Avg.) - mg/L	27	702	
		TSS (Daily Max.) - mg/L	88	702	
	04/25/2019	TSS (Monthly Avg.) - mg/L	27	306	
		TSS (Daily Max.) - mg/L	88	306	
2020	001-Y/002	01/23/2020	TSS (Monthly Avg.) - mg/L	27	124
			TSS (Daily Max.) - mg/L	88	124
	001-Y/003	01/23/2020	TSS (Monthly Avg.) - mg/L	27	31
			TSS (Daily Max.) - mg/L	88	31
		04/29/2020	TSS (Monthly Avg.) - mg/L	27	219
			TSS (Daily Max.) - mg/L	88	230
		12/24/2020	TSS (Monthly Avg.) - mg/L	27	108
			TSS (Daily Max.) - mg/L	88	108
	001-Y/006	01/23/2020	TSS (Monthly Avg.) - mg/L	27	75
			Zinc, Total - (Monthly Avg.) - mg/L	0.11	0.111
			TSS (Daily Max.) - mg/L	88	75
			TSS (Monthly Avg.) - mg/L	27	2,540
		04/29/2020	TSS (Daily Max.) - mg/L	88	2,360
			Zinc, Total - (Monthly Avg.) - mg/L	0.11	0.303
			Zinc, Total - (Daily Max.) - mg/L	0.20	0.303
			TSS (Monthly Avg.) - mg/L	27	114
	12/31/2019	TSS (Daily Max.) - mg/L	88	114	
		TSS (Monthly Avg.) - mg/L	27	379	
	001-Y/007	01/23/2020	TSS (Daily Max.) - mg/L	88	379
			TSS (Monthly Avg.) - mg/L	27	35
	001-Y/008	01/23/2020	TSS (Monthly Avg.) - mg/L	27	764
			TSS (Daily Max.) - mg/L	88	795
		04/29/2020	TSS (Monthly Avg.) - mg/L	27	108
			TSS (Daily Max.) - mg/L	88	108
09/19/2020		TSS (Monthly Avg.) - mg/L	27	108	
TSS (Daily Max.) - mg/L	88	108			

Monitoring Period	Outfall	Sample Date	Parameter	Permit Limit	Reported Value
2020	001-Y/008	12/24/2020	TSS (Monthly Avg.) - mg/L	27	76
			001-Y/009	04/29/2020	TSS (Monthly Avg.) - mg/L
	001-Y/010	12/24/2020	TSS (Daily Max.) - mg/L	88	444
			TSS (Monthly Avg.) - mg/L	27	122
		01/23/2020	TSS (Daily Max.) - mg/L	88	122
			TSS (Monthly Avg.) - mg/L	27	99
	001-Y/011	04/29/2020	TSS (Daily Max.) - mg/L	88	99
			TSS (Monthly Avg.) - mg/L	27	184
		12/24/2020	TSS (Daily Max.) - mg/L	88	192
			TSS (Monthly Avg.) - mg/L	27	49
	001-Y/012	01/23/2020	TSS (Monthly Avg.) - mg/L	27	118
			TSS (Daily Max.) - mg/L	88	118
			TSS (Monthly Avg.) - mg/L	27	55
	001-Y/012	01/23/2020	TSS (Monthly Avg.) - mg/L	27	870
			TSS (Daily Max.) - mg/L	88	870
			Zinc, Total - (Monthly Avg.) - mg/L	0.11	0.114
		04/29/2020	TSS (Monthly Avg.) - mg/L	27	108.50
TSS (Daily Max.) - mg/L			88	115	
12/24/2020	TSS (Monthly Avg.) - mg/L	27	70		

Each effluent limitation exceedance is a violation of LPDES MSGP LAR05M138 (Best Management Practices, Limitations, and Monitoring Requirements, Table 3, Sector L, Pages 36-37 of 122; and Standard Permit Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

#### VI.

A file review conducted by the Department on or about March 22, 2021, revealed that the Respondent had an inadequate Storm Water Pollution Prevention Plan (SWPPP) as evidenced by the benchmark monitoring effluent limitation exceedances. The benchmark monitoring effluent limitation exceedances, as reported by the Respondent on the summary quarterly DMRs and sampling reports submitted to the Department, are summarized below:

Monitoring Period	Outfall	Sample Date	Parameter	Permit Limit	Reported Value
1 <sup>st</sup> Qtr. 2019	001-Q/003	01/23/2019	TSS (Daily Max.) - mg/L	100	109
			Total Iron (Daily Max.) - mg/L	1.0	3.84
2 <sup>nd</sup> Qtr. 2019		04/25/2019	TSS (Daily Max.) - mg/L	100	365
			Total Iron (Daily Max.) - mg/L	1.0	4.88
4 <sup>th</sup> Qtr. 2019		12/21/2019	Total Iron (Daily Max.) - mg/L	1.0	2.24
1 <sup>st</sup> Qtr. 2019		001-Q/006	01/23/2019	TSS (Daily Max.) - mg/L	100
	Total Iron (Daily Max.) - mg/L			1.0	21.80
2 <sup>nd</sup> Qtr. 2019	04/25/2019		TSS (Daily Max.) - mg/L	100	4,640
			Total Iron (Daily Max.) - mg/L	1.0	25.80
3 <sup>rd</sup> Qtr. 2019	09/16/2019		Total Iron (Daily Max.) - mg/L	1.0	1.24
4 <sup>th</sup> Qtr. 2019	12/21/2019		TSS (Daily Max.) - mg/L	100	275
			Total Iron (Daily Max.) - mg/L	1.0	4.00

Monitoring Period	Outfall	Sample Date	Parameter	Permit Limit	Reported Value
1 <sup>st</sup> Qtr. 2019	001-Q/007	01/23/2019	TSS (Daily Max.) - mg/L	100	270
			Total Iron (Daily Max.) - mg/L	1.0	7.78
03/15/2019		TSS (Daily Max.) - mg/L	100	124	
		Total Iron (Daily Max.) - mg/L	1.0	1.37	
2 <sup>nd</sup> Qtr. 2019		04/25/2019	TSS (Daily Max.) - mg/L	100	114
			Total Iron (Daily Max.) - mg/L	1.0	1.37
4 <sup>th</sup> Qtr. 2019	12/21/2019	TSS (Daily Max.) - mg/L	100	129	
		Total Iron (Daily Max.) - mg/L	1.0	2.78	
1 <sup>st</sup> Qtr. 2019	001-Q/008	01/23/2019	TSS (Daily Max.) - mg/L	100	1,820
			Total Iron (Daily Max.) - mg/L	1.0	46.2
2 <sup>nd</sup> Qtr. 2019		04/25/2019	TSS (Daily Max.) - mg/L	100	1,640
			Total Iron (Daily Max.) - mg/L	1.0	5.67
4 <sup>th</sup> Qtr. 2019		12/21/2019	TSS (Daily Max.) - mg/L	100	199
			Total Iron (Daily Max.) - mg/L	1.0	2.30
1 <sup>st</sup> Qtr. 2019	001-Q/009	01/23/2019	TSS (Daily Max.) - mg/L	100	143
			Total Iron (Daily Max.) - mg/L	1.0	5.76
03/15/2019		TSS (Daily Max.) - mg/L	100	215	
		Total Iron (Daily Max.) - mg/L	1.0	4.48	
2 <sup>nd</sup> Qtr. 2019		04/25/2019	TSS (Daily Max.) - mg/L	100	482
			Total Iron (Daily Max.) - mg/L	1.0	4.48
1 <sup>st</sup> Qtr. 2019	001-Q/010	01/23/2019	Total Iron (Daily Max.) - mg/L	1.0	2.96
			2 <sup>nd</sup> Qtr. 2019	04/25/2019	TSS (Daily Max.) - mg/L
Total Iron (Daily Max.) - mg/L		1.0			2.83
4 <sup>th</sup> Qtr. 2019		12/21/2019	TSS (Daily Max.) - mg/L	100	121
			Total Iron (Daily Max.) - mg/L	1.0	2.99
1 <sup>st</sup> Qtr. 2019		001-Q/011	01/23/2019	TSS (Daily Max.) - mg/L	100
	Total Iron (Daily Max.) - mg/L			1.0	40.90
2 <sup>nd</sup> Qtr. 2019	04/25/2019		TSS (Daily Max.) - mg/L	100	737
			Total Iron (Daily Max.) - mg/L	1.0	5.00
4 <sup>th</sup> Qtr. 2019	12/21/2019		TSS (Daily Max.) - mg/L	100	135
			Total Iron (Daily Max.) - mg/L	1.0	1.23
1 <sup>st</sup> Qtr. 2019	001-Q/012	01/23/2019	TSS (Daily Max.) - mg/L	100	702
			Total Iron (Daily Max.) - mg/L	1.0	10.10
2 <sup>nd</sup> Qtr. 2019		04/25/2019	TSS (Daily Max.) - mg/L	100	306
			Total Iron (Daily Max.) - mg/L	1.0	4.04

Benchmark monitoring is primarily for the Respondent to use in determining the overall effectiveness of the facility's SWPPP controls related to the protection of water quality. The failure to implement an adequate SWPPP is a violation of LPDES MSGP LAR05M138 Best Management Practices, Limitations, and Monitoring Requirements, Section 3.3; and Standard Permit Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

## VII.

A file review conducted by the Department on or about March 22, 2021, revealed that the Respondent failed to sample in accordance with LPDES MSGP permit LAR05M138 for Outfalls 009-Q, 011-Q, and 012-Q for the benchmark monitoring period of the third quarter of 2019, and Outfalls 002-Q

and 009-Q for the benchmark monitoring period of the fourth quarter of 2019. Additionally, the Respondent failed to sample for all parameters for Outfall 002-Y for the year 2020, except Total Suspended Solids. Each failure to sample as required is a violation of LPDES MSGP permit LAR05M138 (Section 3.2.3; Table 3, Sector L, Pages 36-37 of 122; and Standard Permit Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076 (A)(3), and LAC 33:IX.501.A.

#### VIII.

An inspection conducted by the Department on or about August 20, 2020, revealed the Respondent failed to prevent the deposition of solid waste in standing water and immediately remove standing water in contact with waste, in accordance with Part II, Section 521.G.1.b of the Solid Waste Permit Application, in violation of Conditions 7 & 8 of Standard Permit P-0297R1M9, LAC33:VII.711.D.1.i, and LAC 33:VII.901.A. Specifically, waste was observed being pushed downhill into standing water present in Cells 24S and 24N.

#### IX.

An inspection conducted by the Department on or about August 20, 2020, revealed the Respondent failed to properly operate the leachate collection system, in accordance with Part II, Sections 521.C.2.b and 521.G.2.a of the Solid Waste Permit Application, in violation of Conditions 7 & 8 of Standard Permit P-0297R1M9 and LAC 33:VII.901.A. Specifically, several leachate seeps were observed in an erosion channel on the east side of a diversion berm on the northwest corner of Cell 23N. The untreated leachate from the leachate seeps drained into ditches that collect runoff and discharge through Outfall 011 and 012, then flowed into the Waggaman Canal, instead of through the leachate collection system. Additionally, two (2) leachate seeps were observed in the western portion of the interim cover in Cell 22S and on the western slope in Cell 23S. The leachate seep on the western slope of Cell 23S was bubbling and migrating downhill towards Cell 24S. According to a response dated March 30, 2021, the leachate seeps were repaired.

#### X.

An inspection conducted by the Department on or about August 20, 2020, revealed the Respondent failed to implement erosion control measures on slopes on which interim cover was installed, in accordance with Part II, Section 521.E.4.b of the Solid Waste Permit Application, in violation of Conditions 7 & 8 of Standard Permit P-0297R1M9, LAC 33:VII.711.B.2.e&f, and LAC 33:VII.901.A. Specifically, exposed waste was observed in the interim cover of Cells 13N, 20N,

22N, and 23N and in the trough of an earthen berm on the northwest side of Cell 23N. Additionally, an erosion channel was observed on the north side of Cell 13N. Furthermore, leachate was visible in the erosion channel in the interim cover of Cell 23N. According to a response dated March 30, 2021, 11,640 cubic yards of soil were used to fill erosion channels, leachate seeps, and eroded cover. The response also included interim cover logs detailing areas where interim cover was added to address areas of exposed waste, leachate seeps, and eroded cover.

XI.

An inspection conducted by the Department on or about August 20, 2020, revealed the Respondent failed to prevent the disposal of waste tires in the landfill, in accordance with Part II, Section 521.G.1.a of the Solid Waste Permit Application, in violation of Conditions 7 & 8 of Standard Permit P-0297R1M9, LAC 33:VII.10509.A, and LAC 33:VII.10537.A. Specifically, two (2) waste tires were observed on top of the interim cover on Cell 22S.

XII.

On or about December 17, 2018, the Department conducted a Full Compliance Evaluation (FCE) Inspection at the facility to determine the Respondent's degree of compliance with the Act, the Air Quality Regulations, and all applicable air permits. On or about August 9, 2019, a follow-up inspection to obtain information was conducted. The Department issued a Warning Letter, Enforcement Tracking No. AE-L-20-00245 dated March 11, 2020, to inform the Respondent of the areas of concern noted during the inspections. The Respondent submitted a response to the Warning Letter dated April 15, 2020. Subsequent file reviews were conducted on or about July 20-23, 2020, and March 23, 2021. In correspondence dated October 16, 2020, the Respondent provided additional information in response to a July 24, 2020, request from the Department. While the Department's investigation is not complete, the following violations were noted during the course of the inspections and/or file reviews:

- A. The Respondent failed to provide the Startup, Shutdown, Malfunction (SSM) Plan as requested during the course of the on-site inspection. The Respondent is required to develop a written startup, shutdown, and malfunction plan and must make the plan available upon request for inspection. Failure to provide the SSM Plan during the course of an on-site inspection is a violation of 40 CFR 63.6(e)(3)(v), which has been incorporated by reference as Louisiana regulation LAC 33:III.5122, and La. R.S. 30:2057(A)(2). The Respondent provided the SSM Plan dated July 29, 2017, as an attachment in a January 7, 2019 email.

B. The Respondent failed to provide requested documentation in a reasonable timeframe. On or about December 19, 2018, the Department requested the information listed in the table below necessary to determine compliance be submitted no later than January 17, 2019.

1.	Overall design capacity of landfill, total cubic yard	February 23, 2019 (email)
2.	Historical gas flow data to flare and skid for 2017 and 2018	January 18, 2019 (email)
3.	Documentation of heat content meeting minimum BTU requirements	February 28, 2019 (email)
4.	Flare and skid flowmeter calibration record (3 years)	February 28, 2019 (email)
5.	Type of data recording system	February 28, 2019 (email)
6.	Table of projected gas flow rates calculated by standard model	February 23, 2019 (email)
7.	VOC Housekeeping Plan	February 28, 2019 (email)
8.	Total number of gas collection pumps	February 28, 2019 (email)
9.	Total number of condensate sumps-include sumps at flare an compressor skid	February 28, 2019 (email)
10.	List of required gas well installation dates for each cell or cell groups that have received garbage	February 28, 2019 (email)

Failure to provide the requested documents in a reasonable timeframe is a violation of General Condition F of LAC 33:III.535.

C. The Respondent failed to have a cover integrity program/plan to monitor for cover integrity and implement cover repairs as necessary on a monthly basis. The Respondent reported Surface Emissions Monitoring (SEM) readings greater than 500 ppm during initial monitoring events for the third and fourth quarters of 2018. Surface emissions were also recorded by the Department during site assessments. Per 40 CFR 60.755(c)(5), the Respondent is required to implement a program to monitor cover integrity and implement cover repairs necessary on a monthly basis as a compliance procedure for the surface methane operational standard. Failure to have and/or implement a cover integrity program/plan is a violation of 40 CFR 60.755(c)(5), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirements 93 and 112 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). In correspondence dated October 16, 2020, the Respondent reported a monthly cover integrity program/plan is in place in compliance with 40 CFR 60.755(c)(5) and provided a summary of the program/plan as requested.

- D. The Respondent failed to provide a design capacity report for the landfill during the on-site inspection or within four (4) hours of the inspection/request. The Respondent is required to keep for at least five (5) years, up-to-date, readily accessible, on-site records of the design capacity report; off-site records may be maintained if they are retrievable within four (4) hours. Failure to provide a design capacity report is a violation of 40 CFR 60.758(a), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirement 112 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The design capacity report was provided in correspondence dated January 25, 2019, and February 23, 2019.
- E. The Respondent failed to properly maintain equipment, specifically calibration of the TEC meter. The Respondent is required to install, calibrate, maintain, and operate the heat sensing or flow recording devices according to the manufacturer's specifications. The TEC manufacturer recommends the meter be calibrated every 18 months. According to the calibration records, the meter was not calibrated every 18 months. Records showed the TEC was calibrated on September 8, 2015; the next scheduled calibration was March 8, 2017. The Respondent did not conduct the calibration until July 24, 2017. Failure to properly maintain equipment is a violation of 40 CFR 60.756(c), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirement 112 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- F. The Respondent failed to provide the solid waste acceptance rate during the on-site inspection or within four (4) hours of the inspection/request. The information was requested during the December 17, 2018 FCE Inspection. The Respondent is required to keep for at least five (5) years up-to-date, readily accessible, on-site records of the year-by-year acceptance rate; off-site records may be maintained if they are retrievable within four (4) hours. Failure to provide the solid waste acceptance rate is a violation of 40 CFR 60.758(a), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirement 112 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The Respondent provided the solid waste acceptance rate information in an email dated February 28, 2019.



- G. The Respondent failed to maintain up-to-date, readily accessible records of the installation date of gas collectors. Per 40 CFR 60.758(d)(1), the Respondent is required to keep up-to-date, readily accessible records of the installation date and location of all newly installed gas collectors. A review of the records noted installation dates for several wells were missing. Failure to maintain up-to-date records is a violation of 40 CFR 60.758(d)(1), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirement 112 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- H. The Respondent failed to maintain an up-to-date, readily accessible plot map showing the existing and planned collectors in the system. The plot map of the wells was requested during the December 17, 2018 FCE Inspection. The plot map was not provided during the inspection or in follow-up correspondence. Failure to provide an up-to-date plot map is a violation of 40 CFR 60.758(d), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirement 112 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The Respondent failed to comply with the recordkeeping requirements for the collection system. Specifically, the Respondent failed to keep records for the life of the collection system in accordance with 40 CFR 60.758(d). The Respondent failed to maintain records of the plot map of each existing and planned collector and the installation dates of newly installed collectors. Each failure to maintain the records for the life of the collection system is a violation of 40 CFR 60.758(d), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirement 112 of Title V Permit No. 1430-00140-V7, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).
- I. The Respondent failed to include well installation dates in annual reports as required per 40 CFR 60.757(f)(6). The annual reports for 2002, 2005, 2006, 2008, 2013, and 2017 were reviewed. The Respondent did not include dates for the installation of wells in the reports reviewed. Each failure to include the installation dates in the annual reports is a violation of 40 CFR 60.757(f), which has been incorporated by reference as Louisiana regulation

LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirement 112 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

J. The Respondent failed to furnish information requested by the Department as necessary to determine compliance with the regulations. The Respondent did not answer the questions and/or provide records needed to determine compliance for the following: 1. the valve/header system for the gas collection system, 2. the historical gas flow data to the flare and skid gas field monthly operations, 3. gas field maintenance summary report, and 4. as-built for collection system and explanation of how the gas is routed. As a result, the Department was unable to determine compliance related to landfill gas, specifically compliance for 40 CFR 60.757(f)(3), 40 CFR 60.753(e), 40 CFR 60.758(c)(8), 40 CFR 60.758(b)(4), 40 CFR 60.757(f)(4), 40 CFR 60.753(f), and 40 CFR 60.756(c)(2). Each failure to furnish requested information is a violation of General Condition F of LAC 33:III.535.

K. The Respondent exceeded the required monitoring parameters for wellfield monitoring data as noted in the table below.

1.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (09/04/2018)	412*	Oxygen <5%	09/29/2017	Oxygen=16.7%
2.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (09/04/2018)	422	Oxygen <5%	09/29/2017	Oxygen=17.2%
3.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (09/04/2018)	427	Oxygen <5%	11/21/2017	Oxygen=18.1%
4.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (09/04/2018)	136	Oxygen <5%	09/29/2017	Oxygen=16.9%
5.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (09/04/2018)	145	Oxygen <5%	09/29/2017	Oxygen=8.9%
6.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (08/27/2018)	154	Oxygen <5%	03/27/2018	Oxygen=20.8%

7.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (08/27/2018)	155	Oxygen <5%	03/27/2018	Oxygen=16.7%
8.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (08/27/2018)	156	Oxygen <5%	03/27/2018	Oxygen=21.0%
9.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (08/27/2018)	321	Oxygen <5%	03/27/2018	Oxygen=16.7%
10.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (08/27/2018)	421	Oxygen <5%	02/16/2018	Oxygen=20.4%
11.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	102**	Oxygen <5%	07/20/2018	Oxygen=15.0%
12.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	112**	Oxygen <5%	07/27/2018	Oxygen=17.1%
13.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	119**	Oxygen <5%	07/27/2018	Oxygen=9.4%
14.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	122**	Oxygen <5%	07/27/2018	Oxygen=12.2%
15.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	138**	Oxygen <5%	07/20/2018	Oxygen=10.1%
16.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	206**	Oxygen <5%	08/14/2018	Oxygen=17.9%
17.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	209**	Oxygen <5%	07/26/2018	Oxygen=13.8%
18.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	221**	Oxygen <5%	08/15/2018	Oxygen=14.8%
19.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	228**	Oxygen <5%	08/14/2018	Oxygen=19.3%

20.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	235**	Oxygen <5%	07/20/2018	Oxygen=10.1%
21.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	239**	Oxygen <5%	08/14/2018	Oxygen=20.6%
22.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (08/27/2018)	109***	Oxygen <5%	05/24/2018	Oxygen=10.3%
23.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (08/27/2018)	110***	Oxygen <5%	04/17/2018	Oxygen=13.3%
24.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (08/27/2018)	121***	Oxygen <5%	04/27/2018	Oxygen=18.2%
25.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (08/27/2018)	131***	Oxygen <5%	04/16/2018	Oxygen=19.6%
26.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (08/27/2018)	153***	Oxygen <5%	05/30/2018	Oxygen=20.2%
27.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	233	Oxygen <5%	10/22/2018	Oxygen=9.9%
28.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	348	Oxygen <5%	07/25/2018	Oxygen=5.2%
29.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	384	Oxygen <5%	12/10/2018	Oxygen=18.5%
30.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	420	Oxygen <5%	08/15/2018	Oxygen=6.6%
31.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	426	Oxygen <5%	10/10/2018	Oxygen=6.8%
32.	Semiannual Monitoring Report and Semiannual Startup, Shutdown, and Malfunction Plan Report (03/15/2019)	145	Oxygen <5%	09/14/2018	Oxygen=19.8%

33.	2019 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (07/30/2019)	516	Pressure <0 (negative pressure)	06/27/2019	Pressure=1.4
34.	2019 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (07/30/2019)	110***	Oxygen <5%	01/15/2019	Oxygen=14.4%
35.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	101	Oxygen <5%	10/01/2019	Oxygen=19.5%
36.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	104	Oxygen <5%	10/01/2019	Oxygen=20.7%
37.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	105	Oxygen <5%	10/01/2019	Oxygen=15.1%
38.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	107	Oxygen <5%	10/01/2019	Oxygen=17.0%
39.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	108	Oxygen <5%	10/01/2019	Oxygen=11.3%
40.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	109	Oxygen <5%	10/01/2019	Oxygen=11.1%
41.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	111	Oxygen <5%	10/01/2019	Oxygen=20.8%
42.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	112	Oxygen <5%	10/01/2019	Oxygen=18.6%

43.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	113	Oxygen <5%	07/09/2019	Oxygen=17.4%
44.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	119	Oxygen <5%	10/01/2019	Oxygen=18.0%
45.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	121	Oxygen <5%	10/01/2019	Oxygen=13.1%
46.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	122	Oxygen <5%	10/01/2019	Oxygen=20.8%
47.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	125	Oxygen <5%	10/01/2019	Oxygen=21.0%
48.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	126	Oxygen <5%	08/02/2019	Oxygen=14.4%
49.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	128	Oxygen <5%	10/01/2019	Oxygen=20.8%
50.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	130	Oxygen <5%	10/10/2019	Oxygen=12.4%
51.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	131	Oxygen <5%	10/01/2019	Oxygen=20.5%
52.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	136	Oxygen <5%	08/02/2019	Oxygen=17.4%

53.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	138	Oxygen <5%	10/01/2019	Oxygen=20.8%
54.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	139	Oxygen <5%	10/01/2019	Oxygen=20.5%
55.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	140	Oxygen <5%	10/01/2019	Oxygen=18.4%
56.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	142	Oxygen <5%	10/01/2019	Oxygen=11.1%
57.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	143	Oxygen <5%	10/01/2019	Oxygen=17.3%
58.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	144	Oxygen <5%	09/06/2019	Oxygen=18.9%
59.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	145	Oxygen <5%	09/03/2019	Oxygen=21.1%
60.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	149	Oxygen <5%	10/01/2019	Oxygen=11.8%
61.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	152	Oxygen <5%	10/07/2019	Oxygen=8.5%
62.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	154	Oxygen <5%	07/02/2019	Oxygen=22.0%

63.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	155	Oxygen <5%	07/02/2019	Oxygen=16.3%
64.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	156	Oxygen <5%	09/03/2019	Oxygen=20.4%
65.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	201	Oxygen <5%	10/08/2019	Oxygen=16.5%
66.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	202	Oxygen <5%	10/08/2019	Oxygen=21.5%
67.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	204	Oxygen <5%	07/09/2019	Oxygen=19.4%
68.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	206	Oxygen <5%	07/09/2019	Oxygen=21.1%
69.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	209	Oxygen <5%	10/01/2019	Oxygen=19.7%
70.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	210	Oxygen <5%	10/01/2019	Oxygen=10.8%
71.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	213	Oxygen <5%	10/01/2019	Oxygen=21.0%
72.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	214	Oxygen <5%	10/01/2019	Oxygen=13.9%



73.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	218	Oxygen <5%	10/01/2019	Oxygen=20.3%
74.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	220	Oxygen <5%	10/01/2019	Oxygen=20.5%
75.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	223	Oxygen <5%	10/01/2019	Oxygen=20.5%
76.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	225	Oxygen <5%	10/08/2019	Oxygen=18.9%
77.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	228	Oxygen <5%	10/01/2019	Oxygen=20.7%
78.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	231	Oxygen <5%	10/01/2019	Oxygen=21.0%
79.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	233	Oxygen <5%	10/01/2019	Oxygen=18.7%
80.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	234	Oxygen <5%	10/08/2019	Oxygen=6.3%
81.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	235	Oxygen <5%	07/09/2019	Oxygen=13.5%
82.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	236	Oxygen <5%	10/01/2019	Oxygen=20.0%

83.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	239	Oxygen <5%	09/09/2019	Oxygen=19.5%
84.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	243	Oxygen <5%	10/01/2019	Oxygen=10.8%
85.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	245	Oxygen <5%	10/01/2019	Oxygen=20.8%
86.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	322	Oxygen <5%	10/01/2019	Oxygen=10.2%
87.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	331	Oxygen <5%	10/09/2019	Oxygen=8.5%
88.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	360	Oxygen <5%	12/14/2019	Oxygen=21.9%
89.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	381	Negative Pressure	12/06/2019	Pressure= +6.0
90.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	383	Oxygen <5%	10/07/2019	Oxygen=20.8%
91.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	409	Oxygen <5%	11/01/2019	Oxygen=10.1%
92.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	410	Oxygen <5%	10/04/2019	Oxygen=6.7%
93.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	LC14-5	Oxygen <5%	07/11/2019	Oxygen=19.0%

94.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	LC17-S	Oxygen <5%	10/04/2019	Oxygen=20.9%
-----	---	--------	------------	------------	--------------

\*Cited in Consolidated Compliance Order & Notice of Potential Penalty Enforcement Tracking No. MM-CN-18-00614 issued on September 18, 2018 for failure to operate according to permitted parameters.

\*\* LDEQ Denial Letter for Compliance Extension and Operating Standards dated February 7, 2019

\*\*\* LDEQ Denial Letter for Compliance Extension dated February 20, 2019

Each failure to comply with the permitted operating parameters is a violation of 40 CFR 60.753(c), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirements 86 and 112 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). In correspondence dated October 16, 2020, the Respondent provided additional information related to the compliance status of the wells. Each failure to complete the corrective actions necessary to return the gas wells to compliance with 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA within 120 days of the initial exceedance and/or within the alternative timeline approved by the Department is a violation of 40 CFR 60.755(a)(5), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirements 91 and 112 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

L. The Respondent failed to include the timeframe for an exceeded parameter on the collector system. Specifically, the annual reports did not include the length of time of each exceedance for the specific wellhead/collector for the exceeded parameter. Failure to include the timeframe for an exceeded parameter as required is a violation of 40 CFR 60.757(f)(1), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirement 112 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

M. The Respondent did not collect gas at a sufficient extraction rate. In 40 CFR 60.751, the sufficient gas extraction rate is defined as a rate sufficient to maintain a negative pressure at all wellheads in the collection system without causing air infiltration, including any wellheads

connected to the system as a result of expansion or excess surface emissions. The Respondent failed to operate all wellheads with a negative pressure. Failure to collect gas at a sufficient extraction rate is a violation of 40 CFR 60.752(b)(2)(ii)(A)(3), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirements 76 and 112 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

- N. The Respondent failed to complete gas flow measurements every 15 minutes. Flare flow data was reviewed from 2016-2018. The table below lists the instances when the flare flow data was not recorded.

1.	02/01/2016	13:10:00	16:33:00	3 hours 23 minutes	Flare Temp, Gas Flow, Total Flow
2.	03/13/2016	2:00:00	3:00:00	59 minutes	All columns missing
3.	08/26/2016	11:14:00	14:19:00	3 hours 5 minutes	Flare Temp, Gas Flow, Total Flow
4.	01/19/2017	8:24:30	11:48:00	3 hours 24 minutes	Flare Temp, Gas Flow, Total Flow
5.	03/12/2017	2:00:00	2:59:00	59 minutes	All columns missing
6.	06/01/2017	6:44:00	9:25:30	2 hour 41 minutes	Flare Temp, Gas Flow, Total Flow
7.	07/05/2017	12:30:00	12:56:00	26 minutes	Flare Temp, Gas Flow, Total Flow
8.	08/07/2017	13:05:00	13:27:30	22 minutes	Flare Temp, Gas Flow, Total Flow
9.	03/11/2018	2:00:00	2:59:30	59 minutes	All columns missing
10.	08/02/2018	12:18:30	12:51:00	32 minutes	Flare Temp, Gas Flow, Total Flow
11.	08/14/2018	13:58:30	15:14:30	15 minutes	Flare Temp, Gas Flow, Total Flow
12.	08/14/2018	15:16:30	16:12:30	56 minutes	Flare Temp, Gas Flow, Total Flow
13.	09/11/2018	10:14:30	11:00:30	45 minutes	Flare Temp, Gas Flow, Total Flow
14.	10/09/2018	16:42:30	17:41:30	59 minutes	Flare Temp, Gas Flow, Total Flow

Each failure to complete gas flow measurements at the correct interval is a violation of 40 CFR 60.756(c)(2)(i), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, 40 CFR 63.1955(a)(1), Specific Requirements 10 and 112 of Title V Permit No. 1340-00140-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

- O. New Source Performance Standards (NSPS) for Municipal Solid Waste (MSW) Landfills, 40 CFR 60, Subpart WWW mandates operation standards for collection and control systems. Pursuant to 40 CFR 60.753(f), the control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for

treatment or control devices per 40 CFR 60.755(e). The Respondent reported the following violations of the operating parameter as noted in the table below:

1.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	01/04/2016 (5.07 hours)	The compressor and flare were both down due to Renovar Air Compressor maintenance.
2.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	01/05/2016 (5.53 hours)	The compressor and flare were both down due to Renovar Air Compressor maintenance.
3.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	01/05/2016 (3.03 hours)	The compressor and flare were both down due to Renovar Air Compressor maintenance.
4.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	01/11/2016 (1.72 hours)	The compressor and flare were both down due to landfill maintenance.
5.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	01/12/2016 (1.20 hours)	The compressor and flare were down due to landfill maintenance.
6.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	01/15/2016 (2.52 hours)	The compressor and flare were down due to Renovar Air Compressor maintenance.
7.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	01/18/2016 (2.65 hours)	The compressor and flare were down due to high oxygen levels.
8.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	02/03/2016 (6.77 hours)	The compressor and flare were down due to landfill maintenance.

9.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	02/15/2016 (1.10 hours)	The compressor and flare were down due to lightning striking communications.
10.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	02/23/2016 (1.37 hours)	The compressor and flare were down due to landfill maintenance.
11.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	02/26/2016 (5.55 hours)	The compressor and flare were down due to landfill maintenance.
12.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	03/15/2016 (3.42 hours)	The compressor and flare were down due to landfill maintenance.
13.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	04/26/2016 (1.13 hours)	The compressor and flare were down due to Cornerstone being down.
14.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	04/27/2016 (6.72 hours)	The compressor and flare were down due to Cornerstone being down.
15.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	05/02/2016 (2.67 hours)	The compressor and flare were down due to Cornerstone being down.
16.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	05/06/2016 (1.37 hours)	The compressor and flare were down due to gas system maintenance.

17.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	05/31/2016 (4.65 hours)	The compressor and flare were down due to gas system maintenance.
18.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	06/02/2016 (1.18 hours)	The compressor and flare were down due to gas system maintenance.
19.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	06/07/2016 (3.08 hours)	The compressor and flare were down due to Cornerstone being down.
20.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V6	EQT 0001 Landfill Gas Flare	07/11/2016 (1.53 hours)	The compressor and flare were down due to landfill maintenance.
21.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V6	EQT 0001 Landfill Gas Flare	07/13/2016 (1.35 hours)	The compressor and flare were down due to Cornerstone being down.
22.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	07/19/2016 (4.00 hours)	The compressor and flare were down due to the Renovar C2 refrigeration shut down.
23.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	07/20/2016 (1.28 hours)	The compressor and flare were down due to the Renovar C2 refrigeration shut down.
24.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	07/21/2016 (1.40 hours)	The compressor and flare were down due to Renovar C2 refrigeration repair.
25.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	07/28/2016 (6.77 hours)	The compressor and flare were down due to Renovar C2 freon leak repair.

26.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/04/2016 (1.22 hours)	The compressor and flare were down due to Renovar power outage.
27.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/17/2016 (3.87 hours)	The compressor and flare were down due to Cornerstone being down for repairs.
28.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/26/2016 (8.20 hours)	The compressor and flare were down due to Renovar refrigeration repair.
29.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/31/2016 (3.25 hours)	The compressor and flare were down due to the Renovar power outage.
30.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	09/01/2016 (5.00 hours)	The compressor and flare were down due to Renovar air compressor failure.
31.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	09/06/2016 (1.72 hours)	The compressor and flare were down due to Renovar air compressor repair.
32.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	11/01/2016 (4.68 hours)	The compressor and flare were down due to gas system maintenance.
33.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	11/09/2016 (2.67 hours)	The compressor and flare were down due to gas system maintenance.



34.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	12/08/2016 (1.55 hours)	The compressor and flare were down due to gas system maintenance/ Repair.
35.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	12/09/2016 (1.53 hours)	The compressor and flare were down due to gas system maintenance/ Repair.
36.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	01/05/2017 (1.32 hours)	The compressor and flare were down due to high oxygen levels.
37.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	01/26/2017 (5.35 hours)	The compressor and flare were down due to gas system maintenance.
38.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	01/26/2017 (2.07 hours)	The compressor and flare were down due to gas system maintenance.
39.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	01/27/2017 (2.25 hours)	The compressor and flare were down due to high oxygen levels.
40.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	01/29/2017 (3.18 hours)	The compressor and flare were down due to air compressor shutdown/repairs.
41.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	03/22/2017 (5.58 hours)	The compressor and flare were down due to a Cornerstone AOG trip.

42.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	04/11/2017 (3.07 hours)	The compressor and flare were down due to gas system maintenance.
43.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	06/01/2017 (11.50 hours)	The compressor and flare were down due to a Cornerstone plant wide turnaround.
44.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	06/13/2017 (1.47 hours)	The compressor and flare were down due to high oxygen levels.
45.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	06/19/2017 (1.43 hours)	The compressor and flare were down due to an air compressor leak.
46.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	06/30/2017 (12.87 hours)	The compressor and flare were down due to high oxygen levels.
47.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	07/13/2017 (1.38 hours)	The compressor and flare were reported as down. No comment/reason provided.
48.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	07/15/2017 (1.32 hours)	The compressor and flare were reported as down. No comment/reason was provided.
49.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	07/17/2017 (1.07 hours)	The compressor and flare were reported as down. No comment/reason provided.

50.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/02/2017 (5.62 hours)	The compressor and flare were reported as down. No comment/reason provided.
51.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/10/2017 (1.57 hours)	The compressor and flare were reported as down. No comment/reason provided.
52.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/11/2017 (1.33 hours)	The compressor and flare were reported as down. No comment/reason provided.
53.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/15/2017 (2.03 hours)	The compressor and flare were reported as down. No comment/reason provided.
54.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/15/2017 (1.58 hours)	The compressor and flare were reported as down. No comment/reason provided.
55.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/17/2017 (1 hour)	The compressor and flare were reported as down. No comment/reason provided.
56.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/22/2017 (1.12 hours)	The compressor and flare were reported as down. No comment/reason provided.

57.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/28/2017 (5.22 hours)	The compressor and flare were reported as down. No comment/reason provided.
58.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	09/09/2017 (1.87 hours)	The compressor and flare were reported as down. No comment/reason provided.
59.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	10/10/2017 (5.73 hours)	The compressor and flare were reported as down. No comment/reason provided.
60.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	10/10/2017 (2.80 hours)	The compressor and flare were reported as down. No comment/reason provided.
61.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	10/29/2017 (3.02 hours)	The compressor and flare were reported as down. No comment/reason provided.
62.	2017 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (09/04/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	11/15/2017 (1.30 hours)	The compressor and flare were reported as down. No comment/reason provided.
63.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340-00140-V7	EQT 0001 Landfill Gas Flare	01/02/2018 (8.15 hours)	The compressor and flare were reported as down. No comment/reason provided.

64.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	01/17/2018 (19.37 hours)	The compressor and flare were reported as down. No comment/reason provided.
65.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	01/18/2018 (12.72 hours)	The compressor and flare were reported as down. No comment/reason provided.
66.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	01/24/2018 (1.20 hours)	The compressor and flare were reported as down. No comment/reason provided.
67.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	02/12/2018 (2.80 hours)	The compressor and flare were reported as down. No comment/reason provided.
68.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	02/14/2018 (2.07 hours)	The compressor and flare were reported as down. No comment/reason provided.
69.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	02/28/2018 (4.32 hours)	The compressor and flare were reported as down. No comment/reason provided.
70.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	03/03/2018 (1.27 hours)	The compressor and flare were reported as down. No comment/reason provided .
71.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	03/09/2018 (5.50 hours)	The compressor and flare were reported as down. No comment/reason provided.

72.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	03/10/2018 (9.25 hours)	The compressor and flare were reported as down. No comment/reason provided.
73.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	03/11/2018 (20.82 hours)	The compressor and flare were reported as down. No comment/reason provided
74.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	03/12/2018 (14.35 hours)	The compressor and flare were reported as down. No comment/reason was provided.
75.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	03/13/2018 (1.55 hours)	The compressor and flare were reported as down. No comment/reason was provided.
76.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	03/27/2018 (1.88 hours)	The compressor and flare were reported as down. No comment/reason was provided.
77.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	03/30/2018 (5.92 hours)	The compressor and flare were reported as down. No comment/reason was provided.
78.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	04/01/2018 (1.95 hours)	The compressor and flare were reported as down. No comment/reason was provided.
79.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	04/11/2018 (2.67 hours)	The compressor and flare were reported as down. No comment/reason was provided.

80.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	04/19/2018 (1.05 hours)	The compressor and flare were reported as down. No comment/reason was provided.
81.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	05/09/2018 (1.17 hours)	The compressor and flare were reported as down. No comment/reason was provided.
82.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	05/18/2018 (1.07 hours)	The compressor and flare were reported as down. No comment/reason was provided.
83.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	05/19/2018 (2.13 hours)	The compressor and flare were reported as down. No comment/reason was provided.
84.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	05/26/2018 (1.20 hours)	The compressor and flare were reported as down. No comment/reason was provided.
85.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	06/15/2018 (2.37 hours)	The compressor and flare were reported as down. No comment/reason was provided.
86.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	06/22/2018 (2.70 hours)	The compressor and flare were reported as down. No comment/reason was provided.
87.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	06/27/2018 (5.73 hours)	The compressor and flare were reported as down. No comment/reason was provided.

88.	2018 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/27/2018)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	06/28/2018 (11.78 hours)	The compressor and flare were reported as down. No comment/reason was provided.
89.	2018 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/15/2019)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	08/02/2018 (2.30 hours)	The compressor and flare were reported as down. No comment/reason was provided.
90.	2018 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/15/2019)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	08/08/2018 (1.97 hours)	The compressor and flare were reported as down. No comment/reason was provided.
91.	2018 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/15/2019)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	08/09/2018 (1.02 hours)	The compressor and flare were reported as down. No comment/reason was provided.
92.	2018 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/15/2019)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	08/21/2018 (2.78 hours)	The compressor and flare were reported as down. No comment/reason was provided.
93.	2018 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/15/2019)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	09/27/2018 (2.05 hours)	The compressor and flare were reported as down. No comment/reason was provided.
94.	2018 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/15/2019)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	09/29/2018 (1.95 hours)	The compressor and flare were reported as down. No comment/reason was provided.
95.	2018 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/15/2019)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	09/30/2018 (1.92 hours)	The compressor and flare were reported as down. No comment/reason was provided.



96.	2018 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/15/2019)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	10/01/2018 (1.32 hours)	The compressor and flare were reported as down. No comment/reason was provided.
97.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/ SSM) Report (01/31/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	07/13/2019 (10.8 hours)	The flare was down due to unbalanced voltage.
98.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/ SSM) Report (01/31/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	07/14/2019 (6.13 hours)	The flare was down due to an air compressor issue.
99.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/ SSM) Report (01/31/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	11/26/2019 (4.8 hours)	The flare was down due to a blown fuse.
100.	2020 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/ SSM) Report (07/27/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	01/22/2020 (4.1 hours)	The flare was down due to oxygen intrusion into the LFG system.
101.	2020 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/ SSM) Report (07/27/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	02/24/2020 (5.6 hours)	The flare was down due to a leak in the vacuum line.

102.	2020 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (07/27/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	06/06/2020 (18.5 hours)	The flare was down due to a tripped contactor on Blower No. 2
------	---	---------------	-----------------------------	-------------------------	---

Each failure to operate according to permitted requirements is a violation of 40 CFR 60.753(f) and 40 CFR 60.755(e), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

P. The Respondent reported the following violations of monitoring requirements:

1.	2019 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (07/30/2019)	1340-00140-V7	EQT 0001 Landfill Gas Flare	05/09/2019 (2 hours)	Flow monitored by flow rate monitoring device once every 15 minutes.	Data for flow and temperature to the flare was not recorded for a period of two (2) hours. It could not be confirmed if the flare was operating during this time or if there was LFG (landfill gas) flow to the flare during this time.	40 CFR 60.756(c)(2)(i), Specific Requirement 11
2.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/27/2019)	1340-00140-V7	EQT 0001 Landfill Gas Flare	01/01/2019-05/15/2019	Operate at all times when emissions may be vented to the flare  Presence of a flame monitored by a flame monitor continuously.	Monitoring data for gas flow rate and temperature at the flare was not available for review due to the tracking method implemented. Records were kept but compliance could not be confirmed during the preparation of the semiannual report until 05/15/2019. Therefore, it could not be confirmed the flare was operated at all times that emissions were vented to it during this period.	40 CFR 60.18(e), 40 CFR 60.753(f), Specific Requirements 6 and 9  40 CFR 60.18(f)(2), 40 CFR 60.756(c)(1), Specific Requirements 7 and 10

3.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/27/2019)	1340-00140-V7	EQT 0001 Landfill Gas Flare	01/01/2019-05/15/2019	Flow monitored by flow rate monitoring device once every 15 minutes.	Monitoring data for gas flow rate and temperature at the flare was not available for review due to the tracking method implemented. Records were kept but compliance could not be confirmed during the preparation of the semiannual report until 05/15/2019. Therefore, it could not be confirmed the flare was operated at all times that emissions were vented to it during this period.	40 CFR 60.756(c)(2)(i), Specific Requirement 11
4.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/27/2019)	1340-00140-V7	UNF 0001 Facility	01/01/2019-05/15/2019	Temperature monitored by temperature monitoring device monthly	Temperature monitoring for all wells was not available for review during the preparation of the semiannual report until 05/15/2019 due to change in environmental compliance activity management. Therefore, it could not be confirmed that all wells were in compliance with the temperature limit.	40 CFR 60.753(c), 40 CFR 60.756(a)(3), Specific Requirement 87 and 97

Each failure to monitor as required is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

Q. The Respondent reported the following emission exceedances:

1.	2019 Annual Compliance Certification (03/25/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	01/01/2019-12/31/2019	SO <sub>2</sub> (5.50 tpy)	123.55 tpy (118.05 in excess)*	Potential emissions were higher than the permitted emission rate.
2.	2019 Annual Compliance Certification (03/25/2020)	1340-00140-V7	FUG 0001 Landfill Gas, Fugitives	01/01/2019-12/31/2019	H <sub>2</sub> S (0.740 tpy)	76.81 tpy (76.07 in excess)*	Potential emissions were higher than the permitted emission rate.

\*reported in correspondence dated October 16, 2020

Each emission exceedance is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

R. The Respondent reported the following recordkeeping violations:

1.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	07/05/2019 (16 minutes)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Data transfer error	40 CFR 60.756(c)(2)(i), 40 CFR 63.1955(a)(1), Specific Requirements 11 and 112
2.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/02/2019 (16 minutes)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Data transfer error	40 CFR 60.756(c)(2)(i), 40 CFR 63.1955(a)(1), Specific Requirements 11 and 112
3.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/23/2019 (16 minutes)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Data transfer error	40 CFR 60.756(c)(2)(i), 40 CFR 63.1955(a)(1), Specific Requirements 11 and 112
4.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	08/30/2019 (16 minutes)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Data transfer error	40 CFR 60.756(c)(2)(i), 40 CFR 63.1955(a)(1), Specific Requirements 11 and 112
5.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (03/31/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	09/06/2019 (16 minutes)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Data transfer error	40 CFR 60.756(c)(2)(i), 40 CFR 63.1955(a)(1), Specific Requirements 11 and 112
6.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	10/04/2019 (16 minutes)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Data transfer error	40 CFR 60.756(c)(2)(i), 40 CFR 63.1955(a)(1), Specific Requirements 11 and 112

7.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	12/06/2019 (16 minutes)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Data transfer error	40 CFR 60.756(c)(2)(i), 40 CFR 63.1955(a)(1), Specific Requirements 11 and 112
8.	2020 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (07/27/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	01/03/2020 (16 minutes)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Data transfer error	40 CFR 60.756(c)(2)(i), 40 CFR 63.1955(a)(1), Specific Requirements 11 and 112
9.	2020 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (07/27/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	1/17/2020 (16 minutes)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Data transfer error	40 CFR 60.756(c)(2)(i), 40 CFR 63.1955(a)(1), Specific Requirements 11 and 112
10.	2020 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (07/27/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	03/06/2020 (16 minutes)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Data transfer error	40 CFR 60.756(c)(2)(i), 40 CFR 63.1955(a)(1), Specific Requirements 11 and 112
11.	2020 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (07/27/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	03/13/2020 (1.4 hours)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Error during the data transfer from the flare data logger	40 CFR 60.756(c)(2)(i), 40 CFR 63.1955(a)(1), Specific Requirements 11 and 112

Each failure to maintain the required records is a violation of the applicable permit, any associated permit requirement listed above, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and (2).

XIII.

In the 2019 1st Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report dated July 30, 2019, the Respondent reported the methane (CH<sub>4</sub>) surface emissions monitoring (SEM) information listed in the table below.

1.	SEM Hr 1	700	550	480	2000*
2.	SEM Hr 2	515	650	26	21
3.	23-N	545	1400	26	14
4.	22-N	1215	1800	16	25

5.	21-N	1300	1500	85	2100*
6.	20-N	885	1000	45	650*
7.	GW-512	1500	25	Not required	31
8.	GW-524	1850	60	Not required	50
9.	GW-500	1250	550	250	2300*
10.	RGW-523	17000	40000	1000*	**
11.	GW-522R	2900	85	Not required	85
12.	GW-380R	1600	370	Not required	675
13.	GW-521	4000	3000	1300*	**
14.	GW-514	1300	11	Not required	8000
15.	GW-386	3100	3600	315	5000*
16.	GW-515	950	800	115	1400*
17.	GW-508	1800	700	28	1300*
18.	GW-389R	1400	1800	73	950*
19.	GW-507	45000	19	Not required	13
20.	22-S	1650	650	460	110
21.	21-S	1400	2000	1700*	**

\*120 day timeline triggered

\*\* Previous exceedance triggered the 120 day timeline

XIV.

The Respondent reported the following deviations of the operating parameter or monitoring requirements as noted in the table below.

Deviation Number	Deviation Description	Location	Equipment	Date	Deviation Details	Resolution
1.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	01/16/2016 (2.3 hours)	The control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.	The compressor and flare were down due to Landfill maintenance/power outage.
2.	2016 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (04/06/2018)	1340-00140-V6	EQT 0001 Landfill Gas Flare	04/07/2016 (5.72 hours)	The control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.	The compressor and flare were down due to a power outage.

3.	2016 2 <sup>nd</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (03/28/2017)	1340-00140-V6	EQT 0001 Landfill Gas Flare	07/04/2016 (2.03 hours)	The control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.	The compressor and flare were down due to a power outage.
4.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	05/03/2017 (15.12 hours)	The control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.	The compressor and flare were down due to a power outage.
5.	2017 1 <sup>st</sup> Semiannual Start-up, Shutdown, Malfunction Plan Report (08/15/2017)	1340-00140-V7	EQT 0001 Landfill Gas Flare	05/04/2017 (9.87 hours)	The control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.	The compressor and flare were down due to a power outage.
6.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	1340-00140-V7	EQT 0001 Landfill Gas Flare	07/11/2019 (1.73 hours)	The control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.	The flare was down due to a power failure.

7.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/ SSM) Report (01/31/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	10/22/2019 (5.73 hours)	The control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.	The flare was down due to a power failure.
8.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/ SSM) Report (01/31/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	10/26/2019 (12.8 hours)	The control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.	The flare was down due to a power failure.
9.	2020 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/ SSM) Report (07/27/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	03/30/2020 (2.8 hours)	The control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.	The flare was down due to a power failure.
10.	2020 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/ SSM) Report (07/27/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	04/29/2020 (2.3 hours)	The control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.	The flare was down due to a power failure.



11.	2020 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/ SSM) Report (07/27/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	05/10/2020 (1.7 hours)	The control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.	The flare was down due to a power failure.
12.	2020 1 <sup>st</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (07/27/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	06/06/2020 (1.2 hours)	The control or treatment system is required to be operated at all times when the collected gas is routed to the system, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.	The flare was down due to a power failure.
13.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	07/11/2019 (1.73 hours)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Power outage
14.	2019 2 <sup>nd</sup> Semiannual 40 CFR 60 Subpart WWW and 40 CFR 63 Subparts A and AAAA (NSPS/NESHAP/SSM) Report (01/31/2020)	1340- 00140-V7	EQT 0001 Landfill Gas Flare	10/26/2019 (2.27 hours)	Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes	Power outage

### COMPLIANCE ORDER

Based on the foregoing, the Respondent is hereby ordered:

I.

To immediately take, upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to achieve and maintain compliance with LPDES permit LAR05M138 and the Water Quality Regulations including, but not limited to, ceasing all unauthorized discharges, complying with all effluent limitations, implementing an adequate SWPPP, and sampling in accordance with permit requirements.

II.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Solid Waste Regulations and Standard Permit P-0297R1M9.

III.

To cease, immediately upon receipt of this **COMPLIANCE ORDER**, pushing waste into standing water and remove any standing water in contact with waste, in accordance with Part II, Section 521.G.1.b of the Solid Waste Permit Application and LAC 33:VII.711.D.1.i.

IV.

To remove, immediately upon receipt of this **COMPLIANCE ORDER**, any areas of pooled leachate, and ensure the leachate collection system is properly operated and maintained, in accordance with Part II, Section 521.G.2.a of the Solid Waste Permit Application.

V.

To cover, immediately upon receipt of this **COMPLIANCE ORDER**, all areas of exposed waste and erosion. The Respondent shall ensure interim cover is maintained to keep waste covered at all times, in accordance with Part II, Section 521.E.4.b of the Solid Waste Permit Application and LAC 33:VII.711.B.2.e&f.

VI.

To institute procedures, immediately upon receipt of this **COMPLIANCE ORDER**, to ensure waste tires are not deposited in the landfill, in accordance with LAC 33:VII.10509.A.

VII.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Act, the Air Quality Regulations, and all applicable air permits.

VIII.

To submit to the Enforcement Division, within thirty (30) days after receipt of the **COMPLIANCE ORDER**, a response and/or records for the violations cited in Paragraph XII.J of the **FINDINGS OF FACT**. If the missing information has been submitted to the Department, please provide proof of submission, e.g. emails, Electronic Data Management System (EDMS) Document Numbers, etc.

IX.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes, but is not limited to the following information related to Paragraph XIII of the **FINDINGS OF FACT**: 1) the total number of days out of compliance

with the methane level for exceedances that triggered the 120 day timeline; 2) the date compliance was achieved; and 3) the corrective actions taken and/or implemented to return to compliance.

X.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes, but is not limited to the following information related to Paragraph XIV of the **FINDINGS OF FACT**: 1) a written report that shall include, but is not limited to, the following information related to Paragraph XIV of the **FINDINGS OF FACT** portion of this action: 1) a description of how power is provided to the facility; 2) if power is provided by a third party, provide a description of the notification procedure for the outages; and 3) a description of the standard operating procedure (SOP) for power outages, e.g. backup equipment.

XI.

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  
Attn: Antoinette Cobb  
Re: Enforcement Tracking No. MM-CN-21-00130  
Agency Interest No. 6961

**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. MM-CN-21-00130**  
**Agency Interest No. 6961**

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 Division of Administrative Law (DAL) Procedural Rules. 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 Antoinette Cobb at (225) 219-3072 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. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

IV.


The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may

offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE" form. The Respondent must include a justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

V.

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

Baton Rouge, Louisiana, this 8<sup>th</sup> day of July, 2021.

  
\_\_\_\_\_  
Lourdes Iturralde  
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: Antoinette Cobb

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
 OFFICE OF ENVIRONMENTAL COMPLIANCE  
 ENFORCEMENT DIVISION CONSOLIDATED COMPLIANCE ORDER &  
 POST OFFICE BOX 4312 NOTICE OF POTENTIAL PENALTY  
 BATON ROUGE, LOUISIANA 70821-4312 REQUEST TO CLOSE



Enforcement Tracking No.	MM-CN-21-00130	Contact Name	Antoinette Cobb
Agency Interest (AI) No.	6961	Contact Phone No.	(225) 219-3072
Alternate ID Nos.	1340-00140; D-051-0090; P-0297R1-M7; & LAR05M138		
Respondent:	<b>JEFFERSON PARISH GOVERNMENT</b>	Facility Name:	Jefferson Parish Sanitary Landfill
	c/o The Honorable Cynthia Lee-Sheng, Parish President	Physical Location:	5800 Highway 90 West
	Agent for Service of Process		
	1221 Elmwood Park Blvd., Suite 1002	City, State, Zip:	Avondale, LA 70094
	Jefferson, LA 70123	Parish:	Jefferson

**STATEMENT OF COMPLIANCE**

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph XI of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) VIII & X of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 45 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) ? of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 90 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) ? of the "Order" portion of the COMPLIANCE ORDER.		
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:		

**SETTLEMENT OFFER (OPTIONAL)**

*(check the applicable option)*

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:I.Subpart 1.Chapter 7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-20-00245), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-20-00245), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional) = \$ _____</li> <li>• DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.</li> </ul>
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-CN-20-00245) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

<b>CERTIFICATION STATEMENT</b>		
<p><i>I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.</i></p>		
<b>Respondent's Signature</b>	<b>Respondent's Printed Name</b>	<b>Respondent's Title</b>
<b>Respondent's Physical Address</b>	<b>Respondent's Phone #</b>	<b>Date</b>
<b>MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:</b>		
<p>Louisiana Department of Environmental Quality                      Office of Environmental Compliance                      Enforcement Division                      P.O. Box 4312                      Baton Rouge, LA 70821                      Attn: Antoinette Cobb</p>		