

**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY**

IN THE MATTER OF:

AGENCY INTEREST NO. 21031

COTTONPORT MONOFILL LLC

DECLARATION OF EMERGENCY

Pursuant to the authority granted to me by Louisiana Revised Statutes 30:2001 *et seq.*, and particularly La. R.S. 30:2033 and 2011(D)(6), I hereby make the following findings and declaration:

FINDINGS AND DECLARATION

1. Cottonport Monofill LLC (hereinafter, "Cottonport Monofill") is a permitted waste tire processing facility and a Type III monofill located at 960 F P Bordelon Road, Cottonport, Louisiana (hereinafter, "the Site").
2. The Site has not been in operation since approximately 2017. LAC 33:VII.10525.B.9 requires that waste tires be maintained in piles not to exceed 10 feet in height and 20 feet in width. Currently, approximately 50,000 whole waste tires are present at the Site in numerous piles that exceed ten feet in height.
3. On June 26, 2019, the Department issued Compliance Order, Enforcement Tracking No. SE-C-19-00415, to Cottonport Monofill. The Compliance Order required Cottonport Monofill to properly close the Site. Proper closure of the Site includes proper management of the 50,000 abandoned whole waste tires as outlined in the Site closure plan approved by the Department.
4. On January 16, 2022, the Avoyelles Parish Sheriff's Office notified the Louisiana State Police that the Raymond Laborde Correctional Center (hereinafter, "the Correctional Center") reported a loud explosion and observed smoke and flames coming from the Site. An Avoyelles Parish Sheriff's Office deputy arrived at the Site and observed a partially burned building and waste tire material on fire in the monofill.
5. The Correctional Center is a state prison operated by the Louisiana Department of Corrections, located at 1630 Prison Road, Cottonport, Louisiana. The Correctional Center has a staff of approximately 350 employees and houses

approximately 1,500 incarcerated individuals. The Correctional Center is located approximately 300 yards from the Site.

6. Beginning on January 16, 2022, the Department and several state and local governmental entities, including the Louisiana State Fire Marshall, Avoyelles Parish Police Jury, Avoyelles Parish Sheriff's Office, the Louisiana Department of Public Safety and Corrections, and six local fire departments, directly responded to and/or assisted in efforts to abate the fire at the Site.

7. Because of the close proximity of the fire to the Correctional Center, the Department deployed its Mobile Air Monitoring Laboratory (MAML) to the area on January 16, 2021. The MAML continuously sampled for parameters, including particulate matter (PM) PM10 and PM2.5, and MAML staff collected air samples in summa canisters for volatile organic compound (VOCs) analysis downwind of the smoke plume on or about January 17, 2022, January 22, 2022, January 23, 2022, January 25, 2022, and January 26, 2022.

8. The air samples detected elevated levels of PM from the smoke generated by the fire. Additionally, the air samples detected elevated levels of VOCs.

9. On January 20, 2022, the wind direction shifted and significant quantities of smoke generated by the fire inundated the Correctional Center and adversely affected air quality in the area, as demonstrated by the presence of elevated levels of PM and VOCs. In addition, the smoke generated by the fire was so significant that visibility was greatly impaired near the vicinity of the Site.

10. In addition to smoke, the fire also generated significant quantities of pyrolytic oil at the Site. The Department collected a sample of the pyrolytic oil and submitted it for analysis. The results of the analysis are pending.

11. The Department observed the presence of pyrolytic oil in the northern and southern retention ponds at the Site. The northern pond has a shallow bank and any overflow of this pond would result in water from the pond going onto neighboring property, including an agricultural field where sugarcane is harvested. Any discharges from the southern pond flow into Bayou Choupique.

12. To date, more than 600 barrels of pyrolytic oil and approximately 800 bags of

oily debris have been recovered. Efforts to remove and dispose of the oil and oily debris from the Site are ongoing.


13. As a result of the fire and the emergency conditions created by the fire, the Correctional Center staff and incarcerated individuals were evacuated on January 20, 2022. The staff and incarcerated individuals were not returned to the Correctional Center until January 27, 2022 and January 28, 2022.

14. Despite continuing efforts to extinguish the fire, waste tire material at the Site actively burned from January 16, 2022, until approximately January 27, 2022.

15. Numerous whole waste tires remain at the Site. Given the circumstances, these tires constitute a potential fire hazard.

16. WHEREFORE, I find that the fire at the Site has created emergency conditions requiring immediate action to prevent irreparable damage to the environment and serious threats to life or safety. This Declaration of Emergency may be amended as required. This Declaration of Emergency shall take effect immediately upon execution by the Secretary of the Department and shall expire on the 8th day of April, 2022 at 11:59 p.m, unless modified or extended by further order.

DONE AND ORDERED this 8th day of February 2022, in Baton Rouge, Louisiana.



Chuck Carr Brown, Ph.D
Secretary