

Title 33
ENVIRONMENTAL QUALITY
Part VII. Solid Waste
Subpart 1. Solid Waste Regulations
Chapter 1. General Provisions and Definitions

§115. Definitions

A. For all purposes of these rules and regulations, the terms defined in this Section shall have the following meanings, unless the context of use clearly indicates otherwise.

~~*Contingency Plan*—an organized, planned, coordinated course of action to be followed in the event of a fire, explosion, natural disaster, or discharge or release of waste into the environment that could endanger human health or the environment.~~ Repealed.

Emergency Response Plan—an organized, planned, coordinated course of action to be followed in the event of a fire, explosion, natural disaster, or discharge or release of waste into the environment that could endanger human health or the environment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 22:279 (April 1996), amended by the Office of Waste Services, Solid Waste Division, LR 23:1145 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2514, 2609 (November 2000), amended by the Office of Environmental Assessment, LR 31:1576 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 33:1019 (June 2007), LR 34:1023 (June 2008), LR 34:1399 (July 2008), LR 37:1563 (June 2011).

Chapter 5. Solid Waste Management System

Subchapter B. Permit Administration

§513. Permit Process for Existing Facilities and for Proposed Facilities

A. – B.2.c. ...

3. The prospective applicant shall file an *emergency response plan*, as defined in LAC 33:VII.115.A, with the Louisiana State Fire Marshal as a special structures plan, prior to submittal of a new or renewal application for a solid waste permit. The content of the plan shall be in accord with applicable sections of LAC 33:VII.Chapter 7. A copy of the plan shall also be sent to the Office of Environmental Services. Except as provided for in LAC 33:VII.513.B.10, no application for a permit to process or dispose of solid waste shall be filed

with nor accepted by the administrative authority until the plan is approved by the Louisiana State Fire Marshal. The prospective applicant shall forward a copy of the approval to the Office of Environmental Services. The approved emergency response plan shall be considered applicable to subsequent permit applications submitted by the same applicant, unless a revised plan is filed with the Louisiana State Fire Marshal. After June 20, 2011, a revised plan shall be filed with the Louisiana State Fire Marshal prior to submittal of a renewal application.

4. The requirements of Paragraph B.3 of this Section shall not apply if the prospective applicant can demonstrate that he has the ability to meet the emergency response requirements listed below. The prospective applicant shall provide this demonstration to the Office of Environmental Services and the Louisiana State Fire Marshal, at least 30 days prior to submittal of a new or renewal solid waste application.

a. Requirements for Demonstration

i. The prospective applicant shall describe arrangements (including contracts, where applicable) for providing his own emergency response services.

ii. The minimum qualification for firefighters/emergency responders shall be that of Operations Level Responder from the National Fire Protection Association, Standard 472. At least one person trained to this level shall respond in any incident requiring activation of emergency response services.

iii. The demonstration shall include a list of all emergency equipment at the facility, such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment.

5. The requirements of Paragraph B.3 of this Section shall not apply to permit modification requests, or to applications for permits (initial or renewal), deemed technically complete prior to June 20, 2011, except as directed by the administrative authority.

C. – I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2519 (November 2000), amended by the Office of Environmental Assessment, LR 30:2032 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2488 (October 2005), LR 33:1037 (June 2007), LR 33:2143 (October 2007), LR 37:1563 (June 2011).

Subchapter D. Permit Application

§521. Part II: Supplementary Information, All Processing and Disposal Facilities

A. – G.l.e. ...

f. procedures, equipment, and ~~contingency~~ emergency response plans for protecting employees and the general public from accidents, fires, explosions, etc., and provisions for emergency response and care, should an accident occur (including proximity to a hospital, fire and emergency services, and training programs); and

G.1.g. – M. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 19:1143 (September 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2521 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 33:1040 (June 2007), LR 37:1564 (June 2011).

Chapter 7. Solid Waste Standards

Subchapter A. Landfills, Surface Impoundments, Landfarms

§711. Standards Governing Landfills (Type I and II)

A. – D.5.c. ...

6. ~~Facility Operations, Emergency Procedures, and Contingency Plans~~ Emergency Response Plan

a. ~~A plan outlining facility operations and emergency procedures to be followed in case of accident, fire, explosion, or other emergencies shall be developed and if required under LAC 33:VII.513, an emergency response plan shall be filed with the local~~ closest fire department, emergency medical services (EMS) agency, the closest hospital or clinic, and the Office of Environmental Services, after approval by the Louisiana State Fire Marshal. Any significant revision of the plan shall be approved and filed in the same manner. The plans shall be updated annually reviewed by the permit holder annually, and updated if necessary, or when implementation demonstrates that a revision is needed.

b. ...

c. ~~Applicants for Type I facilities shall submit certifications from local public service entities.~~

i. ~~Certifications shall be submitted from the local:~~

(a). ~~fire department as to whether or not that department has the ability to meet the response requirements of Section 472 of the Life Safety Code of the National Fire Protection Association;~~

(b). ~~emergency medical services agency as to whether or not that agency has the ability to meet the response requirements of Section 473 of the Life Safety Code of the National Fire Protection Association; and~~

(c). ~~hospital as to whether it is able to accept and treat patients who are contaminated with hazardous materials.~~

ii. ~~In the event any such local public service entity cannot certify that it is able to meet the requirements of Clause D.6.c.i of this Section, the applicant for a Type I facility shall identify in the permit application the closest fire department, emergency~~

~~medical services agency, and hospital that can provide the services listed in Clause D.6.c.i of this Section.~~

~~iii. — The requirements of Clauses D.6.c.i and ii of this Section shall not apply if the applicant for a Type I facility has the ability to meet the response requirements of Section 472 of the Life Safety Code of the National Fire Protection Association.~~

~~d. — Applicants for Type II facilities shall submit certifications from local public service entities:~~

~~i. — Certifications shall be submitted from the local:~~

~~(a). — fire department and emergency medical services agency regarding their compliance with 29 CFR 1910.120; and~~

~~(b). — hospital as to whether it is able to accept and treat patients who are contaminated with hazardous materials.~~

~~ii. — In the event any such local public service entity cannot certify that it is able to meet the requirements of Clause D.6.d.i of this Section, the applicant for a Type II facility shall identify in the permit application the closest fire department, emergency medical services agency, and hospital that can provide the services listed in Clause D.6.d.i of this Section.~~

~~iii. — The provisions of this Subparagraph shall not apply to a Type I facility that is also a Type II facility.~~

~~e. — Facility operators for a Type II facility shall be trained in awareness and hazardous waste operations in accordance with 29 CFR 1910.120.~~

c. Requirements for Emergency Response Plan

i. The emergency response plan shall describe the actions facility personnel must take in response to accident, fire, explosion, or other emergencies.

ii. If the owner or operator has already prepared an emergency response plan or contingency plan, he need only amend that plan to incorporate solid waste management provisions that are sufficient to comply with these requirements as applicable.

iii. The plan must designate those fire departments or mutual aid societies, emergency medical services agencies, and hospitals with which the facility will coordinate emergency services.

iv. For fire departments or mutual aid societies, the applicable response requirement shall be that of Operations Level Responder from the National Fire Protection Association, Standard 472. At least one person trained to this level shall respond in any incident requiring activation of emergency response services.

v. For emergency medical services (EMS), the response requirement shall be that of Emergency Medical Technician – Basic, or equivalent. At least one person trained to this level shall respond in any incident requiring activation of EMS.

vi. The plan must include a list of all emergency equipment (where required) at the facility, such as fire extinguishing systems, spill control equipment,

communications and alarm systems (internal and external), and decontamination equipment. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list and a brief outline of its capabilities.

vii. The plan shall include an evacuation plan for facility personnel. The plan must describe signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

viii. The plan shall include emergency notification procedures required in LAC 33:I.Chapter 39.

d. The provisions of this Paragraph shall not apply if the applicant demonstrates that he meets the response requirements of the applicable sections of the National Fire Protection Association standards, in accordance with LAC 33:VII.513.B.4.

E.–F.3.d. ...

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 19:1143 (September 1993), repromulgated LR 19:1316 (October 1993), amended by the Office of the Secretary, LR 24:2251 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2523 (November 2000), repromulgated LR 27:704 (May 2001), amended LR 30:1676 (August 2004), amended by the Office of Environmental Assessment, LR 30:2024 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2492 (October 2005), LR 33:1047 (June 2007), LR 33:2145 (October 2007), LR 34:1901 (September 2008), LR 37:1564 (June 2011).

§713. Standards Governing Surface Impoundments (Type I and II)

A. – D.4. ...

~~5. Facility Operations, Emergency Procedures, and Contingency Plans~~
Emergency Response Plan

~~a. A plan outlining facility operations and emergency procedures to be followed in case of accident, fire, explosion, or other emergencies shall be developed and~~
required under LAC 33:VII.513, an emergency response plan shall be filed with the local~~closest~~
fire department, emergency medical services (EMS) agency, the closest~~hospital or clinic, and the~~
Office of Environmental Services, after approval by the Louisiana State Fire Marshal. Any
significant revision of the plan shall be approved and filed in the same manner. The plans shall be
~~updated annually~~reviewed by the permit holder annually, and updated if necessary, or when
implementation demonstrates that a revision is needed.

b. ...

~~e. Applicants for Type I facilities shall submit certifications from local public service entities.~~

~~i. — Certifications shall be submitted from the local:~~

~~(a). — fire department as to whether or not that department has the ability to meet the response requirements of Section 472 of the Life Safety Code of the National Fire Protection Association;~~

~~(b). — emergency medical services agency as to whether or not that agency has the ability to meet the response requirements of Section 473 of the Life Safety Code of the National Fire Protection Association; and~~

~~(c). — hospital as to whether it is able to accept and treat patients who are contaminated with hazardous materials.~~

~~ii. — In the event any such local public service entity cannot certify that it is able to meet the requirements of Clause D.5.c.i of this Section, the applicant for a Type I facility shall identify in the permit application the closest fire department, emergency medical services agency, and hospital that can provide the services listed in Clause D.5.c.i of this Section.~~

~~iii. — The requirements of Clauses D.5.c.i and ii of this Section shall not apply if the applicant for a Type I facility has the ability to meet the response requirements of Section 472 of the Life Safety Code of the National Fire Protection Association.~~

~~d. — Applicants for Type II facilities shall submit certifications from local public service entities:~~

~~i. — Certifications shall be submitted from the local:~~

~~(a). — fire department and emergency medical services agency regarding their compliance with 29 CFR 1910.120; and~~

~~(b). — hospital as to whether it is able to accept and treat patients who are contaminated with hazardous materials.~~

~~ii. — In the event any such local public service entity cannot certify that it is able to meet the requirements of Clause D.5.d.i of this Section, the applicant for a Type II facility shall identify in the permit application the closest fire department, emergency medical services agency, and hospital that can provide the services listed in Clause D.5.d.i of this Section.~~

~~iii. — The provisions of this Subparagraph shall not apply to a Type I facility that is also a Type II facility.~~

~~e. — Facility operators for a Type II facility shall be trained in awareness and hazardous waste operations in accordance with 29 CFR 1910.120.~~

c. Requirements for Emergency Response Plan

i. The emergency response plan shall describe the actions facility personnel must take in response to accident, fire, explosion, or other emergencies.

ii. If the owner or operator has already prepared an emergency response plan or contingency plan, he need only amend that plan to incorporate solid waste management provisions that are sufficient to comply with these requirements as applicable.

iii. The plan must designate those fire departments or mutual aid societies, emergency medical services agencies, and hospitals with which the facility will coordinate emergency services.

iv. For fire departments or mutual aid societies, the applicable response requirement shall be that of Operations Level Responder from the National Fire Protection Association, Standard 472. At least one person trained to this level shall respond in any incident requiring activation of emergency response services.

v. For emergency medical services (EMS), the response requirement shall be that of Emergency Medical Technician – Basic, or equivalent. At least one person trained to this level shall respond in any incident requiring activation of EMS.

vi. The plan must include a list of all emergency equipment (where required) at the facility, such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list and a brief outline of its capabilities.

vii. The plan shall include an evacuation plan for facility personnel. The plan must describe signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

viii. The plan shall include emergency notification procedures required in LAC 33:I.Chapter 39.

d. The provisions of this Paragraph shall not apply if the applicant demonstrates that he meets the response requirements of the applicable sections of the National Fire Protection Association standards, in accordance with LAC 33:VII.513.B.4.

E. – F.2.b.iv. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), repromulgated LR 19:1316 (October 1993), amended by the Office of the Secretary, LR 24:2251 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2524 (November 2000), repromulgated LR 27:704 (May 2001), amended LR 30:1676 (August 2004), amended by the Office of Environmental Assessment, LR 30:2025 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2493 (October 2005), LR 33:1053 (June 2007), LR 33:2146 (October 2007), LR 36:1241 (June 2010), LR 37:1564 (June 2011).

§715. Standards Governing Landfarms (Type I and II)

A. – D.4. ...

5. Facility Operations, Emergency Procedures, and Contingency Plans
Emergency Response Plan

a. ~~A plan outlining facility operations and emergency procedures to be followed in case of accident, fire, explosion, or other emergencies shall be developed and~~If required under LAC 33:VII.513, an emergency response plan shall be filed with the local~~closest fire department, emergency medical services (EMS) agency, the closest hospital or clinic, and the Office of Environmental Services, after approval by the Louisiana State Fire Marshal. Any significant revision of the plan shall be approved and filed in the same manner. The plans shall be updated~~annually reviewed by the permit holder annually, and updated if necessary, or when implementation demonstrates that a revision is needed.

b. ...

c. ~~Applicants for Type I facilities shall submit certifications from local public service entities:~~

i. ~~Certifications shall be submitted from the local:~~

(a) ~~fire department as to whether or not that department has the ability to meet the response requirements of Section 472 of the Life Safety Code of the National Fire Protection Association;~~

(b) ~~emergency medical services agency as to whether or not that agency has the ability to meet the response requirements of Section 473 of the Life Safety Code of the National Fire Protection Association; and~~

(c) ~~hospital as to whether it is able to accept and treat patients who are contaminated with hazardous materials.~~

ii. ~~In the event any such local public service entity cannot certify that it is able to meet the requirements of Clause D.5.c.i of this Section, the applicant for a Type I facility shall identify in the permit application the closest fire department, emergency medical services agency, and hospital that can provide the services listed in Clause D.5.c.i of this Section.~~

iii. ~~The requirements of Clauses D.5.c.i and ii shall not apply if the applicant for a Type I facility has the ability to meet the response requirements of Section 472 of the Life Safety Code of the National Fire Protection Association.~~

d. ~~Applicants for Type II facilities shall submit certifications from the local public service entities:~~

i. ~~Certifications shall be submitted from the local:~~

(a) ~~fire department and emergency medical services agency regarding their compliance with 29 CFR 1910.120; and~~

(b) ~~hospital as to whether it is able to accept and treat patients who are contaminated with hazardous materials.~~

ii. ~~In the event any such local public service entity cannot certify that it is able to meet the requirements of Clause D.5.d.i of this Section, the applicant for a Type II facility shall identify in the permit application the closest fire department, emergency medical services agency, and hospital that can provide the services listed in Clause D.5.d.i of this Section.~~

~~iii. The provisions of this Subparagraph shall not apply to a Type I facility that is also a Type II facility.~~

~~e. Facility operators for a Type II facility shall be trained in awareness and hazardous waste operations in accordance with 29 CFR 1910.120.~~

c. Requirements for Emergency Response Plan

i. The emergency response plan shall describe the actions facility personnel must take in response to accident, fire, explosion, or other emergencies.

ii. If the owner or operator has already prepared an emergency response plan or contingency plan, he need only amend that plan to incorporate solid waste management provisions that are sufficient to comply with these requirements as applicable.

iii. The plan must designate those fire departments or mutual aid societies, emergency medical services agencies, and hospitals with which the facility will coordinate emergency services.

iv. For fire departments or mutual aid societies, the applicable response requirement shall be that of Operations Level Responder from the National Fire Protection Association, Standard 472. At least one person trained to this level shall respond in any incident requiring activation of emergency response services.

v. For emergency medical services (EMS), the response requirement shall be that of Emergency Medical Technician – Basic, or equivalent. At least one person trained to this level shall respond in any incident requiring activation of EMS.

vi. The plan must include a list of all emergency equipment (where required) at the facility, such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list and a brief outline of its capabilities.

vii. The plan shall include an evacuation plan for facility personnel. The plan must describe signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

viii. The plan shall include emergency notification procedures required in LAC 33:I.Chapter 39.

d. The provisions of this Paragraph shall not apply if the applicant demonstrates that he meets the response requirements of the applicable sections of the National Fire Protection Association standards, in accordance with LAC 33:VII.513.B.4.

E.–F.3.b. ...

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), repromulgated LR 19:1316 (October 1993), amended by the Office of the Secretary, LR 24:2251 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division,

LR 26:2525 (November 2000), repromulgated LR 27:704 (May 2001), amended LR 30:1676 (August 2004), amended by the Office of Environmental Assessment, LR 30:2025 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2493 (October 2005), LR 33:1058 (June 2007), LR 33:2147 (October 2007), LR 35:1880 (September 2009), LR 37:1565 (June 2011).

Subchapter B. Solid Waste Processors

§717. Standards Governing All Type I-A and II-A Solid Waste Processors

A. – G.4. ...

5. ~~Facility Operations, Emergency Procedures, and Contingency Plans~~Emergency Response Plan

a. ~~A plan outlining facility operations and emergency procedures to be followed in case of accident, fire, explosion, or other emergencies shall be developed and~~If required under LAC 33:VII.513, an emergency response plan shall be filed with the local~~closest fire department, emergency medical services (EMS) agency, the closest hospital or clinic, and the Office of Environmental Services, after approval by the Louisiana State Fire Marshal. Any significant revision of the plan shall be approved and filed in the same manner. The plans shall be updated annually~~reviewed by the permit holder annually, and updated if necessary, or when implementation demonstrates that a revision is needed.

b. ...

c. ~~Applicants for Type I A facilities shall submit certifications from local public service entities.~~

i. ~~Certifications shall be submitted from the local:~~

(a). ~~fire department as to whether or not that department has the ability to meet the response requirements of Section 472 of the Life Safety Code of the National Fire Protection Association;~~

(b). ~~emergency medical services agency as to whether or not that agency has the ability to meet the response requirements of Section 473 of the Life Safety Code of the National Fire Protection Association; and~~

(c). ~~hospital as to whether it is able to accept and treat patients who are contaminated with hazardous materials.~~

ii. ~~In the event any such local public service entity cannot certify that it is able to meet the requirements of Clause G.5.c.i of this Section, the applicant for a Type I A facility shall identify in the permit application the closest fire department, emergency medical services agency, and hospital that can provide the services listed in Clause G.5.c.i of this Section.~~

iii. ~~The requirements of Clauses G.5.c.i and ii of this Section shall not apply if the applicant for a Type I A facility has the ability to meet the response requirements of Section 472 of the Life Safety Code of the National Fire Protection Association.~~

~~d. — Applicants for Type II A facilities shall submit certifications from local public service entities:~~

~~i. — Certifications shall be submitted from the local:~~

~~(a). — fire department and emergency medical services agency regarding their compliance with 29 CFR 1910.120; and~~

~~(b). — hospital as to whether it is able to accept and treat patients who are contaminated with hazardous materials.~~

~~ii. — In the event any such local public service entity cannot certify that it is able to meet the requirements of Clause G.5.d.i of this Section, the applicant for a Type II A facility shall identify in the permit application the closest fire department, emergency medical services agency, and hospital that can provide the services listed in Clause G.5.d.i of this Section.~~

~~iii. — The provisions of this Subparagraph shall not apply to a Type I A facility that is also a Type II A.~~

~~e. — Facility operators for a Type II A facility shall be trained in awareness and hazardous waste operations in accordance with 29 CFR 1910.120.~~

c. Requirements for Emergency Response Plan

i. The emergency response plan shall describe the actions facility personnel must take in response to accident, fire, explosion, or other emergencies.

ii. If the owner or operator has already prepared an emergency response plan or contingency plan, he need only amend that plan to incorporate solid waste management provisions that are sufficient to comply with these requirements as applicable.

iii. The plan must designate those fire departments or mutual aid societies, emergency medical services agencies, and hospitals with which the facility will coordinate emergency services.

iv. For fire departments or mutual aid societies, the applicable response requirement shall be that of Operations Level Responder from the National Fire Protection Association, Standard 472. At least one person trained to this level shall respond in any incident requiring activation of emergency response services.

v. For emergency medical services (EMS), the response requirement shall be that of Emergency Medical Technician – Basic, or equivalent. At least one person trained to this level shall respond in any incident requiring activation of EMS.

vi. The plan must include a list of all emergency equipment (where required) at the facility, such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list and a brief outline of its capabilities.

vii. The plan shall include an evacuation plan for facility personnel. The plan must describe signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

viii. The plan shall include emergency notification procedures required in LAC 33:I.Chapter 39.

d. The provisions of this Paragraph shall not apply if the applicant demonstrates that he meets the response requirements of the applicable sections of the National Fire Protection Association standards, in accordance with LAC 33:VII.513.B.4.

H. – I.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of the Secretary, LR 24:2252 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2526, 2610 (November 2000), repromulgated LR 27:704 (May 2001), amended by the Office of Environmental Assessment, LR 30:2025 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2494 (October 2005), LR 33:1061 (June 2007), LR 33:2148 (October 2007), LR 34:613 (April 2008), LR 35:926 (May 2009), LR 37:1566 (June 2011).

Subchapter C. Minor Processing and Disposal Facilities

§721. Standards Governing Construction and Demolition Debris and Woodwaste Landfills (Type III)

A. – C.4. ...

~~5. Facility Operations, Emergency Procedures, and Contingency Plans~~
Emergency Response Plan

a. ~~A plan outlining facility operations and emergency procedures to be followed in case of accident, fire, explosion, or other emergencies shall be developed and~~If required under LAC 33:VII.513, an emergency response plan shall be filed with the local~~closest fire department, emergency medical services (EMS) agency, the closest hospital or clinic, and the Office of Environmental Services, after approval by the Louisiana State Fire Marshal. Any significant revision of the plan shall be approved and filed in the same manner. The plans shall be updated~~annually reviewed by the permit holder annually, and updated if necessary, or when implementation demonstrates that a revision is needed.

b. ...

~~c. Applicants for Type III facilities shall submit certifications from local public service entities.~~

~~i. Certifications shall be submitted from the local:~~

~~(a).— fire department and emergency medical services agency regarding their compliance with 29 CFR 1910.120; and~~

~~(b).— hospital as to whether it is able to accept and treat patients who are contaminated with hazardous materials.~~

~~ii.— In the event any such local public service entity cannot certify that it is able to meet the requirements of Clause C.5.e.i of this Section, the applicant for a Type III facility shall identify in the permit application the closest fire department, emergency medical services agency, and hospital that can provide the services listed in Clause C.5.e.i of this Section.~~

~~d.— Facility operators for a Type III facility shall be trained in awareness and hazardous waste operations in accordance with 29 CFR 1910.120.~~

c. Requirements for Emergency Response Plan

i. The emergency response plan shall describe the actions facility personnel must take in response to accident, fire, explosion, or other emergencies.

ii. If the owner or operator has already prepared an emergency response plan or contingency plan, he need only amend that plan to incorporate solid waste management provisions that are sufficient to comply with these requirements as applicable.

iii. The plan must designate those fire departments or mutual aid societies, emergency medical services agencies, and hospitals with which the facility will coordinate emergency services.

iv. For fire departments or mutual aid societies, the applicable response requirement shall be that of Operations Level Responder from the National Fire Protection Association, Standard 472. At least one person trained to this level shall respond in any incident requiring activation of emergency response services.

v. For emergency medical services (EMS), the response requirement shall be that of Emergency Medical Technician – Basic, or equivalent. At least one person trained to this level shall respond in any incident requiring activation of EMS.

vi. The plan must include a list of all emergency equipment (where required) at the facility, such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list and a brief outline of its capabilities.

vii. The plan shall include an evacuation plan for facility personnel. The plan must describe signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

viii. The plan shall include emergency notification procedures required in LAC 33:I.Chapter 39.

d. The provisions of this Paragraph shall not apply if the applicant demonstrates that he meets the response requirements of the applicable sections of the National Fire Protection Association standards, in accordance with LAC 33:VII.513.B.4.

D. – E.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 20:1001 (September 1994), amended by the Office of the Secretary, LR 24:2252 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2527 (November 2000), repromulgated LR 27:705 (May 2001), amended by the Office of Environmental Assessment, LR 30:2025 (September 2004), LR 31:1577 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2495 (October 2005), LR 33:1067 (June 2007), LR 33:2149 (October 2007), LR 34:1901 (September 2008), LR 37:1566 (June 2011).

§723. Standards Governing Composting Facilities

A. – D.5.c. ...

6. ~~Facility Operations, Emergency Procedures, and Contingency Plans~~ Emergency Response Plan

a. ~~A plan outlining facility operations and emergency procedures to be followed in case of accident, fire, explosion, or other emergencies shall be developed and~~ If required under LAC 33:VII.513, an emergency response plan shall be filed with the local ~~closest fire department, emergency medical services (EMS) agency, the closest hospital or clinic, and the Office of Environmental Services, after approval by the Louisiana State Fire Marshal. Any significant revision of the plan shall be approved and filed in the same manner. The plans shall be updated annually~~ reviewed by the permit holder annually, and updated if necessary, or when implementation demonstrates that a revision is needed.

b. ...

e. ~~Applicants for Type III facilities shall submit certifications from local public service entities.~~

i. ~~Certifications shall be submitted from the local:~~

(a). ~~fire department and emergency medical services agency regarding their compliance with 29 CFR 1910.120; and~~

(b). ~~hospital as to whether it is able to accept and treat patients who are contaminated with hazardous materials.~~

ii. ~~In the event any such local public service entity cannot certify that it is able to meet the requirements of Clause D.6.c.i of this Section, the applicant for a Type III facility shall identify in the permit application the closest fire department, emergency medical services agency, and hospital that can provide the services listed in Clause D.6.c.i of this Section.~~

~~d. Facility operators for a Type III facility shall be trained in awareness and hazardous waste operations in accordance with 29 CFR 1910.120.~~

c. Requirements for Emergency Response Plan

i. The emergency response plan shall describe the actions facility personnel must take in response to accident, fire, explosion, or other emergencies.

ii. If the owner or operator has already prepared an emergency response plan or contingency plan, he need only amend that plan to incorporate solid waste management provisions that are sufficient to comply with these requirements as applicable.

iii. The plan must designate those fire departments or mutual aid societies, emergency medical services agencies, and hospitals with which the facility will coordinate emergency services.

iv. For fire departments or mutual aid societies, the applicable response requirement shall be that of Operations Level Responder from the National Fire Protection Association, Standard 472. At least one person trained to this level shall respond in any incident requiring activation of emergency response services.

v. For emergency medical services (EMS), the response requirement shall be that of Emergency Medical Technician – Basic, or equivalent. At least one person trained to this level shall respond in any incident requiring activation of EMS.

vi. The plan must include a list of all emergency equipment (where required) at the facility, such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list and a brief outline of its capabilities.

vii. The plan shall include an evacuation plan for facility personnel. The plan must describe signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

viii. The plan shall include emergency notification procedures required in LAC 33:I.Chapter 39.

d. The provisions of this Paragraph shall not apply if the applicant demonstrates that he meets the response requirements of the applicable sections of the National Fire Protection Association standards, in accordance with LAC 33:VII.513.B.4.

E. – E.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 20:1001 (September 1994), amended by the Office of the Secretary, LR 24:2252 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2528 (November 2000), repromulgated LR 27:705 (May 2001), amended by the Office of Environmental Assessment, LR 30:2025 (September 2004), amended by the Office of the

Secretary, Legal Affairs Division, LR 31:2496 (October 2005), LR 33:1069 (June 2007), LR 33:2150 (October 2007), LR 37:1567 (June 2011).

§725. Standards Governing Separation and Woodwaste Processing Facilities (Type III)

A. – C.4. ...

5. ~~Facility Operations, Emergency Procedures, and Contingency Plans~~Emergency Response Plan

a. ~~A plan outlining facility operations and emergency procedures to be followed in case of accident, fire, explosion, or other emergencies shall be developed and if required under LAC 33:VII.513, an emergency response plan shall be filed with the local closest fire department, emergency medical services (EMS) agency, the closest hospital or clinic, and the Office of Environmental Services, after approval by the Louisiana State Fire Marshal. Any significant revision of the plan shall be approved and filed in the same manner. The plans shall be updated annually reviewed by the permit holder annually, and updated if necessary, or when implementation demonstrates that a revision is needed.~~

b. ...

c. ~~Applicants for Type III facilities shall submit certifications from local public service entities.~~

i. ~~Certifications shall be submitted from the local:~~

(a). ~~fire department and emergency medical services agency regarding their compliance with 29 CFR 1910.120; and~~

(b). ~~hospital as to whether it is able to accept and treat patients who are contaminated with hazardous materials.~~

ii. ~~In the event any such local public service entity cannot certify that it is able to meet the requirements of Clause C.5.c.i of this Section, the applicant for a Type III facility shall identify in the permit application the closest fire department, emergency medical services agency, and hospital that can provide the services listed in Clause C.5.c.i of this Section.~~

d. ~~Facility operators for a Type III facility shall be trained in awareness and hazardous waste operations in accordance with 29 CFR 1910.120.~~

c. Requirements for Emergency Response Plan

i. The emergency response plan shall describe the actions facility personnel must take in response to accident, fire, explosion, or other emergencies.

ii. If the owner or operator has already prepared an emergency response plan or contingency plan, he need only amend that plan to incorporate solid waste management provisions that are sufficient to comply with these requirements as applicable.

iii. The plan must designate those fire departments or mutual aid societies, emergency medical services agencies, and hospitals with which the facility will coordinate emergency services.

iv. For fire departments or mutual aid societies, the applicable response requirement shall be that of Operations Level Responder from the National Fire Protection Association, Standard 472. At least one person trained to this level shall respond in any incident requiring activation of emergency response services.

v. For emergency medical services (EMS), the response requirement shall be that of Emergency Medical Technician – Basic, or equivalent. At least one person trained to this level shall respond in any incident requiring activation of EMS.

vi. The plan must include a list of all emergency equipment (where required) at the facility, such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list and a brief outline of its capabilities.

vii. The plan shall include an evacuation plan for facility personnel. The plan must describe signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

viii. The plan shall include emergency notification procedures required in LAC 33:I.Chapter 39.

d. The provisions of this Paragraph shall not apply if the applicant demonstrates that he meets the response requirements of the applicable sections of the National Fire Protection Association standards, in accordance with LAC 33:VII.513.B.4.

D. – D.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 20:1001 (September 1994), LR 22:280 (April 1996), amended by the Office of the Secretary, LR 24:2252 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2528 (November 2000), repromulgated LR 27:705 (May 2001), amended by the Office of Environmental Assessment, LR 30:2026 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2496 (October 2005), LR 33:1073 (June 2007), LR 33:2151 (October 2007), LR 37:1567 (June 2011).