

**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY**

IN THE MATTER OF:

AGENCY INTEREST NO. 225443

HURRICANE DELTA

**SECOND AMENDED DECLARATION OF EMERGENCY
AND ADMINISTRATIVE ORDER**

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

FINDINGS AND DECLARATION

1. Hurricane Delta, (hereinafter referred to as "**the EVENT**") made landfall as a Category 2 storm, causing adverse impact and widespread damage to the State of Louisiana.
2. By State of Louisiana Proclamation No. **133 JBE 2020**, Louisiana Governor John Bel Edwards, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. R.S. 29:271 *et seq.*, declared on October 6, 2020, that a state of emergency exists in the State of Louisiana, as **the EVENT** posed significant risk for storm surge, high winds, and flooding from rainfall in multiple parishes, thereby threatening the lives and property of the citizens of the State of Louisiana.
3. I find that **the EVENT** has created conditions that require immediate action to prevent irreparable damage to the environment and serious threats to life or safety. To address these conditions, I previously issued a Declaration of Emergency and Administrative Order on October 8, 2020. This Order was amended on October 16, 2020. After review of the conditions, I find that an additional amendment to the DEAO (hereinafter "**Second Amended Order**") is required.

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WHEREFORE, I hereby declare that an emergency exists, and amend the previous Declaration of Emergency and Administrative Order issued on October 8, 2020 and the First Amendment to the Declaration of Emergency and Administrative Order issued on October 16, 2020, to include the following measures deemed necessary to prevent irreparable damage to the environment and serious threats to life or safety. This **Second Amended Order** supersedes all prior Declarations of Emergency and Administrative Orders that I have issued to address this **EVENT**. This **Second Amended Order** applies to the following parishes that shall herein be referred to as the “**Emergency Areas**:” Acadia, Allen, Assumption, Avoyelles, Beauregard, Bienville, Bossier, Caddo, Calcasieu, Caldwell, Cameron, Catahoula, Claiborne, Concordia, DeSoto, East Baton Rouge, East Feliciana, Evangeline, Franklin, Grant, Iberia, Iberville, Jackson, Jeff Davis, Lafayette, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Pointe Coupee, Rapides, Red River, Richland, Sabine, St. Landry, St. Martin, St. Mary, Tensas, Union, Vermilion, Vernon, Webster, West Baton Rouge, West Carroll, West Feliciana, and Winn.

SECOND AMENDED ORDER

Within the **Emergency Areas**:

§ 1. Wastewater Treatment Systems

a. Upset Provisions

Permittees with Louisiana Pollutant Discharge Elimination System (LPDES) permits should consider activating the upset provisions in their permits. LAC 33:IX.2701.N.1 defines upset as the following:

An exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of LAC 33:IX.2701.N.3 are met.

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b. Appendix A sets forth guidance to operators of sanitary wastewater treatment systems to aid in the return to compliant operations to prevent further damage to the environment and serious threats to life or safety throughout the **Emergency Areas**.

c. Unpermitted Emergency Discharges

However, new emergency discharges, which are eligible for coverage under the LPDES General Permit LAG420000, and are located in an area that has been included in this **Second Amended Order** are considered provisionally covered under the terms and conditions of the permit immediately and fully covered 72 hours after the postmark date or upon hand-delivery of a complete and correct Notice of Intent (form STED-G). The Notice of Intent shall be submitted no later than ten (10) business days after commencing discharge. Any such discharges must comply with all applicable schedules in the LPDES Permit LAG420000, Short-Term and Emergency Discharges General Permit. The General Permit effluent limitations and requirements can be viewed at <https://deq.louisiana.gov/assets/docs/Permits/LAG420000.pdf>. The application form, STED-G, can be found at http://deq.louisiana.gov/assets/docs/Permits/STED-G_2017.doc or by calling the Office of Environmental Services at (225) 219-9371.

Authorization to discharge under the LAG420000 shall terminate on the date identified by the LAG420000 permit authorization letter. Wastewater types covered under the LAG420000 include but are not limited to: treated sanitary wastewater and/or dewatering of oxidation ponds discharges; gray water; stormwater discharges; hydrostatic test wastewater; utility wash waters, including but not limited to pavement and building washdown waters with or without soaps and detergents; equipment and vehicle wash water; potable water treatment plant filter backwash, clarifier blowdown, water softening, iron and manganese removal, and disinfection of source water; discharges of landfill wastewater from a construction/demolition debris and woodwaste landfill related to post-emergency clean up; non-contact stormwater discharges from a construction/demolition debris and woodwaste landfill related to post-emergency clean up; and emergency discharges related to the preparation for natural disasters or the clean-up of natural disasters or in emergency situations, such as hurricanes, fires, or explosions.

d. Additional general permits may be available for other discharges, such as petroleum tank dewatering, hydrostatic test wastewater, or discharges of storm water associated with industrial or construction activities. General permits and associated

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Notices of Intent may be viewed at: <http://deq.louisiana.gov/page/lpdes-water-permits>. To obtain hard copies of the Notice of Intents or the General Permits, or for any additional questions, call the Office of Environmental Services at (225) 219-9371.

e. Biosolids Land Application Projects/Sites Management:

i. If flooding should occur as a result of **the EVENT**, land application of Class B Biosolids shall not take place at permitted land application sites.

ii. Land application of a Class B Biosolids at permitted sites shall not resume until flooding has subsided and the water table is below 2 feet.

iii. Facilities which prepare Exceptional Quality (EQ) Biosolids shall re-prepare/retreat EQ Biosolids or dispose of the EQ Biosolids if stored “on-site” and subjected to flooding as a result of **the EVENT**.

iv. Facilities utilized to prepare sewage sludge to EQ Biosolids shall halt operation during **the EVENT** and shall not resume operation until the flooding has subsided and the facility has been properly cleaned.

For additional Biosolids information contact Rhonda Burtch, LDEQ, Office of Environmental Services, Water Permits Division, 225-219-3213.

§ 2. Solid Waste Management

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

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

b. Permitted Solid Waste Management Facilities

i. Owners and operators of solid waste management facilities permitted by the Louisiana Department of Environmental Quality (“LDEQ” or “Department”) before **the**

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EVENT are authorized to make all necessary repairs to restore essential services and the functionality of storm water management and leachate collection systems damaged by **the EVENT**, without prior notice to the Department. Within thirty (30) days of commencing the work of such repair or replacement, however, the permittee shall notify the Department in writing, describing the nature of the work, giving its location, and providing the name, address, and telephone number of the representative of the permittee to contact concerning the work.

ii. Permitted facilities within or outside of the **Emergency Areas**, which accept **EVENT**-generated debris in accordance with the terms of this **Second Amended Order**, may accept **EVENT**-generated debris for disposal or storage without the need to first modify existing permits, as follows:

(1). Prior notification is submitted to the Department describing any proposed deviations from permit conditions;

(2). Any proposed deviations from permit limits must be within the bounds of engineering assumptions used in the design of the facility, and conducted in accordance with the Debris Management Plan; and

(3) Written approval by the Department (including electronic mail) of the proposed deviations is received.

iii. Operators of permitted facilities may request extended hours of operation and increased solid waste acceptance rates to facilitate recovery and clean-up efforts. The Department may approve such requests for the duration of the **Second Amended Order** without the need for a permit modification.

iv. Operators of permitted facilities approved for permit deviations under this **Second Amended Order** may be required to submit application for modifications of their existing permits to address any long-term impacts of accepting **EVENT**-generated debris on operations and closure that are not addressed in existing permits if it is determined long term impacts will result from these activities. Long-term impacts are those that will extend past the expiration date of this **Second Amended Order**. The requests for modification shall be submitted no later than six (6) months after the date the Governor declared the emergency, unless otherwise extended by the Department. No permit fee will be required for any modifications necessitated solely by the clean-up activities resulting from **the EVENT**. The Department may, for good cause shown, issue

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a temporary authorization pursuant to LAC 33:VII.509.B.1.a for activities that are addressed in a permit modification request as provided for in this subsection, to authorize operations after expiration of this **Second Amended Order**, pending a decision on the modification request.

v. White goods (e.g., air conditioners, stoves, range tops, refrigerators and freezers from which food has been removed) shall be stored in an area separate from other solid wastes and in a manner that prevents vector and odor problems. No white goods may be stored in or on any permitted landfill cells that have not undergone final closure and have not received written authorization from the LDEQ specifically allowing storage in that area. All white goods shall be removed from the storage facility or staging area and sent offsite for recycling, or recycled onsite, within ninety (90) days of initial receipt at the site.

c. Emergency Debris Sites

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

Written notification (Written Notification of the Activation of Pre Approved Emergency Site) shall be sent to the LDEQ Regional Manager and the LDEQ Headquarters within five (5) days of verbally activating the site, or as soon as mail delivery is possible. A copy of the form is contained in the Debris Management Plan or can be obtained via LDEQ’s website at the following link:

<http://deq.louisiana.gov/page/disaster-debris-management>.

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

ii. New temporary emergency debris sites may be considered in accordance with procedures contained in the Debris Management Plan. Authorizations may be requested by providing a notice to the Department on approved forms (Emergency

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Debris Site Request Form). The request forms can be obtained via LDEQ's website at the following link:

<http://deq.louisiana.gov/page/disaster-debris-management>.

New temporary emergency debris sites can be requested as follows:

- (1). Emailing a completed request form to deqdebrisrequest@la.gov;
- (2). Faxing a completed request form to (225) 325-8236, or
- (3). If a request form is not immediately available, the local government can call the emergency debris hotline at (225) 364-7901, and provide the information over the phone to receive verbal approval to stage. The verbal request shall be followed up with a written request as soon as possible after mail delivery is available but no later than twenty-one (21) days after verbal approval is given.

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

<http://deq.louisiana.gov/page/disaster-debris-management>.

d. Construction and demolition debris generated from residential structures of four units or less that are subject to a government-ordered demolition shall be disposed of in accordance with the Debris Management Plan except Regulated Asbestos Containing Material (RACM) shall be disposed of in a Type I/II landfill. A request by a landfill owner or operator for authorization to accept such RACM must include a certification that the owner or operator will manage the RACM in accordance with the landfill's QA/QC plan and LDEQ requirements. The Department will provide a written response to the request for authorization to accept solid waste and asbestos containing material in a Type I or II landfill.

§ 3. Hazardous Waste

In accordance with the Debris Management Plan, hazardous waste generated as a result of **the EVENT** must be separated from other **EVENT**-generated waste and disposed of at a permitted hazardous waste disposal facility.

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§ 4. Asbestos

a. The Department waives the requirement, under LAC 33:III.5151.F.2.e, to provide notification by phone, fax, email, or voice mail to the Office of Environmental Services (OES) and DEQ regional office responsible for inspecting the project site as soon as possible, but in no case later than four (4) hour after learning of the incident resulting from **the EVENT**. However, no later than one (1) business day of commencing such demolition, renovation, or asbestos-contaminated debris activity (ACDA), the person responsible for such work shall notify the OES and the DEQ regional office responsible for inspecting the project by email. The Notification of Demolition and Renovation and Asbestos Contaminated Debris Activity Form AAC-2(a), which may be found at <https://www.deq.louisiana.gov/resources/category/asbestos?y=1900&keyword=&pn=1>, shall be submitted within five (5) working days together with required fees, in accordance with LAC 33:III.5151.F.2.e.ii, after the emergency notification is made by email. The procedure in LAC 33:III.5151 (demolition/renovation/ACDA/response action) and LAC 33:III.Chapter 27 (accreditation and training requirements) for handling asbestos-containing material shall be complied with during demolition, renovation, ACDA, transportation, and disposal, except as otherwise provided herein. Construction and demolition debris generated from residential structures of four units or less that are subject to a government-ordered demolition shall be disposed of in accordance with the Debris Management Plan, except Regulated Asbestos- Containing Material (RACM) shall be disposed of in a Type I/II landfill. Burning of asbestos-containing material is prohibited.

b. Building debris on the ground from structures totally destroyed by natural forces (as opposed to structures demolished in whole or in part by human activities) is not subject to LAC 33:III.5151 requirements related to demolition and renovations, transport, or disposal requirements. This debris did not originate because an owner or operator destroyed the building. Note: if someone demolished a building that was subject to the LAC 33:III.5151, the debris on the ground would be subject to the LAC 33:III.5151 requirements even if the demolition occurred prior to or after the EVENT. If the debris is not broken into pieces but requires further demolition, it is subject to LAC 33:III.5151.

c. The Department waives the requirement, under LAC 33:III.2799.F.2.b.ii, that applicants seeking accreditation in Louisiana that have received training from

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providers recognized by EPA or an EPA authorized state not recognized by Louisiana also submit proof of a current two (2) hour training course in current Louisiana regulations from a Louisiana recognized asbestos training provider.

d. The Department waives the requirement pursuant to LAC 33:III.2741.E.2.c, that recognized asbestos Training Providers give the Department notice at least five (5) working days prior to class commencement or one (1) working day prior to class commencement, if only the Louisiana regulations course will be taught. Notice shall be provided to OES no later than 24 hours after class commencement.

e. The duration of worker, contractor/supervisor, and inspector initial and refresher training courses is specified in numbers of days. A day of training may equal nine or ten consecutive hours, including breaks and lunch. For example, a 32-hour worker class may be taught in 9-hour days, reducing the class time on the fourth day by six (6) hours, a 40-hour contractor/supervisor class may be taught in 10-hour days, reducing the class time to four (4) days, and a 24-hour inspector class may be taught in 10-hour days, reducing the class time to 2.5 days.

f. The Department waives the requirement pursuant to LAC 33:III.2707.A.3, in the event that emergency use of an uninspected building as a school or state building is necessitated, such building shall be inspected within thirty (30) days after the decision to use them. If an inspection of the building cannot be conducted within thirty (30) days of the decision to use the building as a result of the EVENT, the agency using the building as a school or state building may request an extension of the deadline to inspect the building of not more than four (4) month after the decision to use the building. The request for extension shall be submitted to OES.

g. The Department waives the requirement pursuant to LAC 33:III.2723.A.1 that the local education agency or state government must submit a management plan prior to all building that are leased, owned, or used as a school or state building. A management plan shall be submitted within six (6) months of the initial use of the building.

h. Office Environmental Services and Surveillance Contact Information:

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**Office of Environmental Services
Notifications and Accreditations Section**

By Mail:

LDEQ Office of Environmental Services
Public Participation and Permit Support Division
Notifications and Accreditations Section
P.O. Box 4313
Baton Rouge, LA 70821-4313

By Overnight or Hand-delivery:

LDEQ Office of Environmental Services
Public Participation and Permit Support Division
Notifications and Accreditations Section
602 North 5th Street
Baton Rouge, LA 70802

Asbestos Training Notification email for OES
Asbestos-Lead.TrainingNotification@LA.GOV

Asbestos AAC-2 Notification for OES
DEQ.ASBESTOSNOTIFICATIONS@LA.GOV

**Office of Environmental Compliance
Surveillance Division
Regional Office Contacts**

Acadiana Regional Office

(Serves the following parishes: Acadia, Avoyelles, Catahoula, Concordia, Evangeline, Grant, Iberia, Lafayette, LaSalle, Rapides, St. Landry, St. Mary, Vermillion)

AROasbestos_admin@LA.GOV

Capital Regional Office

(Serves the following parishes: Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James, St. Martin, Tangipahoa, West Baton Rouge, West Feliciana)

CROasbestos_admin@LA.GOV

Northeast Regional Office

(Serves the following parishes: Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn)

NEROasbestos_admin@LA.GOV

Northwest Regional Office

(Serves the following parishes: Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Red River, Sabine, Webster)

NWROasbestos_admin@LA.GOV

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Southeast Regional Office
(Serves the following parishes: Jefferson, Lafourche, Orleans,
Plaquemines, St. Bernard, St. John the Baptist, St. Charles, St. Tammany,
Terrebonne, Washington)
SEROasbestos_admin@LA.GOV

Southwest Regional Office
(Serves the following parishes: Allen, Beauregard, Calcasieu, Cameron,
Jefferson Davis, Vernon)
SWROasbestos_admin@LA.GOV

§ 5. Open Burning

The Department will consider, on an individual basis, requests for approval for open burning, by persons other than local governments or their agents, of **EVENT**-generated trees, leaves, vines, twigs, branches, grass, and other vegetative debris. Any such burning approved by the Department must be conducted in compliance with the requirements of the Debris Management Plan and LAC 33:III.1109.D.6 and as authorized by the Department. Local governments and their agents shall follow the provisions of the Debris Management Plan.

§ 6. Records Management

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

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

§ 7. Fees and Invoices

The LDEQ Office of Management and Finance, Billing and Invoice Management Section, will continue to mail invoices according to its annual schedule. However, if your facility is located in the **Emergency Areas** and you need additional time to pay, please send an email to _DEQ-Invoices@la.gov and someone will assist you.

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§ 8. General Conditions

a. This **Second Amended Order** does not convey any property rights or any rights or privileges other than those specified in this **Second Amended Order**.

b. This **Second Amended Order** only serves as relief for the duration of this **Order** from the regulatory and proprietary requirements of the Department, and does not provide relief from the requirements of other federal, state, and local agencies. This **Second Amended Order** therefore does not negate the need for the property owner or facility operator to obtain any other required permits or authorizations, nor from the need to comply with all the requirements of those agencies.

§ 9. General Limitations

The Department issues this **Second Amended Order** solely to address the emergency created by **the EVENT**. This **Second Amended Order** shall not be construed to authorize any activity within the jurisdiction of the Department except in accordance with the express terms of this **Second Amended Order**. Under no circumstances shall anything contained in this **Second Amended Order** be construed to authorize the repair, replacement, or reconstruction of any type of unauthorized or illegal structure, habitable or otherwise.

§ 10. Other Authorizations Required

Nothing in this **Second Amended Order** shall eliminate the necessity for obtaining any other federal, state, or local permits or other authorizations that may be required.

§ 11. Completion of Authorized Activities

All activities authorized under this **Second Amended Order** must be commenced before the expiration of this **Second Amended Order** unless otherwise provided in an authorization or permit. The deadline for commencement under any authorization or permit issued under this **Second Amended Order** may be extended on a showing that contractors or supplies are not available to commence the work, or if additional time is needed to obtain

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any required authorization from the Federal Emergency Management Agency, the U.S. Army Corps of Engineers, or other local, state, or federal agencies.

§ 12. Amendments

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

§ 13. Expiration Date

This **Second Amended Order** shall take effect immediately upon execution by the Secretary of the Department, and shall expire on November 28, 2020 at 12:01 a.m., unless modified or extended by further order.

DONE AND ORDERED this 16th day of November 2020, in Baton Rouge, Louisiana.



Chuck Carr Brown, Ph.D
Secretary

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APPENDIX A

GUIDANCE PROTOCOL FOR SANITARY WASTEWATER TREATMENT SYSTEMS

The following protocol is intended to assist operators of sanitary wastewater treatment systems in the **Emergency Areas** in start-up and operation.

1. **Access**

Entrance to the treatment plant should be considered only after flood waters have receded enough to allow safe operation of the treatment plant including the safe conditions for staff. Accessibility to treatment plants in restricted areas may need to be cleared with the Office of Emergency Preparedness. Contact the local sheriff if assistance in gaining access to the treatment plant is required. The use of sound personal protective equipment for safety in unsanitary or unsafe conditions is required. Early return to compliant operation minimizes long-term problems within the entire wastewater system.

2. **Power Supply**

For use of generator power, arrange for a reliable and continual fuel source. Contact the Department of Agriculture if assistance in obtaining fuel for power generation at your treatment plant is needed. If no generation is available and you must wait for electrical providers; consider notification to residents of the effect on collection lines. If removal of clean out plugs is needed to prevent back up into homes, notify affected customers warning them to remain clear of these areas. If pump trucks are used, LDEQ can advise of locations to dispose of the pumped sewage.

3. **Start Up**

Once it is safe, re-power the treatment system, aerators and pumps. The primary goal is to remove sanitary wastewater from contact with humans, while making every effort to do so in a manner that is practical and least impacting on the environment. Activate disinfection units and maintain them. Initial effluent will likely be poorly treated and of a very poor quality. Adequate disinfection will be important to protect human health downstream of the discharge. If the system has been down and/or without power for an extended period of time, resident bacteria used in the treatment process may need to be re-established. Consider reseeded the system with activated sludge from operating aerated treatment plants. Several treatment plants are available for use in reseeded. Contact the Department's Water Permits Division, Administrator, Scott Guilliams, 225-219-3187 (email) scott.guilliams@la.gov for information regarding system seed sources.

4. **Monitoring**

Watch plant operations carefully to confirm it is functioning properly. Ensure that lift stations within the collection system are functional. Without functioning lift stations, sewage is not being removed from residences and sent for treatment. Visually observe effluent to maximize treatment effectiveness in the short term. If simple tools and/or tests are available to diagnose the plant's operational status ("sludge judge," settle-o-meter,

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dissolved oxygen meters, BOD analyses) use them frequently. If your plant is discharging poorly treated sewage, consider the impacts to persons, fish and wildlife downstream, including the possibility that drinking water intakes may be located downstream of your effluent. Notification to downstream users may be necessary to protect human health. Sample and analyze your effluent per LPDES requirements as soon as you are able.

5. Notifications and Documentation

Discharges that result in emergency conditions (threat to human health and the environment) must be reported immediately (1-877-925-6595). Discharges that result in emergency conditions (threat to human health and the environment) may require notification to affected persons. Report to the Department any discharges that interfere with downstream uses, such as swimming or drinking water sources or if fish kills occur. Discharge Monitoring Reports (per permit requirements) should be used to notify the Department of non-emergency conditions. Notification to sewage users may be necessary if problem with the system prevents removal of sewage from residences (or other human contact) on an on-going basis. Notification to downstream users may be necessary to protect human health. Notify the Local Office of Emergency Preparedness when damage repairs due to **the EVENT** are known – Federal Emergency Management Agency (FEMA) may be able to help with costs associated with damage due to **the EVENT**.

A permittee who wishes to establish the affirmative defense of upset must document the cause of the upset, that the facility was being properly operated at the time of the upset, that notice of the upset that exceeded effluent limitations was submitted to the DEQ and that the permittee took all reasonable steps to minimize or prevent the likelihood of adversely affecting human health or the environment.

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APPENDIX B

TEMPORARY HOUSING SITE SELECTION

Initial Screening

Sanitary Wastewater

All discharges shall be properly permitted.

- Attempts must be made to route sanitary wastewater to an existing wastewater collection system or wastewater treatment system whenever feasible. This option requires no permitting action or approval from the Department. However, the primary FEMA contractor shall notify the Department, in writing, of any such discharge to an existing wastewater collection system.
- If a point source discharge is to be made into waters of the state, identify the effluent route to the first named waterbody (a waterbody that is readily recognizable).
- Avoid discharge into a drainage system that goes through or next to a sensitive area. Sensitive areas include, but are not limited to: drainage behind a subdivision, school, or park; drainage that routes the effluent through a private pond or private property; or discharge into a designated outstanding natural resource waterbody.
- If feasible, route effluent to the Mississippi River, or through local drainage to the Mississippi River. If not possible, route effluent directly into the largest waterbody in the vicinity, or into the waterbody's drainage system as close as possible to the waterbody.
- Mobile homes will be rated at 250 gallons per day per mobile home. Travel trailers will be rated at 125 gallons per day per trailer. If washing machines will be made available outside of the mobile home or travel trailer (in a washateria) 800 gallons per day per washing machine will be factored into the allowable capacity. Any combination of the above should be utilized to determine overall gallons per day per site.
- All single point source discharge into waters of the state should be limited to 100,000 gallons per day in order to qualify for rapid coverage under the Louisiana Pollutant Discharge Elimination System General Sanitary Permit. Discharges in exceedance of 100,000 gallons per day will be evaluated by the Department on a case-by-case basis in compliance with water quality standards of the receiving waterbody.
- If feasible, select site that is an existing development, such as, an existing mobile home park, or a site that has existing infrastructure that can be utilized.
- Research existing databases and make on-site physical observations for former municipal waste sites, abandoned hazardous waste sites, former underground

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storage tank remediation sites, etc. These areas should be avoided as locations for staging or locating temporary housing.

Notification after Initial Screening

- After the initial screening, notify the Department and provide the following information:
 - Location – site name, physical location (911 address if available) and coordinates (i.e. latitude and longitude) shall be provided.
 - Identify the method of wastewater treatment or management. Notification must be made of connection to an existing wastewater collection system or treatment system (provide name of system); collection for off-site disposal (provide disposal name/location); or treatment and discharge to surface waters of the state.
 - If proposal is to discharge to surface waters from a treatment system that did not previously discharge at the proposed location, provide an estimated design flow (based on numbers above) and the effluent discharge route to first named waterbody. (Ex. unnamed ditch, to LA Hwy 19 ditch, to unnamed creek, to White's Bayou, to the Comite River.)
- Notification must be made to the Department at P. O. Box 4313, Baton Rouge, LA 70821-4313 or by fax at (225)219-3309 to the attention of the Administrator of the Water Permits Division.
- Following notification as provided in this section, the Department will provide comments on the proposed site.

Storm Water Permit Prior to Construction

Storm Water Permit Prior to Construction

- If dirt work is going to be required at the site, a stormwater general permit for construction may be required.
- If the area to be developed is less than one (1) acre, coverage under a stormwater general permit is not required.
- If the area to be developed is at least one (1) acre but less than five (5) acres, coverage under Construction General Permit LAR200000 will be required. A Notice of Intent (NOI) is not required to obtain coverage under this permit. However, a storm water pollution prevention plan (SWPPP) must be prepared and implemented at the time construction begins. A copy of the permit is available at <http://deg.louisiana.gov/assets/docs/Permits/LAR200000.pdf>. A Notice of Termination (NOT) is required when construction is complete.

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- If the area to be developed is five (5) acres or greater, coverage under the Construction General Permit, LAR100000, will be required. Submittal of a NOI (CSW-S) is required prior to commencement of construction. The NOI and a copy of the general permit can be found at <http://deq.louisiana.gov/assets/docs/Permits/CSW-G.docx>. Submission of an NOT is required when construction is complete.
- Close attention must be given to the Historic Preservation sections of each of the construction general permits for any construction at previously undeveloped sites.
- Coverage under the construction general permits is necessary prior to construction. However, authorization to discharge as described is not required before construction, but is required before the discharge begins.

Registration for Authorization for Direct Discharges

- See Section 1.d above.
- For FEMA temporary housing sites, the primary FEMA contractor shall apply for and be the responsible entity for the permit, operation, maintenance and reporting requirements to LDEQ.

Additional Recommendations/Requirements for the Housing Sites

Water

- Wastewater treatment plants (WWTP) must be operated by a certified operator.
- WWTP's must be properly operated and maintained at all times.
- Disinfection of effluent must be provided.
- Permittee should implement a program to inform residents of things that might be harmful to the WWTP such as the introduction of grease or large amounts of household chemicals to the treatment plant.

Waste

- Provide for collection and disposal of solid waste in accordance with applicable regulations
- Provisions should be made for proper disposal of household hazardous waste in accordance with applicable during the operation of the facility and as residents leave the facility.
- It is recommended that the residents be informed on the benefits and requirements of proper disposal of solid waste and household hazardous waste.

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Recycling

- Whenever feasible, provide for recycling, such as, providing a recycling center on site with appropriate recycle containers.
- Inform residents on the proper procedures for recycling household materials.
- Recycling incentives for residents can prove beneficial.

Open Burning

- Open burning at these sites shall be prohibited. This does not include charcoal or gas grills.

Site Closure

- Once all the residents have left, the site must be closed.
- All solid and household hazardous waste shall be removed and properly disposed.
- If a WWTP was used for treatment of sanitary wastewater, it shall be removed.
- Notification of closure must be made to the Department through SPOC (225-219-3640 or Toll Free 1-888-763-5424). The Department will approve the site for closure.

APPENDIX C

LDEQ Regional Office Contact Information

Acadiana Regional Office	Parishes Served
Regional Manager: Rhonda McCormick 111 New Center Drive Lafayette, LA 70508 phone: (337) 262-5584 fax: (337) 262-5593 email: aroadmin@la.gov	Acadia, Avoyelles, Catahoula, Concordia, Evangeline, Grant, Iberia, Lafayette, LaSalle, Rapides, St. Landry, St. Martin, St. Mary, Vermilion
Capital Regional Office	Parishes Served
Regional Manager: April Baiamonte PO. Box 4312 Baton Rouge, LA 70821-4312 phone: (225) 219-3600 fax: (225) 219-3695 email: croadmin@la.gov	Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James, Tangipahoa, West Baton Rouge, West Feliciana
Northeast Regional Office	Parishes Served
Regional Manager: Casey Head 508 Downing Pines Road West Monroe, LA 71292-0442 phone: (318) 362-5439 fax: (318) 362-5448 email: neroadmin@la.gov	Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, Winn
Northwest Regional Office	Parishes Served
Regional Manager: Mark Juneau 1525 Fairfield, Room 520 Shreveport, LA 71101-4388 phone: (318) 676-7227 fax: (318) 676-7573 email: nwroadmin@la.gov	Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Red River, Sabine, Webster
Southeast Regional Office	Parishes Served
Regional Manager: Brian Tusa 201 Evans Road, Building 4, Suite 420 New Orleans, LA 70123-5230 phone: (504) 736-7701 fax: (504) 736-7702 email: seroadmin@la.gov	Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. John the Baptist, St. Charles, St. Tammany, Terrebonne, Washington
Southwest Regional Office	Parishes Served
Regional Manager: Billy Eakin 1301 Gadwall Street Lake Charles, LA 70615 phone: (337) 491-2667 fax: (337) 491-2682 email: swroadmin@la.gov	Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, Vernon