

# Investigation/Compliance of Waste Regulations

**LDEQ-Office of Environmental Compliance**

**Celena J. Cage, Assistant Secretary**

[Celena.Cage@la.gov](mailto:Celena.Cage@la.gov)

**(225) 219-3710**



# Office of Environmental Compliance

- The mission of the environmental compliance program is to ensure the public and occupational welfare of the people and environmental resources of Louisiana by conducting inspections of permitted facilities and activities, responding to environmental emergencies and issuing sound enforcement actions.
- The program establishes a multi-media compliance approach; creates a uniform approach to compliance; assigns accountability and responsibility to the appropriate parties; provides standardized radioactive material training to compliance; and provides for the execution and timely resolution of activities.
- Office of Environmental Compliance consists of the Enforcement Division, Surveillance Division and Emergency and Radiological Services Division with 237 full time employees and 8 WAEs.

# Surveillance Division

- Conducts Compliance Evaluation Inspections (CEIs) of permitted and un-permitted facilities.
- Conducts inspections/investigations in response to Citizen's Complaints, Unauthorized Releases and/or Spills.
- Assists with Hurricane and/or other Natural Disaster activities.
- Assists in and/or responds to other emergency conditions.

# Surveillance Division



# Surveillance Division

## Compliance Evaluation Inspections (CEIs):

Air Quality: 462

Asbestos: 384

**Hazardous Waste: 249**

**Solid Waste: 107**

Waste Tires: 314

Wastewater/Water: 596

2112 CEIs

# Surveillance Division

- 4454 Incident/Complaint Investigations
- 1387 Water Sampling Events
- 87 Watershed Inspections
- Debris Site Assessments:
  - Hurricane IDA: 2466
  - Hurricane Laura: 604
  - Hurricane Delta: 7
  - Hurricane Zeta: 5
  - Severe Winter Weather: 29
  - May Flooding Event: 5

# Surveillance Division

- 732 Notice of Deficiencies (NODs) issued for Areas of Concern(s) identified during CEIs and/or incident/complaint investigations.
- 163 Notice of Corrected Deficiencies (NOCDs) issued.
- **527 referrals containing Areas of Concern and/or Violations were submitted to the Enforcement Division.**
- **Everyone didn't pass the inspection!**

# Emergency and Radiological Services Division





# Emergency and Radiological Services Division

- To protect the health and safety of the public and environment in the event of a radiological incident.
- Responsible for developing and maintaining the Louisiana Peacetime Radiological Response Plan for any potential incidents at nuclear power plants affecting the citizens and environment of the State of Louisiana.
- Responds to and/or investigates unauthorized discharges releases which exceeds a reportable quantity (RQ).
- Responds to and/or investigates incidents which creates an emergency condition.

# Emergency and Radiological Services Division

- 880 spill investigations.
- 130 complaint investigations.
- 231 Hurricane IDA Rapid Needs Assessments
- 47 Chemical Accident Prevention Program Inspections.

# Emergency and Radiological Services Division

- 1451 Radiation Inspections
- 1815 Licensing/registrations issued or processed
- 510 Industrial Radiology test administered
- 48 REPR Training and Drills
- 10 Evaluated exercises

# Enforcement Division



# Enforcement Division

- Enforces permit conditions, regulations and laws/statutes through a variety of enforcement tools.
- The goal is to ensure that every business, facility, organization and individual within the State of Louisiana is achieving environmental compliance through sound work practices.

# Enforcement Division

- **Enforcement Actions Issued: 662**
  - **Solid Waste: 140**
  - **Hazardous Waste: 21**
  - **Multimedia with Solid and Hazardous Waste: 10**

# Enforcement Division



# Common Waste Violations





# Common Solid Waste Violations

- Caused and/or allowed the unauthorized disposal of solid waste without a permit (LAC 33:VII.315.C).



# Common Solid Waste Violations

- Cause and/or allowed the open burning of regulated solid waste (LAC 33:VII.315.M).



# Common Solid Waste Violations

- Failure to submit a generator notification form to the Department (LAC 33:VII.501.B.1.a).
- Failure to submit Annual Certification of Compliance Form.

The image shows a sample of the Louisiana Department of Environmental Quality (DEQ) Annual Certification of Compliance Form. The form is titled "Annual Certification of Compliance Form" and includes sections for "General SW Compliance Status" and "SW Billing Compliance Status". It contains various fields for company information, dates, and compliance status, along with checkboxes for specific requirements.

# Common Solid Waste Violations

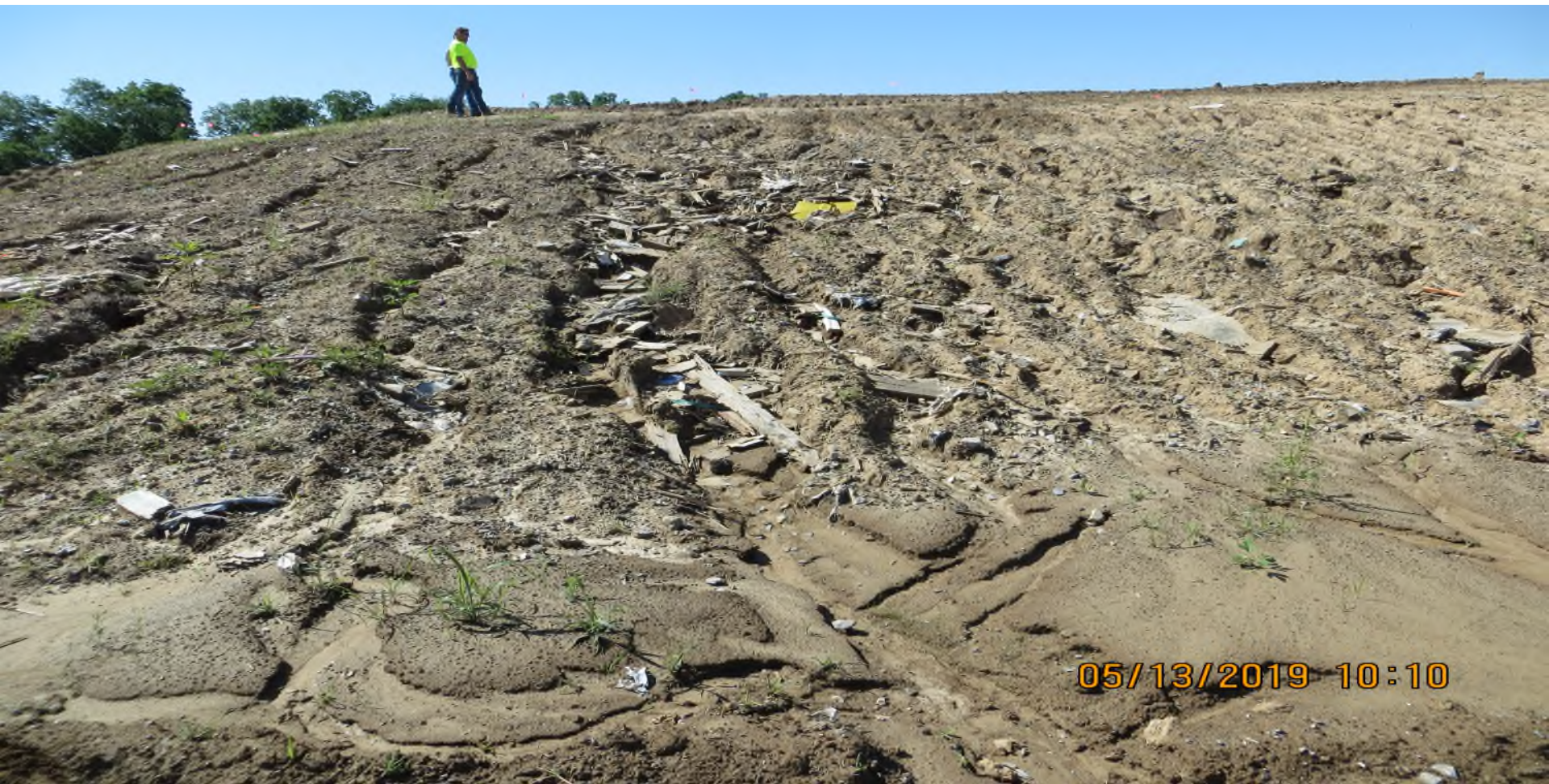
- Failure to cover waste with a minimum of twelve (12) inches of silty clay every thirty (30) days (LAC 33:VII.721.A.2.b, LAC VII.901.A and applicable attachment to effective permit).



# Common Solid Waste Violations

- Failure to properly compact waste and maintain slopes in a manner that allows for proper compaction of waste (LAC 33:VII.721.A.2.c, (LAC 33:VII.721.C.h, LAC 33;VII.901.A and applicable attachment to effective permit).
- Failure apply adequate cover material to reduce noxious odors (LAC 33:VII.721.A.2.a.v, LAC 33:VII.901.A and applicable attachment to effective permit).

# Common Solid Waste Violations



# Common Solid Waste Violations



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# Common Solid Waste Violations

- Failure to ensure that no solid waste is deposited in standing water and that standing water in contact is removed immediately (LAC 33:VII.721.C.1.g, LAC 33:VII.901.A and applicable attachment to effective permit).



# Common Solid Waste Violations



# Common Solid Waste Violations



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# Common Solid Waste Violations

- Failure to store recyclables in closed containers and ship offsite to a recycling facility every thirty (30) days (LAC 33:VII.721.C.2, LAC 33:VII.901.A and applicable attachment to effective permit).



# Common Solid Waste Violations

- Failure to ensure unacceptable waste is segregated and placed in a closed container and removed every seven (7) days (LAC 33:VII.901.A and applicable attachment to effective permit).



# Common Solid Waste Violations

- Failure to prohibit or prevent disposal of residential waste and commercial waste (LAC 33:VII.721.C.a.f, LAC 33:VII.901.A and applicable attachment to effective permit).



# Common Solid Waste Violations

- Failure to document the date, type of material, volume of waste, delivery vehicle information (i.e., identification no., vehicle owner, vehicle driver, and transporter identification no., etc.) for each incoming load (LAC 33:VII.901.A and applicable attachment to effective permit).
- Failure to maintain a cover log which documents the volume of cover mater, location of cover material, source of cover material and depth of cover material (LAC 33:VII.721.A.2.d.ii-v, LAC 33:VI.901.A and applicable attachment to effective permit).

# Common Solid Waste Violations

- Failure to deposit waste(s) in the smallest practical area and compact each day so that only one (1) working face is utilized (LAC 33:VII.721.A.2.c, LAC 33:VII.901.A and applicable attachment to effective permit).

# Common Solid Waste Violations

- Storing more than twenty (20) tires without notifying the Office of Environmental Services as a waste tire generator (LAC 33:VII.10519.A).
- Failure to provide cover adequate to exclude water from waste tires, vector and vermin control, and a means to prevent or control standing water in the storage area (LAC 33:VII.10519.I).





# Common Solid Waste Violations

- Failure to notify of fire at a landfill/emergency condition.



# Common Solid Waste Violations

- Failure to maintain all required records (LAC 33:VII.713.C.2.a and/or LAC 33:VII.713.C.2.c, LAC 33.VII.901.A and applicable attachment to effective permit).
- Failure to conduct daily inspections of surface impoundments to detect evidence of deterioration of dikes and levees, overtopping, malfunctions, or improper operation (LAC 33:VII.713.D.3.c, LAC 33.VII.901.A and applicable attachment to effective permit).

# Common Solid Waste Violations

- Failure to maintain protective casing with locking covers and a secure locking device in place (LAC 33:VII.805.A.3.c.i).
- Failure to have guard posts firmly anchored outside the slab, but not in contact with the slab, of groundwater monitoring wells (LAC 33:VII.805.A.3.c.ii).



# Unlocked/unsecured casing



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# HAZARDOUS WASTE

A fire with bright yellow and orange flames is burning through the center of the text 'HAZARDOUS WASTE'. The fire is positioned vertically, passing through the letters 'A', 'R', 'D', 'O', 'U', 'S' in the top row and 'A', 'S', 'T', 'E' in the bottom row. The background is black.

## Resource Conservation and Recovery Act (HW)

- Enacted in 1976 – Amendment of the 1965 Solid Waste Disposal Act.
- Protecting human health and the natural environment from the potential hazards of chemical wastes.
- Eliminate/minimize the generation of hazardous waste, through source reduction and recycling.
- Ensuring the management of waste in an environmentally sound manner.
- **Established “Cradle to Grave”**



# Hazardous Waste Regulations/Requirements

- Define types of hazardous waste generated
- Waste storage requirements
- Construction, security, leak detection, etc.
- Maximum of 90 days of storage after container is deemed full
- Inspections
- Labeling
- Training
- Manifesting and DOT Requirements
- Waste Minimization Program
- Reporting

# HW Generator Status

- Determine Generator Status. Generally,
  - $> 1000$  kg of hazardous waste per month: Large Quantity Generator (LQG)
  - $>100$  and  $<1,000$  kg/month: Small Quantity Generator (SQG)
  - $\leq 100$  kg/month: Very Small Quantity Generator (VSQG)



# Common HW Violations

- Failure to determine if generated solid waste(s) is a hazardous waste (LAC 33:V.1005.A).



# Common HW Violations

- Disposal of Hazardous Waste without a permit or other authorization from the Department (LAC 33:V.303.B).
- Failure to obtain an active EPA identification number within fourteen (14) days after first generating any hazardous waste (LAC 33:V.1017.A).
- Failure to notify the OES within seven (7) days if any information submitted on the notification of hazardous waste activity changes (LAC 33.V.1017.A).

# Common HW Violations

- Failure to label or mark containers of hazardous waste with the words “Hazardous Waste: or with other words to identify the contents of the containers (LAC 33:V.1009.A.7).
- Failure to mark or label a container accumulating hazardous waste with an accumulation start date (LAC 33:V.1013.C.6.b).

# Seven (7) unlabeled 55-gallon drums of newly generated hazardous waste(s).



pen container of hazardous waste. Waste was not being added or removed at the time of the inspection. The container is not labeled with an indication of the hazards.



**Two 25-gallon satellite accumulation containers. Neither have an indication of hazards and one is not labeled “Hazardous Waste”.**



# Common HW Violations

- Failure to store used oil in a unit (e.g., a container or tank); LAC 33:V.4013.B.
- Failure to clearly mark or label containers used to store used oil with the word “Used Oil” (LAV 33.V.4013.D.1., LAC 33:V.4035.H.1 and LAC 33:V.4049.G.1).



# Common HW Violations

- Failure to provide a secondary containment system that is sufficiently impervious to used oil to prevent any used oil which is released into the containment system from migrating out of the system to the soil, groundwater or surface water (LAC 33:V.4035.F.2 and/or LAC 33.V.4049.E.2).
- Failure to ensure that a secondary containment system is free of gaps or cracks (LAC 33:V.1907.E.1.C, LAC 33.V.1015.B.2.a).



# Secondary Containment



# Damaged secondary containment structure for hazardous waste storage tank(s).



# Cracks in a hazardous waste storage tank's secondary containment liner.



# Common HW Violations

- Failure to conduct weekly inspections of areas where containers are stored to look for leaking containers and for deterioration of containers caused by erosion or other factors (LAC 33:V.2109.A and 33.V.309.A).
- Failure to clean up a spill of hazardous waste in a timely manner (LAC 33:V.1067.A).

**Drums of hazardous waste in 1.) Non-compatible waste containers; 2.) Failure to clean up spill(s) of hazardous waste 3.) Open container containing hazardous waste(s).**



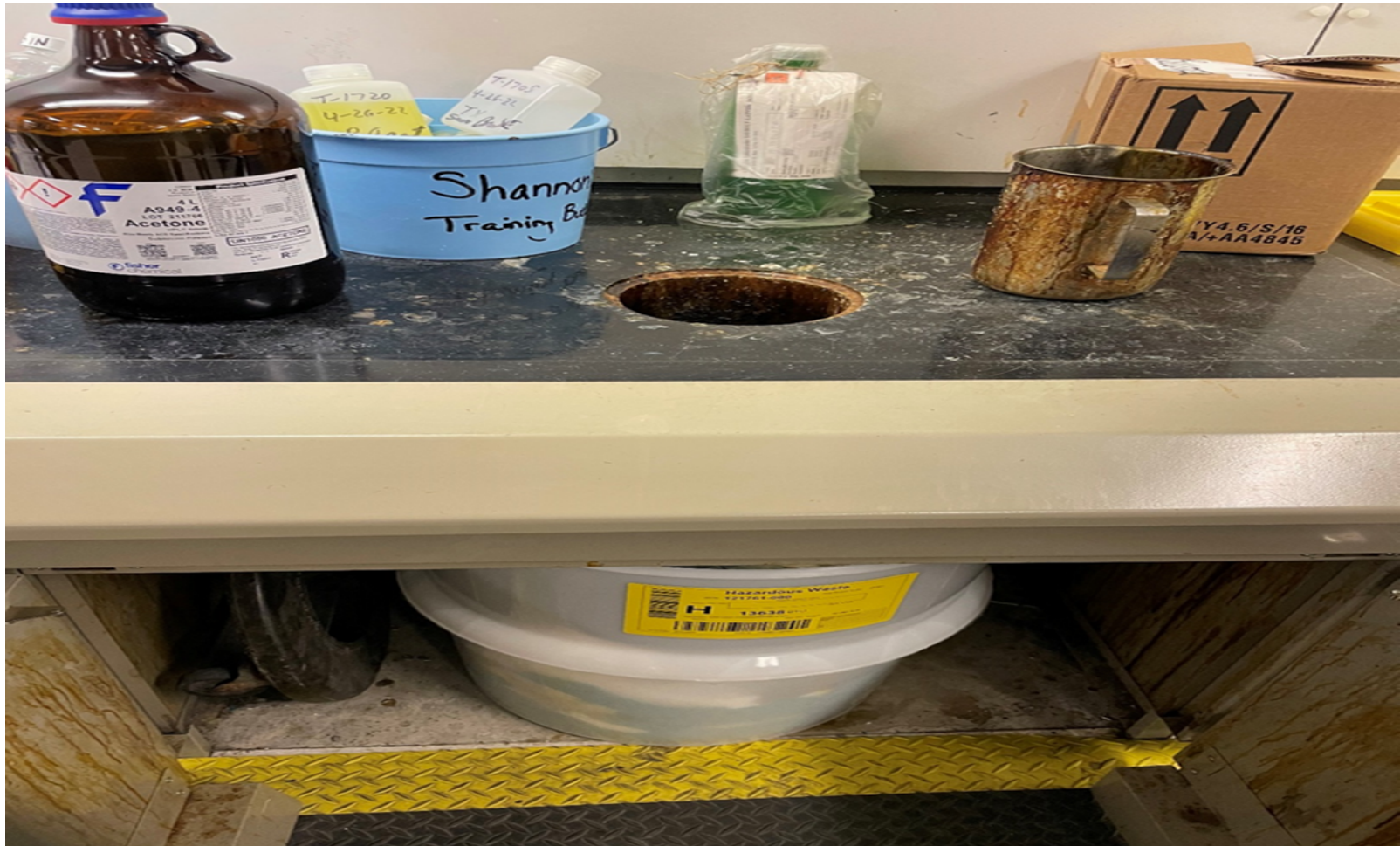
# Hazardous Waste container with Hazardous Waste on the outside.



# Open hazardous waste container with hazardous waste splashed inside cabinet.



Same container as previous photo – the container is maintained open at all times during accumulation. Waste is deposited in the container through the hole located in the floor of the hood.





# Collapsing container(s) utilized for Hazardous Waste accumulation/storage.



# Assortment of HW Containers



# Assortment of HW Containers Opened and unlabeled



# Opened/labeled HW Container in Lab

# Common HW Violations

- Failure to store hazardous waste containers in rows with a minimum of two (2) feet of aisle space between rows (LAC 33:V.309.A).
- Failure to stack containers of hazardous waste in fashion that each container identification label can be read from the access aisle (LAC 33:V.2109.B and LAC 33:V.309).



# Common HW Violations

- Failure to provide a “program of classroom instruction, online training (e.g., computer-based or electronic), or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance.



# Common HW Violations

- Failure to include all EPA hazardous waste codes on/in the Hazardous Waste Annual Report (LAC 33.V.1021.A).
- Failure to list all hazardous waste codes on the manifest for hazardous waste shipped offsite (LAC 33:V.1107.B.1.d).
- Failure to submit an Annual Hazardous Waste Report (HW-1).

# Common HW Violations

- Failure to develop and retain a waste minimization plan which includes ongoing and proposed projects (LAC 33:V.2245.K and LAC 33.V.1015.B.9).





# Common HW Violations

- Failure to prepare a Contingency Plan (LAC 33:V.1051.A and LAC 33:V.1051.B.6).



# Universal Waste

## UNIVERSAL WASTE

### BATTERIES



### LAMPS



### MERCURY



### PESTICIDES



# Common HW Violations-Universal Waste

- Failure to label universal waste batteries with the words “Universal Waste-Battery(ies), “Used Battery(ies) or “Waste Battery(ies) (LAC 33.V.3823.A.1).
- Failure to mark container of universal batteries with an accumulation start date (LAC 33:V.3825.C.1).



# Accumulated Waste Batteries



# REMINDER!

## BATTERIES CAN SPARK OR EXPLODE



They don't belong in  
recycling or trash.



# Common HW Violations-Universal Waste

- Failure to mark containers of universal waste lamps with the words “Universal Waste-Lamps” (LAC 33:V.3845.A.6).
- Failure to mark container of universal waste lamps with an accumulation start date (LAC 33:V.3847.C.1)
- Storing universal waste lamps onsite for greater than one (1) year (LAC 33:V.3825.A).



# OEC Update(s)

- Expansion of the Expedited Penalty (XP) Program
  - Finalized on July 9, 2022. Allows timely resolution for additional minor/moderate violations.
- Voluntary Environmental Self-Audit Regulations
- Revised/Updated Asbestos regulations
- Solid Waste Regulations revision to include measurable leachate management requirements.

**Questions**

**Answers**