

# Common Solid & Hazardous Waste Violations

## Presenters:

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2024 A&WMA  
Conference



October 29, 2024

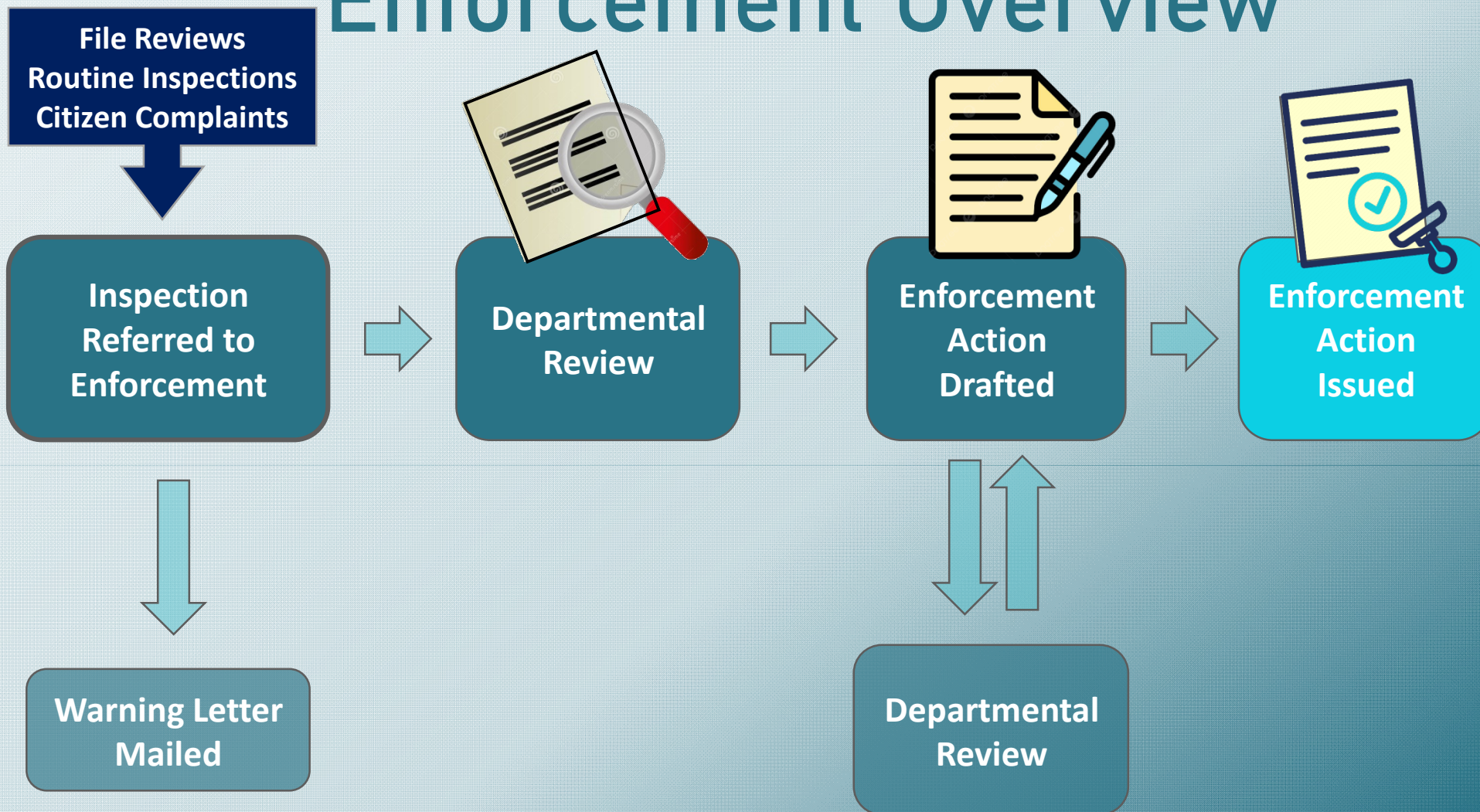


# Disclaimer

- **Material contained in this presentation is intended for training and/or environmental educational purposes only.**
- **The examples are summarized due to time constraints and do not represent the complete Departmental review process.**



# Enforcement Overview



# Types of Enforcement Actions

## Informal Actions

Notice of Violation

Notice of Corrected Violation

## Formal Actions

Compliance Order

Consolidated Compliance Order & Notice of Potential Penalty

Notice of Potential Penalty

Requires

Injunctive Relief

Can lead to...

Settlement Agreement

Expedited Penalty

Penalty Assessment

# Where can I find the Regulations?

- Louisiana Administrative Code (LAC) Title 33
- <https://www.deq.louisiana.gov/resources/category/regulations-lac-title-33>

## REGULATIONS (LAC TITLE 33)

01. Part I Office of the Secretary Subpart 1. Administrative Procedures Subpart 2. Notification Subpart 3. Laboratory Accreditation Subpart 4. Emergency Response Regulations	FILE TYPE: .DOCX DATE: 04/22/2024	VIEW
03. Part III Air	FILE TYPE: .DOCX DATE: 07/10/2024	VIEW
05. Part V Hazardous Waste Subpart 1. Department of Environmental Quality-Hazardous Waste	FILE TYPE: .DOCX DATE: 01/17/2023	VIEW
06. Part VI Inactive and Abandoned Sites	FILE TYPE: .DOC DATE: 07/21/2022	VIEW
07. Part VII Solid Waste Subpart 1. Solid Waste Regulations Subpart 2. Recycling	FILE TYPE: .DOCX DATE: 12/07/2023	VIEW



# What is Solid Waste?

- **LAC 33:VII.Chapter 1**
- **Any garbage, refuse, or sludge**
  - waste treatment plant
  - water-supply treatment plant
  - air pollution-control facility
- **Other discarded material**
  - solid, liquid, semisolid, or contained gaseous material
- **Can result from**
  - industrial, commercial, mining, agricultural operations
  - Community activities
  - Construction/demolition debris



# Common Solid Waste Violations-General

## Example 1 - LAC 33:VII.315.C

- All solid waste shall be **processed** or **disposed** of at a permitted solid waste facility



# Common Solid Waste Violations-General

**Example 1.A - LAC 33:VII.315.D** (in violation of 315.C)

**Abandonment** of solid waste is considered an act of **disposal**.

## **Abandonment:**

- Leaving behind or deserting solid waste at a location other than a proper disposal/processing facility
- Proper Storage **≠** Abandonment



Description: Abandoned totes and drums near the gate of the facility. The majority of the items did not have labels and those with labels were so deteriorated that they were unreadable.

# Common Solid Waste Violations-General



## Example 2 - LAC 33:VII.315.M

Open **burning** of solid waste is prohibited, except in accordance with R.S. 30:2001 et seq. and LAC 33:III.1109.



Household debris; canned food; propane tanks; tires; furniture



Metal debris

# How to Address Violations 315.C & 315.M?

- Submit a written response, disposal receipts, photographs
- May need confirmation sampling depending on the type of waste

April 24, 2018

Louisiana Department of Environmental Quality  
 Re: Compliance Order SE-C-15-01479

Dear

Per our conversation, I am sending you a follow up email for Compliance Order SE-C-15-01479. Since receiving the order, I have closed the site down. I am no longer collecting, accepting, burning, or storing solid waste at the site. The solid waste was removed starting October 2017 through December 2017. The site was closed on December 26<sup>th</sup>, 2017.

Sincerely,

**WASTE MANAGEMENT**  
 29340 Woodside Drive  
 Walker, LA, 70785  
 Ph: (225) 665-8225

Original Ticket# 1734365

Customer Name: VISACUSTOMER VISA CUSTOMER  
 Ticket Date: 10/26/2017  
 Payment Type: Credit Card  
 Manual Ticket#  
 Hauling Ticket#  
 Route  
 State Waste Code  
 Manifest  
 Destination  
 PO  
 Profile  
 Generator

Carrier: VISA CREDIT CARD CUSTOMER  
 Vehicle#: 902Y  
 Container  
 Driver  
 Check#  
 Billing #: 0033103  
 Gen EPA ID  
 Grid: 3048805 9082481 L4

Time	Scale	Operator	Inbound	Gross Tare
In 10/26/2017 10:03:34	Inbound	JARRED		
Out 10/26/2017 10:03:34		JARRED		Net Tons

Comments

Product	LDX	Dty	UOM	Rate	Tax	Amount	Origin
1 1010Y-MSW COMMERCIAL	100		5.00 Yards	13.74		\$68.70	
2 EVF-L-Standard Env	100		1 Load	22.00		\$22.00	
3 PCR-P-Regulatory C	100		%	3.60		\$3.27	
4 WWM-P-Waste Water	100		%	4.75		\$4.31	

Total Fee  
 Total Ticket \$98.28

# Common Solid Waste Violations-General

## Example 3 – LAC 33:VII.315.B & LAC 33:VII.503.A

- **Solid waste cannot be stored:**

- in a manner that may cause (or long enough to cause) a nuisance, health hazard, or detriment to the environment
- at an **off-site** location
  - *Unless* it is authorized by Department, is at an authorized transfer station, or is at an authorized collection/processing/disposal facility
- Greater than 1 year **on-site** without Departmental approval
- **Records indicating the time frame the waste has been stored should be maintained at the facility.**

### Containers used for solid waste shall (503.A):

- Keep out water, rodents, and insects
- Minimize odors escaping
- Prevent leakage

**In Compliance**



# Common Solid Waste Violations-General

## Example 4 – LAC 33:VII.401.A & LAC 33:VII.505.D

### 401.A

Generators of industrial solid waste & persons who **transport, process, or dispose** of solid waste:

- **Notify** the Office of Environmental Services, in writing, **within 30 days** via a notification form

### 505.D

Solid waste shall be **transported** only to permitted processing/disposal facilities



**Notification Form for Transporters of Solid Waste**  
Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services (OES)  
Public Participation and Permit Support Division (PPPSD)  
Notifications and Accreditations Section (NAS)

Phone (225) 219-3244 or (225) 219-3300

Submit this form to one of the following:

U.S. Mail Address  
NAS-PPPSD-OES  
LDEQ  
Post Office Box 4313  
Baton Rouge, LA 70821-4313

Service Carrier or Hand-Delivery Address  
NAS-PPPSD-OES  
LDEQ  
602 N. 5<sup>th</sup> St.  
Baton Rouge, LA 70802

This notification form is to be submitted to the LDEQ by any person who moves solid waste off-site to a non-processing transfer station or a collection, processing, or disposal facility as defined in LAC 33:VII.115.A (excluding individuals who transport their own residential waste to a collection facility, non-processing transfer station, or permitted processing facility and/or solid waste landfill).

THIS NOTIFICATION IS *Check one*

The first for this transporter

A subsequent notification *List Agency Interest (AI) No.* \_\_\_\_\_

*NOTE: See Detailed Instructions (p.3)*

1. Company Name \_\_\_\_\_ Facility Name (if any) \_\_\_\_\_

2. Mailing Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

3. Physical Location/Description *Use Street Address* \_\_\_\_\_  
City \_\_\_\_\_ Parish \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

4. Geographic Location Latitude Degrees \_\_\_\_\_ Minutes \_\_\_\_\_ Seconds \_\_\_\_\_  
Longitude Degrees \_\_\_\_\_ Minutes \_\_\_\_\_ Seconds \_\_\_\_\_

5. Contact Name \_\_\_\_\_ Contact Title \_\_\_\_\_

6. Contact Phone ( ) \_\_\_\_\_ Contact Fax ( ) \_\_\_\_\_

7. Contact Email \_\_\_\_\_

8. Property Owner's Name \_\_\_\_\_

Form\_7576\_r00 12-15-2023 ATTENTION: ANY INFORMATION SUBMITTED TO LDEQ MAY BECOME PUBLIC RECORD IN ACCORDANCE WITH ACT 256 JULY 2019 Notification Form for Transporters of SW Page 1 of 3

# Where are the Solid Waste Notification Forms?

## Example 4 continued

### LDEQ Solid Waste page

- <https://deq.louisiana.gov/page/solid-waste>

### LDEQ Solid Waste Operators/Notifications page

- <https://deq.louisiana.gov/page/solid-waste-operatorsnotifications>



## Solid Waste Operators/Notifications

### Sewage Sludge Transporter Notification Form

- Sewage Sludge Transporter Notification Form (Revised 2/13/13)

For Sewage Sludge Technical Questions: 225-219-3193

For Questions regarding the Sewage Sludge form 225-219-3293

### Solid Waste Operator Applications

- Solid Waste Operator Certification Application (Revised 12/28/2023)
- Solid Waste Operator Re-Certification Application (Revised 12/28/2023)

### Solid Waste Notification Forms

- Notification Form for Transporters of Solid Waste (Revised 12/15/2023)
- Notification Form for Transporters of Solid Waste PDF (Revised 12/15/2023)
- Notification Form for Generators of Industrial Solid Waste (Revised 12/15/2023)
- Notification Form for Generators of Industrial Solid Waste PDF (Revised 12/15/2023)

(These forms are used to submit a notification of Solid Waste Generators and Transporters, including any Solid Industrial Waste, Residential & Commercial Waste, Woodwaste, Construction/Demolition-Debris, and special wastes, such as Asbestos-Containing Waste Material, Medical waste, Grease Waste, etc.). Please contact Melissa Day at (225) 219-3244 of the Notifications and Accreditations Section if you have questions.

# Common Solid Waste Violations-General

## Example 5 – LAC 33:VII.315.0

Generators shall not offer solid waste to unauthorized/unpermitted transporters, processing facilities, or disposal facilities

Unpermitted  
Landfill Site



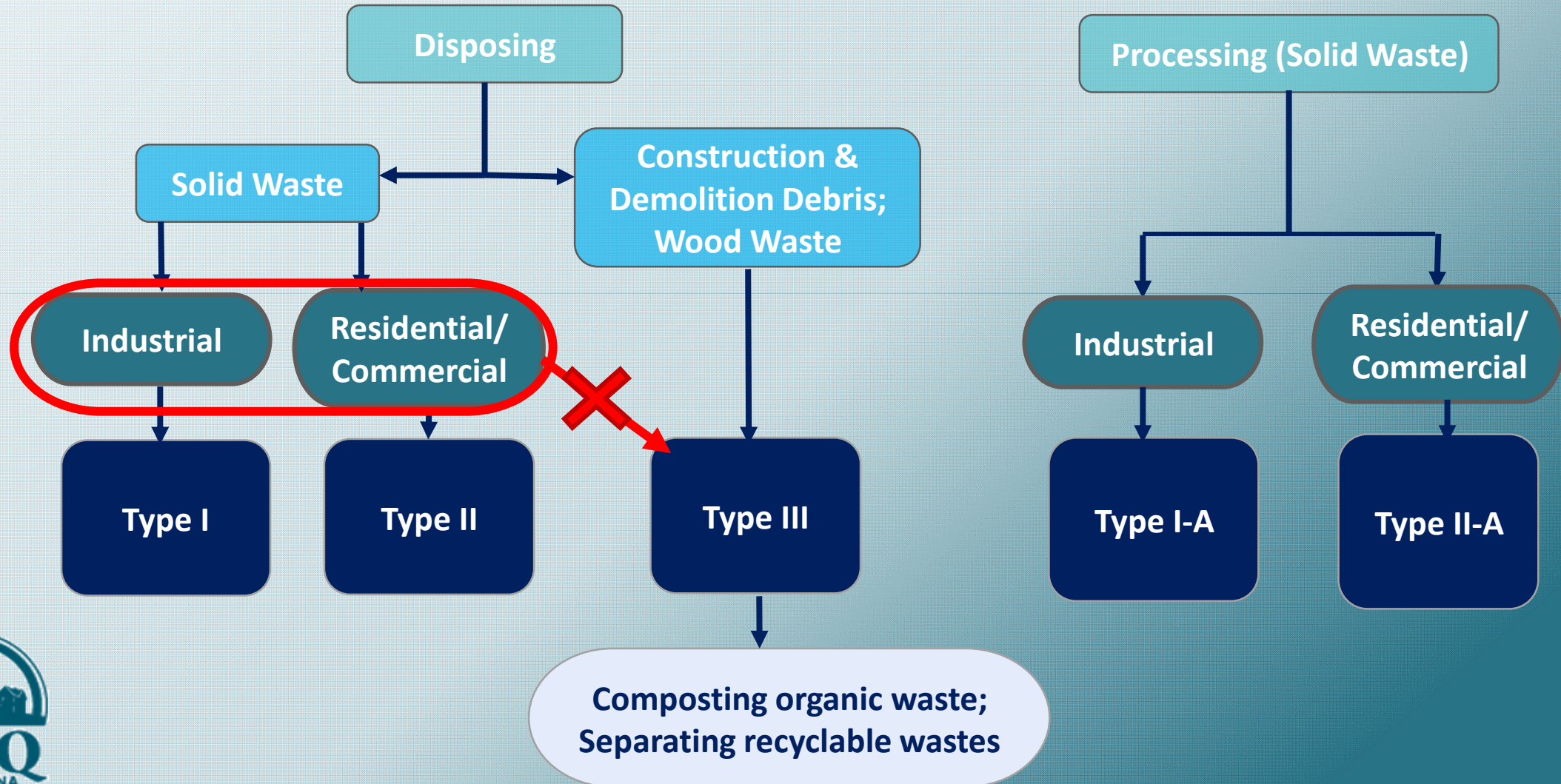
Wood waste, pallets, and pole-cuts

Item No.	Desc	Amount	Forward
1	Backhaul	50	-
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			

Original receipt from construction company as evidence.

# Common Solid Waste Violations-Landfill

## What are the different types of Landfills?



# Common Solid Waste Violations-Landfills

## Example 1 - LAC 33:VII.901.A

- Failure of any person to comply with any of the provisions of the **regulations** or of the terms and **conditions of any permit** granted or order issued constitutes a violation of the Act.
- Permit condition cited.

### STANDARD TYPE II and III SOLID WASTE LANDFILL PERMIT RENEWAL

Site Number: D-

Standard Permit Number: P-

Limitations and conditions applicable to this Standard Permit Renewal:

3. The operation of the Facility is subject to all applicable rules, regulations, and orders of the Department and all conditions of this Standard Permit Renewal.
4. The operation of the Facility shall be conducted in accordance with the representations made in the permit renewal application accepted by the Waste Permits Division and all conditions of this Standard Permit Renewal.



# Common Solid Waste Violations-Landfills

## Example 2

LAC 33:VII.711.D.1 & 721.C.1.f

**Certain wastes are unacceptable depending on the type of landfill**

**Out of Compliance  
(Type III)**



Location: Cell 3A

Photo Number: 4 of 26

Time: 9:48 a.m. - 9:51 a.m.

Description: (A) Plastic case – unacceptable; (B) Carpet – unacceptable; (C) Pillow – unacceptable; (D) Plastic gate - unacceptable

# Common Solid Waste Violations-Landfills

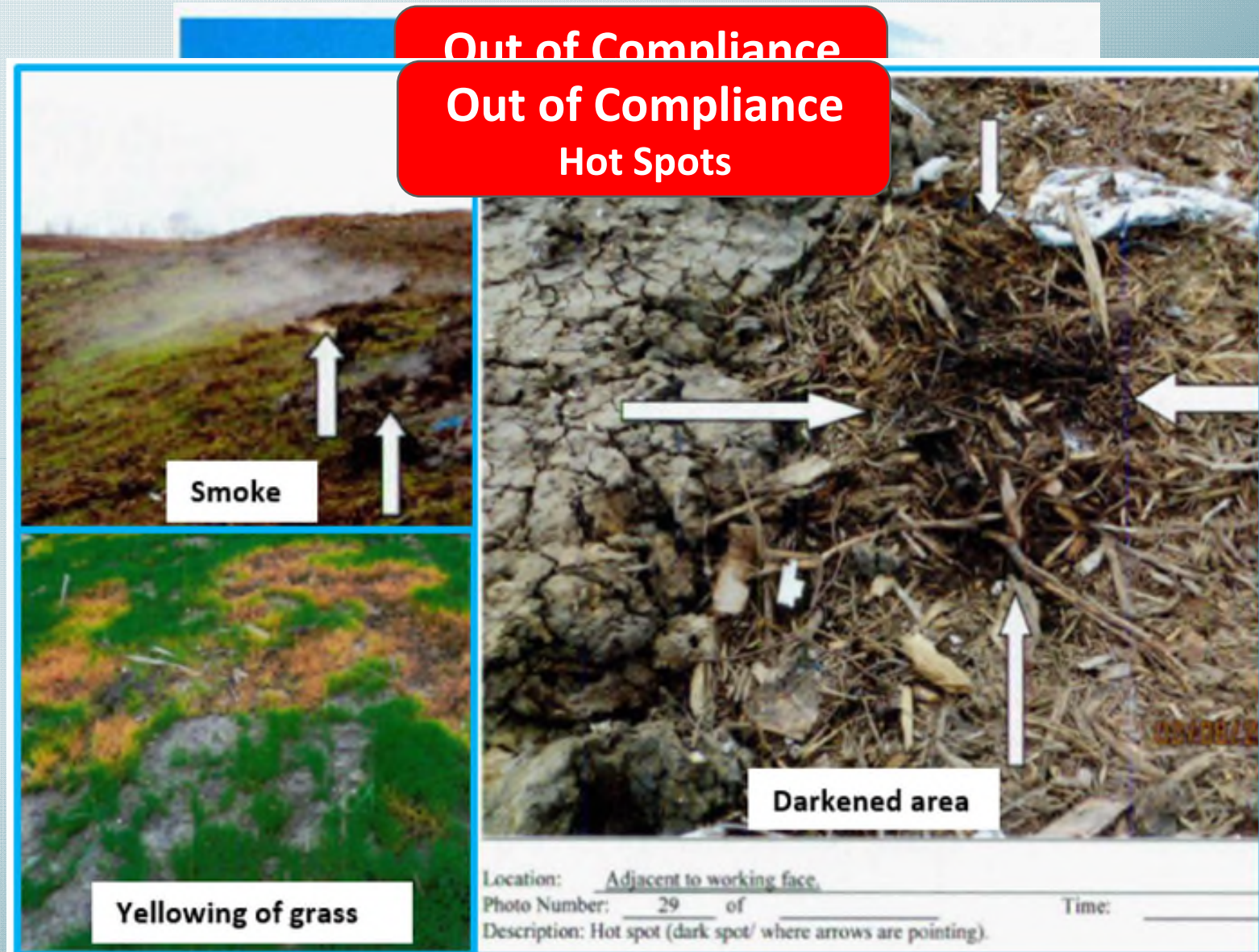
## Ex. 3 - LAC 33:VII.711.B.2.f & 721.A.2 Cover Requirements

### Apply and maintain cover to:

- Reduce noxious odors
- Control leachate generation
- Minimize erosion
- Minimize blowing paper & litter
- Reduce fire-hazard potential (hot spots)

**Type I & II:** apply 6 inches of daily cover (or permit condition) (711.B.2.b)

**Type III:** apply 12 inches every 30 days (721.A.2)



# Chapter 105 Waste Tires – Common Definitions



## Waste Tire

a whole tire no longer suitable for its original purpose because of wear, damage, or defect and/or has been discarded by the consumer

## Generator

a person whose activities, whether authorized or unauthorized, result in the production of waste tires. This may include, but is not limited to, tire dealers, salvage yards, etc.

# Common Solid Waste Violations-Waste Tire

## Example 1 - LAC 33:VII.10519.A & LAC 33:VII.10519.R

### 10519.A

Generators of waste tires (WT) that store > 20 waste tires:

- Notify LDEQ within **30 days** of start of business
- Obtain a **generator ID number**
  - Needed before initiating a manifest

### 10519.R

- Submit a new form within 10 days of information changing



**WASTE TIRE GENERATOR NOTIFICATION FORM**  
LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL SERVICES  
WASTE PERMITS DIVISION  
P.O. Box 4313  
Baton Rouge, Louisiana 70821-4313

**FOR OFFICE USE ONLY**  
Agency Interest #: \_\_\_\_\_  
DEQ Account #: WT- \_\_\_\_\_  
DEQ Facility #: R- \_\_\_\_\_

In order for the Department to process this form, all sections must be completed and the original signed copy must be mailed to the Department at the address above. A guidance document has been prepared by the Department of Environmental Quality (LDEQ) to assist in completing this form and should be consulted prior to providing responses to the information required to be contained in this application. If you have questions concerning this form, please email [wastetires@la.gov](mailto:wastetires@la.gov).

**1. TYPE OF APPLICATION**

<input type="checkbox"/> New Application	<input type="checkbox"/> Change in Ownership*
<input type="checkbox"/> Name Change	<input type="checkbox"/> Change in Physical Location*
<input type="checkbox"/> Information Update*	

\*Section 3 must be completed for changes in ownership or location \*Explanation must accompany form

Date Business Opened: \_\_\_\_\_  
Date of Tire/Vehicle Sales: \_\_\_\_\_

**2. APPLICANT INFORMATION**

Name of Business or Governmental Organization:\*\*\* \_\_\_\_\_ Property Owner: (if leased, a copy of agreement must be provided) \_\_\_\_\_

Name of Business Owner: \_\_\_\_\_ Waste Tire Contact Person: \_\_\_\_\_

Facility Physical Address: \_\_\_\_\_ Business Mailing Address: \_\_\_\_\_  
(street) \_\_\_\_\_ (street) \_\_\_\_\_  
(city, state, zip) \_\_\_\_\_ (city, state, zip) \_\_\_\_\_

Parish: \_\_\_\_\_ Waste Tire Contact Phone Number: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Waste Tire Contact Email Address: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

Number of Locations Owned: \_\_\_\_\_ Driver's License Number: \_\_\_\_\_ State: \_\_\_\_\_ (attach copy)

Federal Tax ID or Social Security Number: \_\_\_\_\_ State Tax ID: \_\_\_\_\_

\*\*\*ATTACH COPY OF SECRETARY OF STATE CERTIFICATE

**3. PREVIOUS OWNERSHIP OR LOCATION INFORMATION**

Previous Owner Business Name: \_\_\_\_\_ Date of Change: \_\_\_\_\_

Previous Physical Location Address: \_\_\_\_\_ Previous AI Number: \_\_\_\_\_

**4. GENERATION OF TIRES**

Functions of Business: (check all that apply)

<input type="checkbox"/> New Tire Dealer	<input type="checkbox"/> Used Tire Dealer	<input type="checkbox"/> Wholesale Tire Sales
<input type="checkbox"/> New Vehicle/ATV/UTV Dealer	<input type="checkbox"/> Used Vehicle/ATV/UTV Dealer	<input type="checkbox"/> Tire Generator - No Sales*
<input type="checkbox"/> Retread Facility	<input type="checkbox"/> Fleet Operator	<input type="checkbox"/> Ineligible
<input type="checkbox"/> Landfill	<input type="checkbox"/> Authorized Collection Center	<input type="checkbox"/> Parish/DOTD Collection Center
<input type="checkbox"/> Salvage* (attach copy of Auto Dismantler or Crusher License)	<input type="checkbox"/> Other*	

Explanation must be provided\*: \_\_\_\_\_

Exemptions: (check all that apply)  Go/Golf-Cart Tires  Small Lawn/Yard Equipment  Bicycle

**5. CERTIFICATION**

I personally examined and am familiar with the information submitted in this document, and I hereby certify under penalty of law that this information is true, accurate, and complete to the best of my knowledge. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment.

AUTHORIZED SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_



# Where are the Waste Tire Forms?

## Example 1 and 2 continued

### LDEQ Waste Tires page

- <https://www.deq.louisiana.gov/page/waste-tires>

## Waste Tires

To view a copy of the waste tire regulations, see Louisiana Administrative Code, Title 33, Part VII, Solid Waste - Subpart 2, Chapter 105. The regulations are found on the Department's Legal Division website, and can be accessed at the following link: [Waste Tire Regulations](#)

### Waste Tire Reports:

- Active Waste Tire Generators List  
\*\*NOTE: Generators that are registered eligible with the Department may also have ineligible tires. The ineligible tires must be reflected on the manifest.
- Waste Tire Transporter List
- Waste Tire Processor List

### Waste Tire Forms:

[Waste Tire Processor Application Form \(revised 3/26/2018\)](#) Document

### Generator Applications

- Waste Tire Generator Notification Form
- Waste Tire Transporter/Transfer Facility Notification Form

\*\*NOTE\*\* Per LAC 33:10535.A.1., the Waste Tire Transporter application fee is now \$250. There will be only one fee regardless of the number of vehicles in the service of the transporter.

- Waste Tire One Time Cleanup/Trash Bash Form

### Generator Documents

- Waste Tire Generator Guidance (Updated Nov. 23, 2022)
- Waste Tire Consumer Notices (NEW--effective Oct. 1, 2018)



# Common Solid Waste Violations-Waste Tire

Example 3 - LAC 33:VII.10519.I & LAC 33:VII.10519.K

## 10519.I

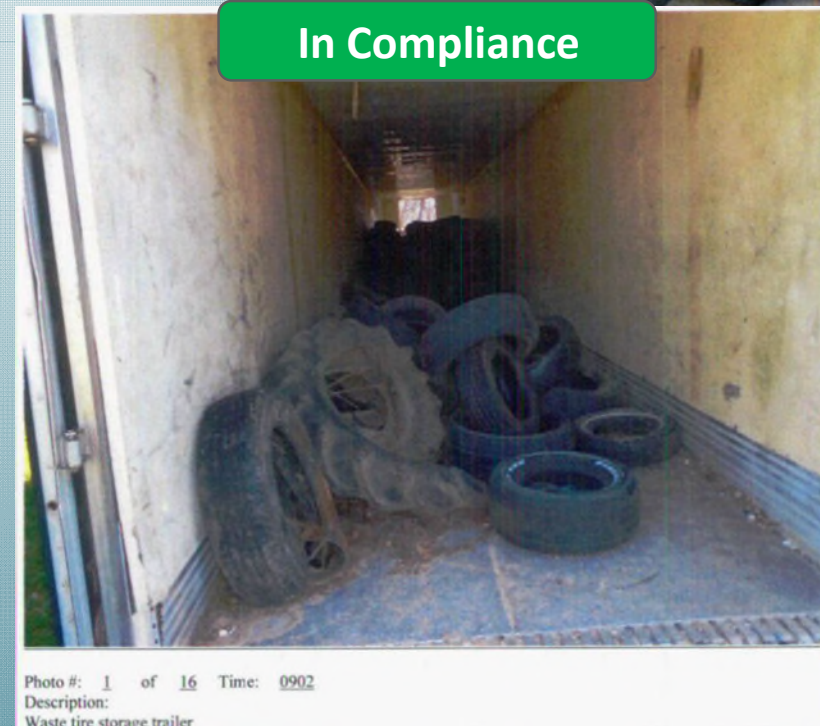
For all waste tire collected and/or stored, generators shall provide:

- a cover adequate to exclude water
- vector & vermin control
- means to prevent/control standing water in the storage area

## 10519.K

If storing >150 waste tires:

- indoors
- transportable collection container



# Common Solid Waste Violations-Waste Tire

## Example 4 - LAC 33:VII.10509.H

- Store WT records at the facility unless an alternate storage location is approved
- **Keep a copy** of the approval letter at the facility
- Records must be made available within **48 hours** up request during an inspection
- Contact **Waste Permits Division** to request an alternate storage location (**wastetires@la.gov**)



JOHN BEL EDWARDS  
GOVERNOR

CHUCK CARR BROWN, Ph.D.  
SECRETARY

State of Louisiana  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
ENVIRONMENTAL SERVICES

JUN 20 2019

Attn: [REDACTED]  
Bossier City, LA 71112

Re: Waste Tire Generator Notification Form (Waste Tire Generator)  
2150 Barksdale Blvd, Bossier City, Louisiana 71112  
Facility ID # [REDACTED] Account ID [REDACTED] Agency Interest # [REDACTED]  
Activity #: NOT20190001

Dear Mr. Saleh:

The Department of Environmental Quality (LDEQ) has received your Waste Tire Generator Alternate Location Records Request. As indicated in your letter received by LDEQ on May 6, 2019, the waste tire records for the above-referenced business will be stored at your accountant's office located at [REDACTED] Shreveport, LA 71103—Agency Interest # [REDACTED]. Based on the information provided, the aforementioned facility has been approved to store records as an alternate location effective the date of this letter.

In accordance with LAC 33:VII.10509.H., a copy of the approval by the administrative authority shall be maintained at the place of business subject to the audit and/or inspection. All records shall be made available to authorized LDEQ personnel within 48 hours upon request. Failure to do so may result in enforcement action.

You may access the most current regulations at the following link:  
<http://deq.louisiana.gov/resources/category/regulations-lac-title-33>

If you need further assistance, please contact Mr. [REDACTED] Auzenne at [REDACTED]

Sincerely,  
  
Mia Townsel  
Environmental Scientist Manager  
Waste Permits Division

# What is Hazardous Waste?

- LAC 33:V.Chapter 1
- LAC 33:V.4901
- LAC 33:V.4903

## A Solid Waste That Meets the Following Criteria:

- *Characteristic Waste*
  - *Ignitable* • *Corrosive* • *Reactive* • *Toxic*
- *Listed Waste*
  - *F-List* • *K-List* • *P-List* • *U-List*



# Common Hazardous Waste Violations

## LAC 33:V.1005

- Failure to Perform a Proper Hazardous Waste Determination

**A proper hazardous waste determination is the keystone to proper waste management!**

*Failure to perform a proper waste determination can lead to a cascade of additional violations and increased risk of harm to human health and or the environment.*



# Common Hazardous Waste Violations

## LAC 33:V.1005

- **Failure to Perform a Proper Hazardous Waste Determination**
  - Failure to determine if a generated solid waste is a hazardous waste
  - Also includes wrong determinations

*Yellow paint that was in a drum labeled "Used Oil". This yellow paint is D001, D004, D010, D035 hazardous waste and contains 1880 ppm acetone*



*Red paint in a drum labeled "Used Oil". The material in these paint cans is D008 hazardous waste*



# How to Address Violation LAC 33:V.1005?

**Safety Data Sheets**

**Waste Profile**

**Lab Analysis**

**Generator's Knowledge**



# Common Hazardous Waste Violations

## LAC 33:V.303.B

### Unauthorized/Unpermitted Treatment/Storage/Disposal of Hazardous Waste

- Storing hazardous waste on-site in excess of 90/180 days
- Unauthorized treatment hazardous waste
- Unpermitted disposal of hazardous waste

**Note:** Unauthorized treatment and disposal of hazardous waste typically occur due to the generator failing to perform a proper hazardous waste determination.



# Common Hazardous Waste Violations

## LAC 33:V.Chapter 10

### Improper Hazardous Waste Container Management

- Failure to close hazardous waste containers
- Failure to properly label hazardous waste containers
  - No “Hazardous Waste” Label on Container
  - No Accumulation Date on Container
  - No markings on Satellite Accumulation Container
  - No Indication of the hazards
- Failure to inspect hazardous waste containers weekly
- Leaking containers or container in poor condition



# LAC 33:V.Chapter 10 continued



# LAC 33:V.Chapter 10 continued



Leaking container



Hole in container

# LAC 33:V.Chapter 10 continued

Container in poor condition



Open container

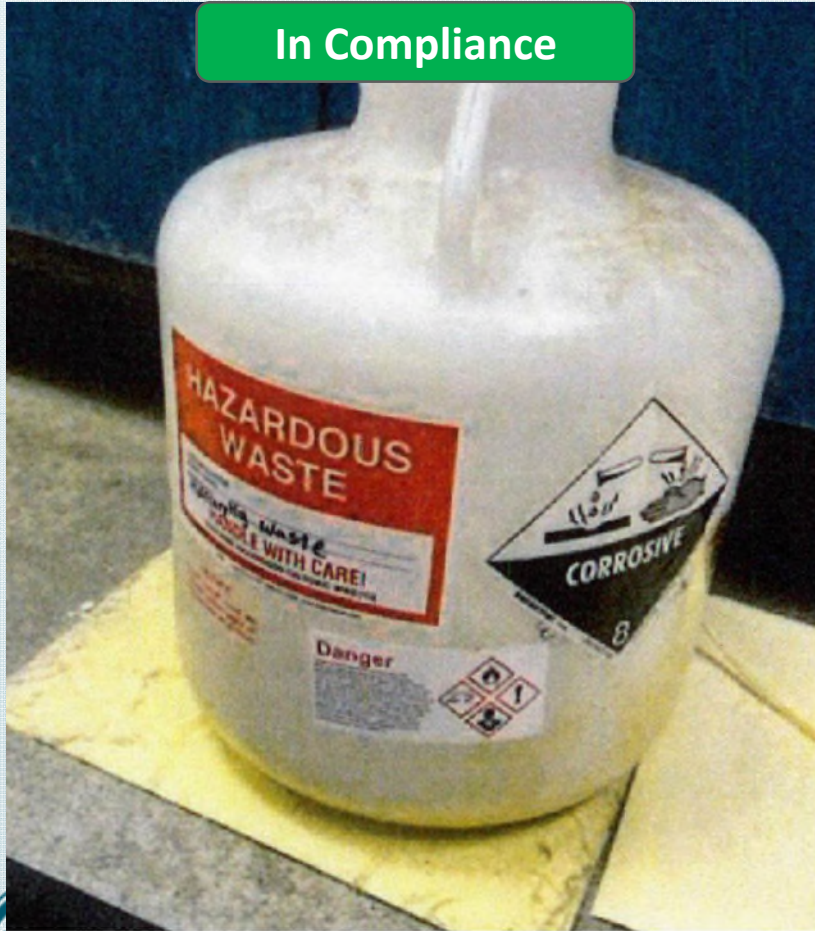


# LAC 33:V.Chapter 10 continued



# LAC 33:V.Chapter 10 continued

In Compliance



In Compliance



# LAC 33:V.Chapter 10 continued

## Container Management for Hazardous Waste Generators Guidance Document

<https://deq.louisiana.gov/page/hazardous-waste>



### Container Management for Hazardous Waste Generators Guidance Document

#### Introduction

The purpose of this document is guidance for container management by hazardous waste generators. While every attempt has been made to remain consistent with existing laws and regulations if any provision of this guidance conflicts with any applicable state or federal law or regulation, the law or regulation shall prevail in that particular instance. All other provisions of the guidance should not conflict with the law and shall remain applicable and to this end, provisions of the guidance are deemed to be severable.

Unless specifically stated otherwise, the information in this guidance document<sup>1</sup> applies to both storage containers and satellite accumulation containers; provided, that if a provision specifically refers to “storage container,” rather than the generic “container,” it does not apply to satellite accumulation containers.

- “Storage Container” refers to a portable device in which hazardous waste is stored, transported, treated, disposed of, or otherwise handled, that is not a satellite accumulation container.
- “Satellite accumulation area” refers to the area where one or more satellite accumulation containers are located.
- “Satellite accumulation container” refers to a hazardous waste container that is located at or near the point where waste initially accumulates and meets the requirements of Louisiana Administrative Code (LAC) 33:V.1011.
- “Central accumulation area” refers to any on-site hazardous waste accumulation area with hazardous waste accumulating in units subject to either LAC 33:V.1013 for Small Quantity Generators (SQG) or LAC 33:V.1015 for Large Quantity Generators (LQG).

#### Labeling Storage Containers

- Large Quantity Generators (LQG) and Small Quantity Generators (SQG) in Louisiana must label or clearly mark containers storing hazardous waste with the words “Hazardous Waste” and an indication of the hazards of the contents. Examples of an indication of the hazards of the contents include:
  - Hazardous waste characteristic(s) (i.e., ignitable, corrosive) (LAC

<sup>1</sup> **DISCLAIMER:** This document provides guidance for container management by hazardous waste generators. While every attempt has been made to remain consistent with existing laws and regulations if any provision of this guidance conflicts with any applicable state or federal law or regulation, the law or regulation shall prevail in that particular instance. All other provisions of the guidance should not conflict with the law and shall remain applicable and to this end provisions of the guidance are deemed to be severable.

# Common Hazardous Waste Violations

## LAC 33:V.1015.B.2; LAC 33:V.Chapter 19

### Improper Hazardous Waste Tanks

- Secondary containment issues
- Daily inspection issues
  - Not performing
  - Not keeping records
  - Failure to document problems and/or the corrective actions taken
- Tank certification issues
- Failure to test wall thickness timely

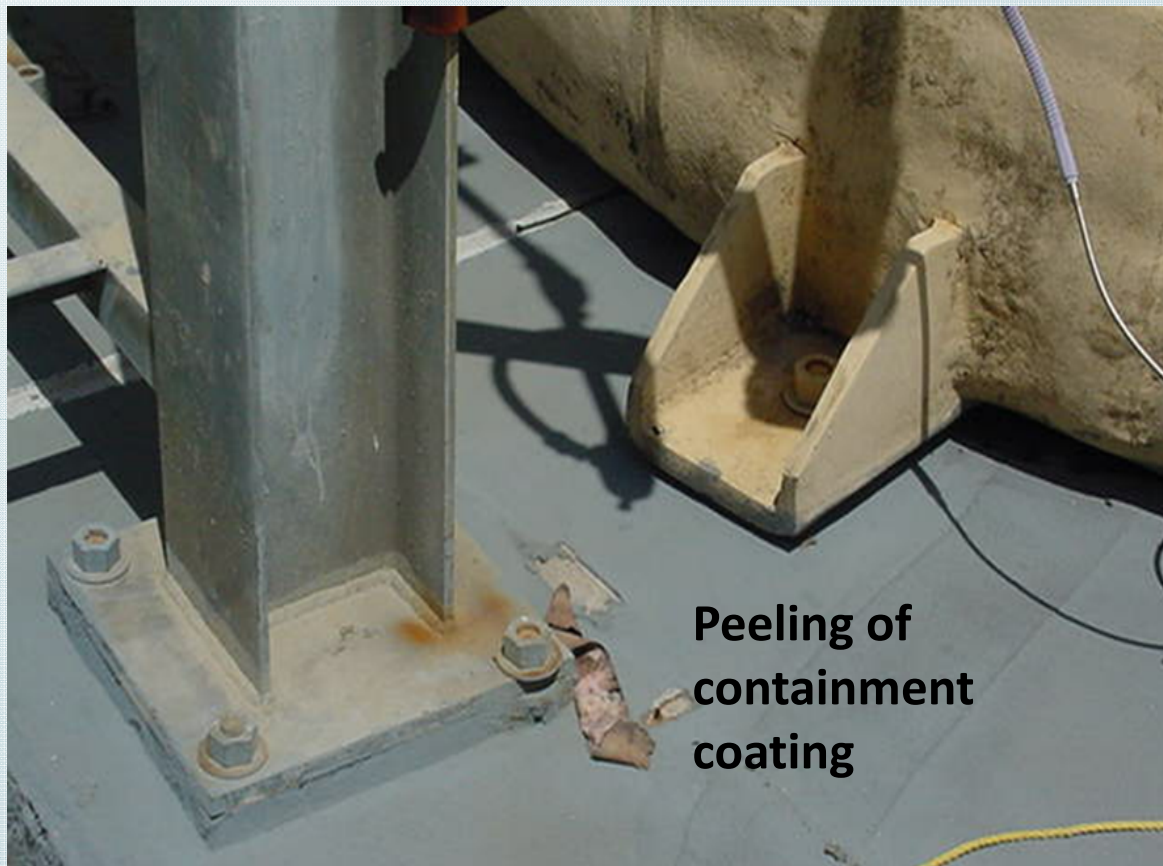


# LAC 33:V.1015.B.2; LAC 33:V.Chapter 19 continued



**Opening in secondary containment**

# LAC 33:V.1015.B.2; LAC 33:V.Chapter 19 continued



# Common Hazardous Waste Violations

## **LAC 33:V.1051 - 1057**

- Failure to prepare or an inadequate or out-of-date Contingency Plan

## **LAC 33:V.2245.J & K**

- Failure to prepare a Waste Minimization Plan
- Failure to have the Waste Minimization Plan certified by a Louisiana-registered professional engineer.



# Common Hazardous Waste Violations-Universal Waste

## Batteries

LAC 33:V.3823.A.1 & 3845.A.1  
Failure to Label: "Universal Waste—  
Battery(ies)," or "Waste  
Battery(ies)," or "Used Battery(ies)."



## Lamps

LAC 33:V.3821.D.1 & 3843.D.1  
Failure to contain any lamp in  
containers (structurally sound,  
adequate to prevent breakage, &  
compatible w/ contents of lamps.)



## Electronics

LAC 33:V.3821.E.1 & 3843.E.1  
Failure to store all electronics inside  
a building with a roof in a manner  
that prevents universal waste  
electronics from being exposed to  
the environment.



# Common Hazardous Waste Violations-Used Oil

## Storage

LAC 33:V.4013.C & 4035.D

Failure to store used oil in containers that are in good condition; no severe rusting, no structural defects/deterioration; no visible leaks.



## Labeling

LAC 33:V.4013.D.1 & 4035.H.1

Failure to label or mark clearly containers used to store oil with the words "Used Oil."



## Clean-up Spills

LAC 33:V.4013.E & 4035.H.1

Failure to stop & contain the released used oil, clean up & properly manage the released used oil & repair/replace any leaking used oil containers/tanks prior to returning them to service.



# Common Hazardous Waste Violations

## LAC 33:V.1017

- Failure to Notify
- Failure to Update
- Failure to Re-notify (SQG) in 2021
  - HW-1 Form
    - Missing EPA ID Number
    - Missing Agency Interest Number
    - Missing NAICS Code
    - Incorrect Generator Status
    - Incorrect and/or Missing Waste Codes
    - Submitting Without Original Signature

**Form at LDEQ HW page**

<https://deq.louisiana.gov/page/hazardous-waste>



## Hazardous Waste

### Hazardous Waste Regulations

Louisiana Administrative Code (LAC 33:V.Subpart 1)

Applications, Forms and Guidances

Annual Reporting

Waste Manifest

Resources

\*\*\*\*Upcoming Events Click Here\*\*\*\*

### Applications, Forms and Guidances

- LDEQ Hazardous Waste (RCRA) Permit Application Workbook
- No Hazardous Waste Activity Certification Form (Word)

- Notification of Hazardous Waste Activity (HW-1) Form (Word) (PDF) (A new version of the HW-1 Form dated 03-07-2023 has been posted to this page. LDEQ will no longer accept old versions of this form after 6-07-2023.) Also, please submit a cover letter with the HW-1 Form detailing the reason for submittal. NOTE: Please submit the Notification of Hazardous Waste Activity (HW-1) Form (including notification of EPISODIC GENERATION) to: The Louisiana Department of Environmental Quality, Office of Environmental Services, Public Participation and Permit Support Division, Waste Notification and Reporting, PO Box 4313, Baton Rouge, LA 70821.

- LQG Closure Guidance Document

- Generators of hazardous waste are required to comply with applicable hazardous waste container management regulations specified in LAC 33:V.Chapter 10. The Container Management for Hazardous Waste Generators Guidance Document has been developed by LDEQ in coordination with stakeholders to provide the regulated community guidance and additional clarity on container management regulations and their appropriate application.

- Louisiana Notification of Intent to Import Hazardous Waste Form (HW-2)

# Questions or Comments?



# Contact Information

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