

Index

ABANDONED OILFIELD WASTE SITE LAW

Administrative laws and regulations,
2:44

ABANDONMENT

Louisiana Department of
Environmental Quality, **3:42**
Oilfields. See index heading OIL AND
GAS
Remediation of abandoned hazardous
substance sites. See index head-
ing HAZARDOUS SUBSTANCE SITE
REMEDIATION

ACID RAIN

Permits, **5:14**

ACTIONS AND PROCEEDINGS

Citizen suits
general discussion, **8:6 to 8:14**
for detailed treatment see index
heading CITIZEN SUITS

ADMINISTRATIVE LAW JUDGES

See index heading LOUISIANA DEPART-
MENT OF ENVIRONMENTAL QUALITY

ADMINISTRATIVE LAWS AND REGULATIONS

General discussion, **2:1 to 2:96**
Abandoned Oilfield Waste Site Law,
2:44
Abandoned sites, underground stor-
age tanks, **2:35**
After-the-fact permits, wetlands, **2:14**
Air
general discussion, **2:3 to 2:7**
Clean Air Act, **2:4**
emissions inventory form, **2:80**
inventorying requirements review,
2:7
Louisiana Air Control Law, **2:5**
Louisiana air quality regulations,
2:6

ADMINISTRATIVE LAWS AND REGULATIONS—Cont'd

Air—Cont'd
permits, air emission permits, **2:7**
spill/release reporting require-
ments, **7:33, 7:34**
Appeals
corps wetlands appeal form, **2:91**
corps wetlands appeal sample
objections, form, **2:90**
Asbestos. See index heading
ASBESTOS
Best available technology (BAT)
controls, Water Control Law, **2:8**
Boundaries, coastal wetlands, **2:40**
Cease and desist order form, **2:87**
Clean Air Act, **2:4**
Clean Water Act Section 404 exemp-
tions, **2:14**
Coastal wetlands
general discussion, **2:36 to 2:40**
for detailed treatment see index
heading COASTAL WETLANDS
Community right to know
general discussion, **2:49 to 2:54**
for detailed treatment see index
heading COMMUNITY RIGHT TO
KNOW
Compliance
general discussion, **9:1 to 9:77**
for detailed treatment see index
heading COMPLIANCE
Corp of Engineers' Wetlands
Delineation Manual, **2:14**
Critical habitat, endangered species,
2:18
Definitions and terminology
underground storage tanks, **2:32**
understanding environmental
terminology, **2:2**
Department of Transportation,
regulation of hazardous material
transportation by, **2:25**

ADMINISTRATIVE LAWS AND REGULATIONS—Cont'd

- Dirty air (non-attainment) areas, **2:4**
- Emergency planning and notification, **2:50**
- Endangered species, **2:18, 2:19**
- Enforcement and hearings
 - general discussion, **3:1 to 3:80**
 - for detailed treatment see index
 - heading ENFORCEMENT AND HEARINGS
- Federal-state cooperativism concept, Water Control Law, **2:8**
- Forms
 - air emissions inventory, **2:80**
 - asbestos notice, **2:94**
 - cease and desist order form, **2:87**
 - coastal zone map, **2:92**
 - corps tolling agreement, **2:88**
 - corps wetlands appeal form, **2:91**
 - corps wetlands appeal sample objections, **2:90**
 - hazardous waste
 - annual report, **2:83**
 - manifest, **2:82**
 - notification, **2:81**
 - needs and alternatives analysis, **2:89**
 - permit checklist, **2:95**
 - rulemaking comment format, **2:79**
 - solid waste
 - industrial generator supplemental forms, **2:85**
 - notification, **2:84**
 - tier two form, **2:93**
 - wetland determination request, **2:86**
- Hazardous and solid waste
 - general discussion, **2:9 to 2:13**
 - forms
 - annual report, **2:83**
 - industrial generator supplemental forms, **2:85**
 - manifest, **2:82**
 - notification, **2:81**
 - wetland determination request, **2:86**

ADMINISTRATIVE LAWS AND REGULATIONS—Cont'd

- Hazardous and solid waste—Cont'd
 - Louisiana Hazardous Waste Control Law, **2:10**
 - mixing or diluting with non-hazardous waste, rule regarding, **2:12**
 - Solid Waste Management and Resource Recovery Law, **2:11**
 - Toxic Substance Control Act, **2:9**
 - waste code numbers, **2:12**
- Hazardous chemical reporting, **2:51**
- Hazardous material transportation
 - general discussion, **2:25 to 2:30**
 - Department of Transportation, regulation by, **2:25**
 - enforcement, **2:30**
 - labeling, **2:29**
 - material codes, **2:28**
 - package manufacturers, **2:27**
 - shippers, **2:26**
- Incidental takings, endangered species, **2:18**
- Inventorying requirements review, air quality compliance, **2:7**
- Labels and labeling, hazardous material transportation, **2:29**
- Louisiana Air Control Law, **2:5**
- Louisiana Natural Heritage Program, endangered species, **2:19**
- Louisiana Threatened and Endangered Species Conservation Act, **2:19**
- Louisiana Water Control Law, **2:8**
- Medical waste, **2:54**
- Mitigation, coastal wetlands, **2:39**
- Mixing or diluting with non-hazardous waste, rule regarding, **2:12**
- Motor fuel underground tank trust fund, **2:35**
- National Oceanic and Atmospheric Administration, **2:23**
- Navigation, Rivers and Harbors Act, **2:20**
- Needs and alternatives analysis, wetlands, **2:14**
- Notice
 - asbestos notice form, **2:94**

INDEX

ADMINISTRATIVE LAWS AND REGULATIONS—Cont'd

- Notice—Cont'd
 - emergency planning and notification, **2:50**
 - rulemaking, notice to public, **2:73**
- Oil and gas facilities, E&P Waste, **2:41 to 2:44**
- Oil spills, **2:21 to 2:24**
- OSHA
 - asbestos, **2:56**
 - mold, **2:57**
- Package manufacturers, hazardous material transportation, **2:27**
- Permits. See index heading PERMITS
- Pesticide use and regulation, **2:47, 2:48**
- Public safety and corrections, **2:53**
- Remediation, CERCLA liability, **2:15**
- Reports and reporting. See index heading REPORTS AND REPORTING
- Rivers. Wild and scenic rivers, below
- Rulemaking. See index heading RULEMAKING
- Scenic rivers. Wild and scenic rivers, below
- Solid waste. Hazardous and solid waste, above
- Storage tanks. See index heading UNDERGROUND STORAGE TANKS
- Structural Pest Control Commission, **2:48**
- “Take” prohibitions, endangered species, **2:18**
- Tanks. See UNDERGROUND STORAGE TANKS
- Total maximum daily loads (TMDLs), Water Control Law, **2:8**
- Toxic chemical reporting, **2:52**
- Toxic Substance Control Act, **2:9**
- Transportation. Hazardous material transportation, above
- Underground storage tanks. See index heading UNDERGROUND STORAGE TANKS
- Waste code numbers, hazardous and solid waste, **2:12**
- Water discharge and quality, **2:8**

ADMINISTRATIVE LAWS AND REGULATIONS—Cont'd

- Websites. See index heading WEBSITES
- Wetlands
 - general discussion, **2:14 to 2:17**
 - after-the-fact permits, **2:14**
 - CERCLA, **2:15**
 - coastal wetlands. See index heading COASTAL WETLANDS
 - Corp of Engineers' Wetlands Delineation Manual, **2:14**
 - corps wetlands appeal form, **2:91**
 - corps wetlands appeal sample objections, form, **2:90**
 - exemptions from Section 404 Clean Water Act, **2:14**
 - fill material, **2:14**
 - form, wetland determination request, **2:86**
 - needs and alternatives analysis, **2:14**
 - RCRA, **2:16**
 - remediation, **2:15**
 - summary list of clean-up programs, **2:17**
- Wild and scenic rivers
 - general discussion, **2:45, 2:46**
 - permits. See index heading PERMITS
 - Rivers and Harbors Act, **2:20**

AFTER-THE-FACT PERMITS

- Wetlands, **2:14**

AGENCY ORGANIZATIONS

- General discussion, **1:1 to 1:51**
- Agency information, **1:48**
- Agriculture
 - Louisiana Department of Agriculture and Forestry
 - general discussion, **1:12 to 1:15**
 - for detailed treatment see index heading LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY (LDAF)
 - Office of Agriculture and Environmental Services, **1:13**
- Army Corps of Engineers, **1:26, 1:43**
- Buildings, Structural Pest Control Commission, **1:15**

AGENCY ORGANIZATIONS

—Cont'd

- Clean Water Act, “404” program, **1:26**
- Coastal areas, Office of Coastal Restoration and Management, **1:11**
- Coast Guard, **1:30, 1:47**
- Commerce Department, **1:31**
- Dealing with agencies, generally, **1:1 to 1:51, 8:2**
- Department of Transportation (DOT), **1:28, 1:45**
- Division of Administration, State Land Office, **1:25**
- Electronic contact with agencies, **1:35 to 1:40**
- Environmental Protection Agency (EPA), **1:27, 1:44**
- Federal agencies
 - general discussion, **1:26 to 1:34**
 - Army Corps of Engineers, **1:26, 1:43**
 - Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE), **1:34**
 - Clean Water Act, “404” program, **1:26**
 - Coast Guard, **1:30, 1:47**
 - Department of Commerce, **1:31**
 - Department of Transportation (DOT), **1:28, 1:45**
 - Environmental Protection Agency (EPA), **1:27, 1:44**
 - Federal Freedom of Information Act, tool for information access, **1:48**
 - Fish and Wildlife Services, **1:29, 1:46**
 - National Marine Fishery Services (NMFS), **1:32**
 - National Oceanic and Atmospheric Administration (NOAA), **1:33**
 - Oil Pollution Act, enforcement by U.S. Coast Guard, **1:30**
 - Public Records Act, tool for information access, **1:48**
 - Rivers and Harbors Act of 1899, **1:26**

AGENCY ORGANIZATIONS

—Cont'd

- Federal Freedom of Information Act, tool for information access, **1:48**
- Fish and wildlife
 - Louisiana Department of Wildlife and Fisheries. See index heading LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES (LDWF)
 - National Marine Fishery Services (NMFS), **1:32**
 - U.S. Fish and Wildlife Services, **1:29, 1:46**
- Forestry, Department of Agriculture and Forestry
 - general discussion, **1:12 to 1:15**
 - for detailed treatment see index heading LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY (LDAF)
- Forms
 - FOIA request, **1:51**
 - LDEQ information request form, **1:50**
- Hazardous Material Response Act, **1:17**
- Hospitals, Louisiana Department of Health (LDH), **1:18, 1:41**
- Laws
 - general discussion, **2:1 to 2:96**
 - for detailed treatment see index heading ADMINISTRATIVE LAWS AND REGULATIONS
- Louisiana Department of Environmental Quality (LDEQ)
 - general discussion, **1:3 to 1:8**
 - for detailed treatment see index heading LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)
- Louisiana Department of Wildlife and Fisheries. See index heading LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES (LDWF)
- Meetings, **1:49**
- National Marine Fishery Services (NMFS), **1:32**
- National Oceanic and Atmospheric Administration (NOAA), **1:33**

INDEX

AGENCY ORGANIZATIONS

—Cont'd

- Oil Pollution Act, enforcement by U.S. Coast Guard, **1:30**
- Oil spills, Louisiana Oil Spill Coordinator, **1:23, 1:42**
- Pest control, Structural Pest Control Commission, **1:15**
- Pesticides, Louisiana Advisory Commission on Pesticides, **1:14**
- Police, **1:17**
- Pre-emption doctrine, **1:2**
- Public health office, **1:19**
- Public Records Act, tool for information access, **1:48**
- Public safety and corrections. See index heading LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS (DPS&C)
- Regulations
 - general discussion, **2:1 to 2:96**
 - for detailed treatment see index heading ADMINISTRATIVE LAW
- Rivers and Harbors Act of 1899, **1:26**
- Rulemaking. See index heading RULEMAKING
- Scenic River Act, enforcement by Dept. of Wildlife and Fisheries (LDWF), **1:20**
- State agencies
 - general discussion, **1:3 to 1:24**
 - Department of Agriculture and Forestry
 - general discussion, **1:12 to 1:15**
 - for detailed treatment see index heading LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY (LDAF)
 - Department of Public Safety and Corrections. See index heading LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS (DPS&C)
 - Division of Administration, State Land Office, **1:25**
 - Historic Preservation Officer (SHPO), **1:24**
 - Louisiana Advisory Commission on Pesticides, **1:14**

AGENCY ORGANIZATIONS

—Cont'd

- State agencies—Cont'd
 - Louisiana Department of Energy and Natural Resources (LDENR), **1:9, 1:38, 2:65, 3:60**
 - Louisiana Department of Environmental Quality (LDEQ)
 - general discussion, **1:3 to 1:8**
 - for detailed treatment see index heading LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)
 - Louisiana Department of Health (LDH), **1:18, 1:19, 1:41**
 - Louisiana Department of Wildlife and Fisheries. See index heading LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES (LDWF)
 - Louisiana Oil Spill Coordinator, **1:23, 1:42**
 - Office of Agriculture and Environmental Services, **1:13**
 - Office of Coastal Restoration and Management, **1:11**
 - Office of Conservation, **1:10**
 - police, **1:17**
 - Public Health Office, **1:19**
 - Structural Pest Control Commission, **1:15**
 - Telephonic contract with agencies, **1:35 to 1:41**
 - Threatened and Endangered Species Conservation Law, enforcement by Dept. of Wildlife and Fisheries (LDWF), **1:20**
 - Understanding environmental agencies, **1:2**
 - Websites. See index heading WEBSITES
 - Wildlife. Fish and wildlife, above
- AGENTS AND BROKERS**
 - Compliance, **9:57**
- AGRICULTURE**
 - Louisiana Department of Agriculture and Forestry
 - general discussion, **1:12 to 1:15**

AGRICULTURE—Cont'd

Louisiana Department of Agriculture
and Forestry—Cont'd
for detailed treatment see index
heading LOUISIANA DEPARTMENT
OF AGRICULTURE AND FORESTRY
(LDAF)
Office of Agriculture and
Environmental Services, **1:13**

AIR

Administrative laws and regulations
general discussion, **2:3 to 2:7**
for detailed treatment see index
heading ADMINISTRATIVE LAWS
AND REGULATIONS
Permits
general discussion, **5:2 to 5:17**
for detailed treatment see index
heading PERMITS

ANIMALS

Aquatic animal production, permits,
5:23
Endangered species. See index head-
ing ENDANGERED SPECIES
Feeding operations, permits, **5:22**

APPEALS

Corps wetlands appeal form, **2:91**
Corps wetlands appeal forms, **2:90**

APPLICATION

Permits. See index heading PERMITS

AQUACULTURE

Permits, **5:24**

AQUATIC ANIMAL PRODUCTION

Permits, **5:23**

ARMY CORPS OF ENGINEERS

General discussion, **1:26, 1:43**
Websites, **2:61**

ASBESTOS

Administrative laws and regulations,
2:55
Compliance, **9:27**
Notice, form, **2:94**
OSHA regulations, **2:56**
Remediation and cost recovery, **4:51,**
4:52

ASBESTOS—Cont'd

Removal, **4:51**
State regulations, **2:55**

“AS IS” CLAUSES

Compliance, **9:35**

ASSET ACQUISITION

Compliance, **9:14**

ASTM GUIDANCE

Compliance, **9:4, 9:19 to 9:24**

ATTACHMENT

Remediation and cost recovery, **4:61**

ATTORNEY FEES

Citizen suits, **8:13**

ATTORNEY GENERALS

Public and the environment, private
attorney generals, **8:1**

AUCTIONS

Compliance, controlled auctions,
9:28

AUDITS

Compliance, **9:3 to 9:10**

AUTHORITY

Louisiana Department of
Environmental Quality
defense, scope of or lack of author-
ity, **3:45**

**AUTOMATIC PERMIT TRANSFER
AGREEMENT**

Form, **9:73**

BANK CHECKLIST

Compliance, **9:67**

**BENEFICIAL ENVIRONMENTAL
PROJECTS**

Louisiana Department of
Environmental Quality, **3:8**

**BOEMRE (BUREAU OF OCEAN
ENERGY MANAGEMENT,
REGULATION AND
ENFORCEMENT)**

General discussion, **1:34**

INDEX

BOUNDARIES

Coastal wetlands, **2:40**

BRIEFS AND OTHER LEGAL MEMORANDA

Louisiana Department of
Environmental Quality, **3:21,**
3:32

BROKERS AND AGENTS

Compliance, **9:57**

BROWNFIELDS

Hazardous substance site remedia-
tion, **4:12**

BUILDINGS

Pest control, Structural Pest Control
Commission, **1:15**

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT (BOEMRE)

General discussion, **1:34**

“BUSINESS ENVIRONMENTAL RISK”

ASTM Phase I revisions (2000-
2013), **9:20**

CATALYST THEORY

Citizen suits, **8:13**

CAVEAT EMPTOR

Compliance, **9:34**

CEASE AND DESIST ORDERS

Form, **2:87**

CERTIFICATION OF COMPLIANCE

Waste management, **6:39**

CERTIFICATION OF WATER QUALITY

Permits, **5:30, 5:63**

CHECKLISTS

AAI checklist, **9:77**
Bank checklist, **9:67**
Compliance program checklist, **9:68**
Facility shutdown, **9:74**
Industrial site checklist, **9:66**

CHECKLISTS—Cont’d

Landlord/tenant, **9:65**
Permit checklist, generally, **2:95**
Permits, transfer checklist, **5:75**
Purchaser’s checklist, **9:64**
Spill/release reporting requirements,
7:57
Waste management
generally, **6:36**
TSDF checklist, **6:37**
Wetland checklist, **5:68**

CITIZEN SUITS

General discussion, **8:6 to 8:14**
Attorney fees and costs, **8:13**
Catalyst theory, **8:13**
Defenses, **8:14**
Injunctive relief, **8:12**
Notice, **8:8, 8:21**
Ongoing violations, **8:9**
Penalties, **8:11**
Remedies
general discussion, **8:10**
attorney fees and costs, catalyst
theory, **8:13**
Standing, **8:7, 8:20**

CLEAN AIR ACT

General discussion, **2:4**

CLEAN AIR ATTAINMENT AREAS

Administrative laws and regulations,
2:4

CLEAN-UP PROGRAMS

Hazardous substance site remedia-
tion, **4:20**
Voluntary remediation program, **4:35**
Wetlands, summary list, **2:17**

COASTAL RESTORATION AND MANAGEMENT

Office of, **1:11**

COASTAL WETLANDS

General discussion, **2:36 to 2:40**
Boundaries, **2:40**
Coastal Resource Program, **2:37**
Coastal use permits (CUPs), **2:37,**
2:38
Compensatory mitigation, **2:39**

COASTAL WETLANDS—Cont’d

Conservation plan boundary, **2:40**
Louisiana coastal zone boundary,
2:40
Management, coastal zone manage-
ment, **2:37**
Mitigation, **2:39**
Permits, **2:38**

COASTAL ZONE COORDINATION

Permits, 404 permits, **5:43**

COAST GUARD

General discussion, **1:30, 1:47**
Websites, **2:62**

COMMERCE DEPARTMENT

General discussion, **1:31**

COMMUNITY RIGHT TO KNOW

General discussion, **2:49 to 2:54**
Emergency planning and notification,
2:50
Hazardous chemical reporting, **2:51**
Louisiana Department of Public
Safety and Corrections, **2:53**
Public safety and corrections, **2:53**
Threshold planning quantity (TPQ),
2:50
Toxic chemical reporting, **2:52**

COMPLIANCE

General discussion, **9:1 to 9:78**
Agents and brokers, **9:57**
All appropriate inquiry, **9:21**
Asbestos, **9:27**
“As is” clauses, **9:35**
Asset acquisition, **9:14**
ASTM guidance, **9:4, 9:19 to 9:24**
Auctions, controlled auctions, **9:28**
Audits, **9:3 to 9:10**
Bank checklist, **9:67**
Brokers and agents, **9:57**
“Business environmental risk,”
ASTM Phase I revisions (2000-
2013), **9:20**
Caveat emptor, **9:34**
Client communications, ethical
considerations, **9:47**
Compliance program checklist, **9:68**
Compliance with law clause, **9:39**

COMPLIANCE—Cont’d

Confidentiality
obligations in transactions, **9:47**
terms and conditions, **9:28**
Conflicts in business transactions,
9:48
Consultants, **9:58**
Controlled auctions, **9:28**
Corporations
officers, **9:51**
parent and subsidiary corporations,
9:59
share exchange, **9:16**
shareholders, **9:52**
stock sale, **9:13**
Definitions, **9:30, 9:70**
Dissolution of company, personal and
imputed liabilities, **9:60**
Due diligence
operational due diligence, **9:2 to**
9:11
transactional due diligence, **9:12 to**
9:24
Easement holders, **9:56**
Environmental management systems,
9:11
Ethical considerations, **9:47, 9:62**
Exculpatory clauses, **9:34**
Facility shutdown checklist, **9:74**
False Claims Act, financial disclosure
requirements, **9:47**
Financial disclosure requirements,
9:46, 9:47
Fleet Factors test, personal and
imputed liabilities, **9:53**
Follow-up, **9:7**
Forms
general discussion, **9:64 to 9:77**
bank checklist, **9:67**
compliance program checklist,
9:68
definitions, representations and
warranties, and indemnities,
9:70
facility shutdown checklist, **9:74**
industrial site checklist, **9:66**
joint defense agreement, **9:76**

INDEX

COMPLIANCE—Cont'd

Forms—Cont'd

- landlord/tenant
 - checklist, **9:65**
 - lease extract, **9:69**
- lender due diligence/indemnity agreement, **9:72**
- permits, annual compliance certification forms, **5:76**
- permit transfer agreement, **9:73**
- purchaser's checklist, **9:64**
- site access agreement, **9:75**
- waiver of warranty, **9:71**
- waste management, certification of compliance, **6:39**

Good order and repair clause, **9:40**

Imputed liabilities, **9:50**

Inculpatory clauses, **9:34**

Indemnities, **9:37, 9:70, 9:72**

Industrial site checklist, **9:66**

Inquiry, all appropriate inquiry, **9:21**

Insurance, **9:43**

Internal company investigations, **9:61**

International Organization for Standardization (ISO), **9:11**

Joint defense agreement, form, **9:76**

Landlord and tenant

- checklist, **9:65**
- lease extract, **9:69**
- lessees, **9:56**
- old leases, **9:38**
- transactional due diligence, **9:17**

Landowners, innocent landowners, **9:55**

Leadership in Energy and Environmental Design "Green Building" process outline, **9:78**

Lead issues, **9:26**

Lenders, **9:53, 9:72**

Liability, **9:50 to 9:63**

Litigation matters from same firm's transactions, **9:49**

Louisiana Department of Environmental Quality, **1:5, 3:4, 3:64**

Multiple parties, conflicts in business transactions where representing, **9:48**

COMPLIANCE—Cont'd

Operations

general discussion, **9:2 to 9:11**

International Organization for Standardization (ISO), **9:11**

Small Business Compliance Policy, **9:9**

"Tiny Tim" principle, **9:9**

Parent and subsidiary corporations, **9:59**

Permits, annual compliance certification forms, **5:76**

Permit transfer agreement, form, **9:73**

Permit transfers

general discussion, **9:44**

permit transfer agreement, **9:73**

Personal and imputed liabilities

general discussion, **9:50**

dissolution of company, **9:60**

Fleet Factors test, **9:53**

Plant closing, **9:45**

Preliminary requirements, **9:29**

Privileges, audits, **9:10**

Purchaser's checklist, **9:64**

Questionnaire, **9:8**

Releases, **9:36**

Repair, good order and repair clause, **9:40**

Representations and warranties, **9:33, 9:70, 9:71**

Responsibilities, **9:5**

Reverse false claims, financial disclosure requirements, **9:47**

Risk allocation, **9:37**

Sarbanes-Oxley Act of 2002, financial disclosure requirements, **9:46**

Share exchange, **9:16**

Shareholders, **9:52**

Site access agreement, form, **9:75**

Small Business Compliance Policy, **9:9**

Stages of operations, **9:6**

Stock sale, **9:13**

Successors, **9:60**

"Sudden and accidental" pollution exclusion, **9:43**

COMPLIANCE—Cont'd

Surrender in good condition clause,
9:41

Termination, 9:32

Terms and conditions, 9:31

“Tiny Tim” principle, 9:9

Transactions, 9:12 to 9:49

Trustees, 9:54

Waiver of warranty, form, 9:71

Warranties, 9:33, 9:70, 9:71

Waste management, certification of
compliance, 6:39

Wetland issues, 9:25

COMPREHENSIVE

**ENVIRONMENTAL
RESPONSE COMPENSATION
AND LIABILITY ACT
(CERCLA)**

Hazardous substance site remedia-
tion, 4:5 to 4:12

Spill/release reporting requirements
general discussion, 7:2 to 7:11

for detailed treatment see index
heading SPILL/RELEASE REPORT-
ING REQUIREMENTS

Wetlands, 2:15

CONFIDENTIALITY

Obligations in transactions, 9:47

Terms and conditions, 9:28

**CONFLICTS IN BUSINESS
TRANSACTIONS**

Compliance, 9:48

CONSTRUCTION ACTIVITY

Storm water discharge, 5:29, 5:62

CONSULTANTS

Compliance, 9:58

CONTINGENCY PLANS

Waste management, 6:18

CONTINUANCES

Louisiana Department of
Environmental Quality, 3:20,
3:31

CONTROLLED AUCTIONS

Compliance, 9:28

COOPERATIVE AGREEMENTS

Remediation and cost recovery, 4:25,
4:63

CORPORATIONS

Compliance. See index heading
COMPLIANCE

COST RECOVERY

General discussion, 4:1 to 4:74

For detailed treatment see index
heading REMEDIATION AND COST
RECOVERY

COSTS OF ACTIONS

Citizen suits, 8:13

CRISIS MANAGEMENT

General discussion, 8:18

CRITICAL HABITAT

Endangered species, 2:18

CWA/OPA

Spill/release reporting requirements
general discussion, 7:19 to 7:23

for detailed treatment see index
heading SPILL/RELEASE REPORT-
ING REQUIREMENTS

DAMAGES

Remediation and cost recovery, civil
law damages, 4:59

DECISION DOCUMENT

Permits, 404 permits, 5:44

DECISIONS

Louisiana Department of Agriculture
and Forestry, 3:72

Louisiana Department of
Environmental Quality, 3:24,
3:36

DEFENSES

Abandonment, 3:42

Authority, scope of or lack of, 3:45

Citizen suits, 8:14

Definitions, 3:39

Estoppel, 3:44

Factual dispute, 3:43

Innocent landowner, 3:49

Interpretation of statute or regulation,
3:47

INDEX

DEFENSES—Cont'd

Jurisdiction, lack of, **3:50**

Knowledge, lack of, **3:40**

Louisiana Department of
Environmental Quality

general discussion, **3:37 to 3:50**

for detailed treatment see index

heading LOUISIANA DEPARTMENT
OF ENVIRONMENTAL QUALITY
(LDEQ)

Mootness, **3:41**

Penalty, **3:48**

Prescription, **3:38**

Vagueness, **3:46**

DEFINITIONS AND TERMINOLOGY

Compliance, **9:30, 9:70**

Defenses, Louisiana Department of
Environmental Quality, **3:39**

Discharge or disposal, **4:16**

Facility, **4:8**

Hazardous substance, **4:18**

Hazardous substance site remedia-
tion, **4:15 to 4:18**

Orphaned oilfield site, **4:45**

Owner or operator, **4:19**

Pollution source or facility, **4:17**

Promiscuous dump, **4:2**

Unauthorized dump, **4:2**

Underground storage tanks, **2:32**

Understanding environmental
terminology, generally, **2:2**

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS (DPS&C)

General discussion, **1:16**

For detailed treatment see index

heading LOUISIANA DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS
(DPS&C)

DEPARTMENT OF TRANSPORTATION (DOT)

General discussion, **1:28, 1:45**

Administrative laws and regulations,
regulation of hazardous material
transportation by, **2:25**

DEPARTMENT OF TRANSPORTATION (DOT) —Cont'd

Registration, waste management,
6:35

Websites, **2:63**

DERIVED FROM RULE

Waste management, **6:10**

DIRTY AIR (NON-ATTAINMENT) AREAS

Administrative laws and regulations,
2:4

DISCHARGE OR DISPOSAL

Hazardous substance site remedia-
tion, **4:16**

Spill/release reporting requirements,
reporting requirements, **7:34**

DISCOVERY

Louisiana Department of
Environmental Quality, **3:16,**
3:27

DISPUTE RESOLUTION AGREEMENT

Generally, **3:79**

DISSOLUTION

Compliance, personal and imputed
liabilities, **9:60**

DOCTRINE OF PRE-EMPTION

Agency organizations, **1:2**

DOT

General discussion, **1:28, 1:45**

For detailed treatment see index
heading DEPARTMENT OF
TRANSPORTATION (DOT)

DOUBLE JEOPARDY

Natural Resource Damages (NRD),
inactive and abandoned hazard-
ous substance site remediation,
4:11

DUE DILIGENCE

Operational due diligence, **9:2 to**
9:11

Transactional due diligence, **9:12 to**
9:24

EASEMENT HOLDERS

Compliance, **9:56**

ELECTRONIC CONTACT WITH AGENCIES

General discussion, **1:35 to 1:40**

E-MAIL ADDRESSES

Louisiana Department of
Environmental Quality, **1:37**

EMERGENCIES

Community right to know, **2:50**
Spill/release reporting requirements.
See index heading **SPILL/RELEASE**
REPORTING REQUIREMENTS

EMERGENCY PLANNING AND NOTIFICATION

Community right to know, **2:50**

ENDANGERED SPECIES

Administrative laws and regulations,
2:18, 2:19
Consultation, 404 permits, **5:41**
Incidental use permit, **5:53**

END-OF-PIPE PROGRAM

Water discharge and quality, Water
Control Law, **2:8**

ENFORCEMENT AND HEARINGS

General discussion, **3:1 to 3:80**
Compliance order, form, **3:63, 3:64**
Conference report before ALJ, form,
3:65
DPS&C hearing process, **3:58**
DPS&C notice of hearing, form, **3:74**
DPS&C notice of violation, form,
3:73
DPS&C request for hearing, form,
3:80
DPS&C stipulated settlement, form,
3:75
Ethical considerations, **3:61, 3:62**
Ex parte communications, **3:62**
Forms
compliance order, **3:63, 3:64**
conference report before ALJ, **3:65**
DPS&C notice of hearing, **3:74**
DPS&C notice of violation, **3:73**
DPS&C request for hearing, **3:71**

ENFORCEMENT AND HEARINGS
—Cont'd

Forms—Cont'd
DPS&C stipulated settlement, **3:75**
LDAF decision, **3:72**
LDAF notice letters, **3:68**
LDAF proposed findings and
conclusions of law, **3:71**
LDAF stipulations, **3:69, 3:70**
LDAL draft regulations, **3:78**
settlement, **3:67, 3:75**
Hazardous material transportation,
2:30
LDAL draft regulations, **3:78**
Louisiana Department of Agriculture
and Forestry, **3:55 to 3:57, 3:68**
to 3:72
Louisiana Department of Energy and
Natural Resources, **3:60**
Louisiana Department of
Environmental Quality
general discussion, **3:1 to 3:54**
for detailed treatment see index
heading **LOUISIANA DEPARTMENT**
OF ENVIRONMENTAL QUALITY
(LDEQ)
Louisiana Department of Wildlife
and Fisheries, **3:59, 3:76, 3:77**
Settlement, **3:52, 3:67, 3:75**
Subpoena material, **3:15, 3:26, 3:66**

ENVIRONMENTAL JUSTICE

General discussion, **8:17**

ENVIRONMENTAL
MANAGEMENT SYSTEMS

Compliance, **9:11**

ENVIRONMENTAL PROTECTION
AGENCY (EPA)

General discussion, **1:27, 1:44**
Audit guidelines, **9:9**
Websites, **2:59**

ENVIRONMENTAL SERVICES

Louisiana Department of
Environmental Quality, **1:4**

E & P WASTE

Spill/release reporting requirements,
7:49

INDEX

ESTOPPEL

Louisiana Department of
Environmental Quality, **3:44**

ETHICAL CONSIDERATIONS

Compliance, **9:47, 9:62**
Enforcement and hearings, **3:61, 3:62**
Spill/release reporting requirements,
7:51

EVIDENCE

Louisiana Department of
Environmental Quality, **3:17,**
3:28

EXCULPATORY CLAUSES

Compliance, **9:34**

EXEMPTIONS

Permits. See index heading PERMITS
Spill/release reporting requirements,
CERCLA, **7:10**
Waste management, **6:8**

EXIT RULES

Waste management, **6:12**

EX PARTE COMMUNICATIONS

Enforcement and hearings, **3:62**

FACILITY SHUTDOWN

Checklist, **9:74**

FACTUAL DISPUTES

Louisiana Department of
Environmental Quality, **3:43**

FALSE CLAIMS ACT

Financial disclosure requirements,
9:47

FEDERAL AGENCIES

General discussion, **1:26 to 1:34**
Army Corps of Engineers. See index
heading ARMY CORPS OF
ENGINEERS
Bureau of Ocean Energy Manage-
ment, Regulation and Enforce-
ment (BOEMRE), **1:34**
Coast Guard. See index heading
COAST GUARD
Department of Commerce, **1:31**
Department of Transportation. See
index heading DEPARTMENT OF

FEDERAL AGENCIES—Cont'd

TRANSPORTATION (DOT)
Environmental Protection Agency.
See index heading
ENVIRONMENTAL PROTECTION
AGENCY (EPA)
Fish and wildlife
National Marine Fishery Services
(NMFS), **1:32**
U.S. Fish and Wildlife Services,
1:29, 1:46, 2:78
National Marine Fishery Services
(NMFS), **1:32**
National Oceanic and Atmospheric
Administration (NOAA), **1:33,**
2:23
Oil Pollution Act, enforcement by
U.S. Coast Guard, **1:30**
Public Records Act, toll for informa-
tion access, **1:48**
Rivers and Harbors Act of 1899, **1:26**

FEDERAL FREEDOM OF INFORMATION ACT

Information access tools, **1:48**

FEDERAL-STATE COOPERATIVISM CONCEPT

Water discharge and quality, Water
Control Law, **2:8**

FEES

Attorney fees, citizen suits, **8:13**
Waste management, **6:20**

FIDUCIARIES

Hazardous substance site remedia-
tion, **4:26**

FINAL ENFORCEMENT AND PERMITTING ACTIONS

Louisiana Department of
Environmental Quality, **3:10**

FINANCES

Louisiana Department of
Environmental Quality, **1:7**

FINANCIAL DISCLOSURE REQUIREMENTS

Compliance, **9:46**

FISH AND WILDLIFE

- Endangered species. See index heading **ENDANGERED SPECIES**
- Louisiana Department of Wildlife and Fisheries. See index heading **LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES (LDWF)**
- National Marine Fishery Services (NMFS), **1:32**
- U.S. Fish and Wildlife Services, **1:29, 1:46, 2:78**
- Websites, **2:60, 2:66**

FLEET FACTORS TEST

- Compliance, personal and imputed liabilities, **9:53**

FOLLOW-UP

- Compliance, **9:7**

FORMS

- Air emissions inventory, **2:80**
- Annual compliance certification forms, **5:76**
- Approved jurisdictional determination form, **2:96**
- Asbestos notice, **2:94**
- Bank checklist, **9:67**
- Cease and desist order form, **2:87**
- Certification of waste management compliance, **6:39**
- Certification of water quality, **5:63**
- Checklist, **2:95**
- Citizen suit notice, **8:21**
- Coastal use permit/404 application, **5:64, 5:65**
- Coastal zone map, **2:92**
- Compliance forms, generally, **9:64 to 9:77**
- Compliance order, **3:63, 3:64**
- Compliance program checklist, **9:68**
- Conference report before ALJ, **3:65**
- Corps sample decision document, **5:67**
- Corps tolling agreement, **2:88**
- Corps wetlands appeal form, **2:91**
- Corps wetlands appeal sample objections, **2:90**
- Definitions, representations and warranties, and indemnities, **9:70**

FORMS—Cont'd

- Department of Public Safety and Corrections (DPS&C)
 - notice of hearing, **3:74**
 - notice of violation, **3:73**
 - request for hearing, **3:80**
 - stipulated settlement, **3:75**
- Dispute resolution agreement, **3:79**
- DMR, **5:60**
- DOT hazardous material incident report form and instructions, **7:52**
- DOT registration, waste management, **6:35**
- Facility shutdown checklist, **9:74**
- FOIA request, **1:51**
- Groundwater advisory (2007) (currently moot), **5:72**
- Hazardous waste
 - annual report, **2:83**
 - manifest, **2:82**
 - notification, **2:81**
- Incidental use permit, **5:71**
- Industrial generator supplemental forms, **2:85**
- Industrial site checklist, **9:66**
- Information request form, **1:50**
- IT outline, **5:73**
- Joint defense agreement, **9:76**
- Land ban notice form, **6:33**
- Landlord/tenant
 - checklist, **9:65**
 - lease extract, **9:69**
- Lender due diligence/indemnity agreement, **9:72**
- Louisiana Department of Agriculture and Forestry (LDAF)
 - decision, **3:72**
 - draft regulations, **3:78**
 - notice letters, **3:68**
 - proposed findings and conclusions of law, **3:71**
 - stipulations, **3:69, 3:70**
- Louisiana Department of Environmental Quality
 - compliance order, request for hearing on, **3:64**
- DEQ information request, **1:50**

INDEX

FORMS—Cont'd

- Louisiana Department of
 - Environmental Quality—Cont'd
 - incident report, **7:53**
 - information request form, **1:50**
 - IT outline, **5:73**
 - sample decision document, **5:74**
 - sample decision document, permits, **5:74**
 - settlement, **3:67**
- LPDE application, **5:59**
- Needs and alternatives analysis, **2:89**
- Notice
 - asbestos, **2:94**
 - citizen suit notice, **8:21**
 - DPS&C notice of hearing, **3:74**
 - DPS&C notice of violation, **3:73**
 - land ban notice form, **6:33**
 - LDAF notice letters, **3:68**
 - permits, public notice, **5:66**
 - storm water
 - notice of intent, **5:61**
 - permit application for stormwater discharges associated with construction activities 5 acres or greater, **5:62**
- Permits
 - general discussion, **5:57 to 5:76**
 - annual compliance certification forms, **5:76**
 - certification of water quality, **5:63**
 - checklist, **2:95**
 - coastal use permit/404 application, **5:64, 5:65**
 - corps sample decision document, **5:67**
 - DMR, **5:60**
 - groundwater advisory (2007) (currently moot), **5:72**
 - incidental use permit, **5:71**
 - LDEQ it outline, **5:73**
 - LDEQ sample decision document, **5:74**
 - LPDE application, **5:59**
 - public notice, **5:66**
 - storm water
 - notice of intent, **5:61**

FORMS—Cont'd

- Permits—Cont'd
 - storm water—Cont'd
 - permit application for stormwater discharges associated with construction activities 5 acres or greater, **5:62**
 - supplement to permit application, **5:57**
 - Title V application, **5:58**
 - transfer checklist, **5:75**
 - UST registration, **5:70**
 - wetland checklist, **5:68**
 - wild and scenic river application, **5:69**
- Permit transfer agreement, **9:73**
- Public involvement plan, **8:22**
- Purchaser's checklist, **9:64**
- Reporting checklist, **7:57**
- Rulemaking comment format, **2:79**
- Sample decision document, permits, **5:74**
- Sample written report, **7:54**
- Settlement, **3:67, 3:75**
- Site access agreement, **9:75**
- Solid waste
 - annual report form, **6:34**
 - industrial generator supplemental forms, **2:85**
 - notification, **2:84**
- Spill/release reporting requirements
 - DOT hazardous material incident report form and instructions, **7:52**
 - LDEQ incident report, **7:53**
 - reporting checklist, **7:57**
 - sample written report, **7:54**
 - uniform hazardous materials reporting form, **7:55**
- Standing, sample affidavit of, **8:20**
- Storm water
 - notice of intent, **5:61**
 - permit application for stormwater discharges associated with construction activities 5 acres or greater, **5:62**
- Supplement to permit application, **5:57**
- Tier two form, **2:93**

FORMS—Cont'd

- Title V application, **5:58**
- Transfer checklist, **5:75**
- TSDf checklist, **6:37**
- Uniform hazardous materials reporting form, **7:55**
- UST registration, **5:70**
- Waiver of warranty, **9:71**
- Waste management
 - certification of compliance, annual, **6:39**
 - checklists
 - general discussion, **6:36**
 - TSDf checklist, **6:37**
 - land ban notice form, **6:33**
 - solid waste annual report form, **6:34**
 - U.S. DOT registration, **6:35**
 - Wetland checklist, **5:68**
 - Wetland determination request, **2:86**
 - Wild and scenic river application, **5:69**

404 PERMITS

- General discussion, **5:37 to 5:49**
- For detailed discussion see index heading PERMITS

GAS

- See index heading OIL AND GAS

GENERATORS

- Waste management, **6:3**

GOOD ORDER AND REPAIR CLAUSE

- Compliance, **9:40**

GROUNDWATER

- Certification permits, **5:55**
- Remediation and cost recovery, **4:57**
- Spill/release reporting requirements, **7:39**

HAZARDOUS AIR POLLUTANTS (HAPs)

- Administrative laws and regulations, **2:4**
- Permits, **5:10**

HAZARDOUS AND SOLID WASTE

- General discussion, **2:9 to 2:13**

HAZARDOUS AND SOLID WASTE —Cont'd

Forms

- annual report, **2:83**
- certification of compliance, **6:39**
- industrial generator supplemental forms, **2:85**
- manifest, **2:82**
- notification, **2:81**
- wetland determination request, **2:86**

Industrial generator supplemental forms, 2:85

Louisiana Hazardous Waste Control Law, 2:10

Notification, 2:81

Solid Waste Management and Resource Recovery Law, 2:11

Spill/release reporting requirements, 7:37, 7:38

Toxic Substance Control Act, 2:9

Waste management

- general discussion, **6:31**
- for detailed treatment see index heading WASTE MANAGEMENT
- Wetland determination request, **2:86**

HAZARDOUS CHEMICAL REPORTING

Administrative laws and regulations, 2:51

Community right to know, 2:51

HAZARDOUS MATERIAL TRANSPORTATION

General discussion, 2:25 to 2:30

Enforcement, 2:30

Labeling, 2:29

Material codes, 2:28

Package manufacturers, 2:27

Shippers, 2:26

Spill/release reporting requirements, Hazardous Materials Transportation Uniform Safety Act (HMTUSA), 7:30

HAZARDOUS SUBSTANCES, CWA/OPA

- Spill/release reporting requirements, **7:21**

INDEX

HAZARDOUS SUBSTANCE SITE REMEDiation

General discussion, **4:5 to 4:26**
Abandoned sites, generally, **4:24**
Brownfields, **4:12**
CERCLA, **4:5 to 4:12**
Clean-up liability exemptions, **4:12**
Clean-up procedure, **4:20**
Cooperative agreements, **4:25, 4:63**
Cooperative agreements with
LDENR, **4:75**
Discharge or disposal, **4:16**
Double jeopardy, Natural Resource
Damages (NRD), **4:11**
Eligible entities and sites,
Brownfields, **4:12**
Exemptions, handling of, **4:7**
Facility, defined, **4:8**
Fiduciaries, **4:26**
Funding caps and limits,
Brownfields, **4:12**
Guidance for Preparing Superfund
Ready-For-Reuse Determina-
tions, **4:12**
Hazardous substance, defined, **4:18**
Hazardous Waste Site Cleanup Fund,
4:24
Hazardous waste sites, **4:23**
Interim Enforcement Discretion
Guidance Regarding Contiguous
Property Owners, **4:12**
Joint and several liability of
CERCLA, **4:11**
LDEQ as lead agency, **4:21**
Lenders, **4:26**
LEQA (Liability for Hazardous
Substance Remedial Action),
4:13, 4:14
Liens, **4:21**
Natural Resource Damages (NRD),
“double jeopardy”
environmental doctrine, **4:11**
Owner or operator, **4:19**
Pollutants or contaminants, under
CERCLA, **4:7**
Pollution source or facility, **4:17**
Potentially responsible parties
(PRPs), **4:10**
Private party lead, **4:22**

HAZARDOUS SUBSTANCE SITE REMEDiation—Cont’d

Ready-For-Reuse Determinations,
4:12
Release, **4:6**
Remedial action, **4:13**
Remedy selection, CERCLA liability,
4:11
Response costs, **4:9**
Responsible parties, **4:10, 4:14**
Revolving loan fund, Brownfields,
4:12
Safe harbor provision, **4:26**
Small Business Liability Relief and
Brownfield Revitalization Act,
4:12
Terminology, **4:15 to 4:18**
Voluntary remediation program,
Brownfields, **4:12**

HEARINGS

General discussion, **3:1 to 3:80**
For detailed treatment see index
heading ENFORCEMENT AND HEAR-
INGS

HISTORIC PRESERVATION OFFICER (SHPO)

Generally discussion, **1:24**

HOSPITALS

Louisiana Department of Health
(LDH), **1:18, 1:19, 1:41**

IMPOSSIBILITY

Louisiana Department of
Environmental Quality, **3:51**

IMPUTED LIABILITIES

See index heading COMPLIANCE

INACTIVITY

Remediation of inactive hazardous
substance sites. See index head-
ing HAZARDOUS SUBSTANCE SITE
REMEDiation

INCIDENTAL USE PERMIT

General discussion, **5:53, 5:71**

INCULPATORY CLAUSES

Compliance, **9:34**

INDEMNITIES

Compliance, **9:37, 9:70, 9:72**

INDUSTRIAL GENERATORS

Supplemental forms, **2:85**

INDUSTRIAL SITE

Checklist, **9:66**

INJUNCTIVE RELIEF

Citizen suits, **8:12**

INNOCENT LANDOWNER

Louisiana Department of
Environmental Quality, **3:49**

INSPECTIONS

Louisiana Department of
Environmental Quality, **3:2, 3:3**

INSURANCE

Compliance, **9:43**

**INTERFACE BETWEEN
REGULATED COMMUNITY
AND THE PUBLIC**

General discussion, **8:15 to 8:19**

**INTERNATIONAL
ORGANIZATION FOR
STANDARDIZATION (ISO)**

Compliance, **9:11**

**INTERPRETATION OF STATUTE
OR REGULATION**

Louisiana Department of
Environmental Quality, **3:47**

INTERVENTION

Louisiana Department of
Environmental Quality, **3:23,
3:34**

IT ANALYSIS

Permits, public trust, **5:56**

JOINT AND SEVERAL LIABILITY

CERCLA, inactive and abandoned
hazardous substance site
remediation, **4:11**

JOINT DEFENSE AGREEMENT

Form, **9:76**

JUDICIAL REVIEW

Louisiana Department of
Environmental Quality, **3:53**
Permits. See index heading PERMITS

JURISDICTION

Approved jurisdictional determina-
tion form, **2:96**
Louisiana Department of
Environmental Quality, **3:50**

LABELS AND LABELING

Hazardous material transportation,
2:29

LAND BANS

Waste management
general discussion, **6:7**
notice form, **6:33**

LANDLORD AND TENANT

Compliance
checklist, **9:65**
lease extract, **9:69**
lessees, **9:56**
old leases, **9:38**
transactional due diligence, **9:17**

**LARGE QUANTITY HAZARDOUS
WASTE GENERATORS**

General discussion, **6:2 to 6:25**
For detailed treatment see index
heading WASTE MANAGEMENT

**LAW ENFORCEMENT
PERSONNEL**

General discussion, **1:17**

LEAD

Abatement and cost recovery, **4:50**
Compliance, **9:26**
Licensing, **4:49**

**LEADERSHIP IN ENERGY AND
ENVIRONMENTAL DESIGN
(LEED)**

“Green Building” process outline,
9:78

LENDERS

Compliance, **9:53, 9:72**
Hazardous substance site remedia-
tion, **4:26**

INDEX

LIENS

Hazardous substance site remediation, **4:21**

LISTED WASTE

Waste management, **6:5**

LOUISIANA AIR CONTROL LAW

Administrative laws and regulations, **2:5**

LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY (LDAF)

General discussion, **1:12 to 1:15**

Administrative Procedure Act, **3:55**

“Bertucci letter,” use of, **3:56**

Dealing with agencies, **1:39**

Decision, form, **3:72**

Enforcement and hearings, **3:55 to 3:57, 3:68 to 3:72**

Exemptions, **3:55**

Forms

general discussion, **3:68 to 3:72**

decision, **3:72**

draft regulations, **3:78**

notice letters, **3:68**

proposed findings and conclusions of law, **3:71**

stipulations, **3:69, 3:70**

Hearing process, **3:57**

Notice letters, form, **3:68**

Proposed findings and conclusions of law, form, **3:71**

Stipulation, settlement with respondents through, **3:56**

Websites, **2:67**

LOUISIANA DEPARTMENT OF ENERGY AND NATURAL RESOURCES (LDENR)

Generally, **1:9 to 1:11, 1:38**

Investigations and adjudicatory hearings, **3:60**

Websites, **2:65**

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)

General discussion, **1:3 to 1:8**

Abandonment, **3:42**

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)—Cont’d

Administrative law judges. Enforcement and hearings, below

Authority

defense, scope of or lack of authority, **3:45**

LDEQ enforcement authority, **3:1**

Beneficial environmental projects, **3:8**

Briefs and other legal memoranda, **3:21, 3:32**

Compliance orders, **3:4, 3:64**

Continuances, **3:20, 3:31**

Cost recovery. See “Remediation and cost recovery” under this index heading

Decisions, **3:24, 3:36**

Defenses

general discussion, **3:37 to 3:50**

abandonment, **3:42**

authority, scope of or lack of, **3:45**

definitions, **3:39**

estoppel, **3:44**

factual dispute, **3:43**

impossibility, **3:51**

innocent landowner, **3:49**

interpretation of statute or regulation, **3:47**

jurisdiction, lack of, **3:50**

knowledge, lack of, **3:40**

mootness, **3:41**

penalty, **3:48**

prescription, **3:38**

vagueness, **3:46**

Definitions, **3:39**

“Deliberative process” privilege in discovery, **3:27**

Discovery, **3:16, 3:27**

E-mail addresses, **1:37**

Enforcement and hearings

general discussion, **3:1 to 3:54**

adjudicatory hearing, **3:10**

administrative law judges, generally, **3:11**

authority, LDEQ enforcement authority, **3:1**

**LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY
(LDEQ)—Cont'd**

Enforcement and hearings—Cont'd
 beneficial environmental projects, **3:8**
 briefs and other legal memoranda, **3:21, 3:32**
 compliance orders, **3:4, 3:64**
 continuances, **3:20, 3:31**
 decisions, **3:24, 3:36**
 defenses, above
 “deliberative process” privilege in discovery, **3:27**
 discovery, **3:16, 3:27**
 evidence, **3:17, 3:28**
 final enforcement and permitting actions, **3:10**
 hearing procedure, generally, **3:14 to 3:36**
 inspections, **3:2, 3:3**
 intervention, **3:23, 3:34**
 judicial review, **3:53**
 motions, **3:19, 3:30**
 notices of violations, **3:4**
 orders, **3:4, 3:24, 3:35, 3:36**
 organizational checklist, **3:3**
 overfiling, **3:54**
 overriding decisions of administrative law judge, **3:24**
 penalties, **3:5 to 3:7**
 pleadings, **3:18, 3:29**
 pre-hearing conferences, **3:12**
 records, **3:22, 3:33**
 recusal, **3:13**
 requests for hearings, **3:9**
 settlement, **3:52, 3:67**
 subpoenas, **3:15, 3:26**
 supplemental environmental projects, **3:5, 3:8**
 Environmental Compliance, **1:5**
 Environmental Services, **1:4**
 Estoppel, **3:44**
 Evidence, **3:17, 3:28**
 Factual disputes, **3:43**
 Final enforcement and permitting actions, **3:10**
 Finance, **1:7**

**LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY
(LDEQ)—Cont'd**

Forms
 compliance order, request for hearing on, **3:64**
 information request form, **1:50**
 IT outline, **5:73**
 sample decision document, permits, **5:74**
 settlement, **3:67**
 single point of contact procedure, **7:56**
 Hazardous substance site remediation, LDEQ as lead agency, **4:21**
 Hearings. Enforcement and hearings, above
 Impossibility, **3:51**
 Information request form, **1:50**
 Innocent landowner, **3:49**
 Inspections, **3:2, 3:3**
 Interpretation of statute or regulation, **3:47**
 Intervention, **3:23, 3:34**
 Judicial review, **3:53**
 Jurisdiction, lack of, **3:50**
 Knowledge, lack of, **3:40**
 Management, **1:7**
 Mootness, **3:41**
 Motions, **3:19, 3:30**
 Notice or knowledge
 change, notification of change form, **5:77**
 lack of knowledge as defense, **3:40**
 violations, notices of, **3:4**
 Office of Environmental Assessment, **1:6**
 Orders, **3:4, 3:24, 3:35, 3:36**
 Organizational checklist, **3:3**
 Overfiling, **3:54**
 Penalties, **3:5 to 3:7, 3:48**
 Pleadings, **3:18, 3:29**
 Pre-hearing conferences, **3:12**
 Prescription, **3:38**
 Records, **3:22, 3:33**
 Recusal, **3:13**
 Remediation and cost recovery
 demand letter, **4:68**

INDEX

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)—Cont'd

Remediation and cost recovery
—Cont'd
information request combined with
a demand, **4:62**
Rulemaking, **2:75, 2:76**
Settlement, **3:52, 3:67**
Spill/release reporting requirements,
incident report, **7:53**
Subpoenas, **3:15, 3:26**
Supplemental environmental projects,
3:5, 3:8
Telephone numbers, **1:36**
Vagueness, **3:46**
Websites, **2:64**

LOUISIANA DEPARTMENT OF HEALTH AND HOSPITALS (LDHH)

Websites, **2:69**

LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS (DPS&C)

General discussion, **1:16**
Community right to know, **2:53**
Dealing with agencies, **1:40**
Notice
hearing, form of notice of, **3:74**
violation, form of notice of, **3:73**
Request for hearing, form, **3:80**
State police, **1:17**
Stipulated settlement, form, **3:75**
Websites, **2:68**

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES (LDWF)

General discussion, **1:20 to 1:22**
Administrative enforcement powers,
3:59
Citation, form, **3:76**
Enforcement, **3:59, 3:76, 3:77**
Notice, forms, **3:76, 3:77**
Websites, **2:66**

LOUISIANA THREATENED AND ENDANGERED SPECIES CONSERVATION ACT

General discussion, **2:19**

LOUISIANA WATER CONTROL LAW

General discussion, **2:8**

MANAGEMENT

Louisiana Department of
Environmental Quality, **1:7**

MATERIAL CODES

Hazardous material transportation,
2:28

MEDICAL WASTE

General discussion, **2:54**

MEETINGS

Administrative agencies, **1:49**

MERCURY

Remediation and cost recovery, **4:58**

MINIMIZATION OF WASTE

Waste management, **6:21**

MITIGATION

Coastal wetlands, **2:39**
Permits, 404 permits, **5:44**

MIXTURE RULE

Waste management, **6:9**

MOLD

OSHA, **2:57**

MOOTNESS

Louisiana Department of
Environmental Quality, **3:41**

MOTIONS

Louisiana Department of
Environmental Quality, **3:19,**
3:30

MOTOR FUEL UNDERGROUND TANK TRUST FUND

General discussion, **2:35**

MSDS

Spill/release reporting requirements,
7:43

MULTIPLE PARTIES

Compliance, conflicts in business
transactions where representing
multiple parties, **9:48**

**NATIONAL ENVIRONMENTAL
POLICY ACT (NEPA)**

General discussion, **2:58**

**NATIONAL HISTORIC
PRESERVATION
COORDINATION**

404 permits, **5:43**

**NATIONAL MARINE FISHERY
SERVICES (NMFS)**

General discussion, **1:32**

**NATIONAL OCEANIC AND
ATMOSPHERIC
ADMINISTRATION (NOAA)**

General discussion, **1:33, 2:23**

**NATURALLY OCCURRING
RADIOACTIVE MATERIAL
(NORM)**

Permits, **5:54**

Remediation and cost recovery,
oilfields and related properties,
4:47

Spill/release reporting requirements,
7:35

**NATURAL RESOURCE DAMAGES
(NRD)**

Inactive and abandoned hazardous
substance site remediation, **4:11**

NAVIGATION

Administrative laws and regulations,
2:20

**NEEDS AND ALTERNATIVES
ANALYSIS**

Wetlands, **2:14**

**NEPA (NATIONAL
ENVIRONMENTAL POLICY
ACT)**

General discussion, **2:58**

**NEW SOURCE PERFORMANCE
STANDARDS (NSPS)**

Operating permits, **5:9**

**NOAA (NATIONAL OCEANIC AND
ATMOSPHERIC
ADMINISTRATION)**

General discussion, **1:33, 2:23**

NOTICE OR KNOWLEDGE

Asbestos notice form, **2:94**

Citizen suits, notice of violations,
8:8, 8:21

Community right to know
general discussion, **2:49 to 2:54**
for detailed treatment see index
heading **COMMUNITY RIGHT TO
KNOW**

Emergency planning and notification,
2:50

Hazardous and solid waste, **2:81**

Land ban notice form, **6:33**

Louisiana Department of Agriculture
and Forestry, notice letters, **3:68**

Louisiana Department of
Environmental Quality. See
index heading **LOUISIANA DEPART-
MENT OF ENVIRONMENTAL QUALITY
(LDEQ)**

Louisiana Department of Public
Safety and Corrections. See
index heading **LOUISIANA DEPART-
MENT OF PUBLIC SAFETY AND COR-
RECTIONS (DPS&C)**

Louisiana Department of Wildlife
and Fisheries, **3:76, 3:77**

Permits. See index heading **PERMITS**

Remediation and cost recovery, unau-
thorized and promiscuous
dumps, **4:2**

Rulemaking, notice to public, **2:73**

Spill/release reporting requirements.
See index heading **SPILL/RELEASE
REPORTING REQUIREMENTS**

Storm water

notice of intent, **5:61**

permit application for stormwater
discharges associated with
construction activities 5 acres
or greater, **5:62**

Unauthorized discharges, Notification
Regulations and Procedures for
Unauthorized Discharges, **4:2**

Underground storage tanks, remedia-
tion and cost recovery, **4:27**

**OFFICE OF AGRICULTURE AND
ENVIRONMENTAL SERVICES**

Generally, **1:13**

INDEX

OFFICE OF COASTAL RESTORATION AND MANAGEMENT

Generally, **1:11**

OFFICE OF CONSERVATION

Generally, **1:10**

OFFICE OF ENVIRONMENTAL ASSESSMENT

Louisiana Department of
Environmental Quality, **1:6**

OIL AND GAS

Abandoned sites

Abandoned Oilfield Waste Site
Law, **2:44**

remediation and cost recovery,
4:45, 4:46

Permits, oil and gas exploration and
production, **5:26**

Plugging, remediation and cost
recovery, **4:46**

Release reporting requirements, **7:20,**
7:41

Remediation and cost recovery, **4:45**
to 4:48, 4:56

Spills. See index heading **OIL SPILLS**
Waste management, used oil, **6:25**

OIL AND GAS E&P WASTE

General discussion, **2:41 to 2:44**

OIL POLLUTION ACT (OPA)

Remediation and cost recovery, **4:56**

U.S. Coast Guard, enforcement by,
1:30

OIL SPILLS

General discussion, **2:21 to 2:24**

Louisiana Oil Spill Coordinator,
1:23, 1:42

Reporting requirements, **7:20, 7:41**

Spill plans, **2:22**

ONGOING VIOLATIONS

Citizen suits, **8:9**

ORDERS

Louisiana Department of
Environmental Quality, **3:4,**
3:24, 3:35, 3:36

ORGANIZATIONAL CHECKLIST

Louisiana Department of
Environmental Quality, **3:3**

ORPHANED OILFIELD SITE

Defined, **4:45**

OSHA

Asbestos regulations, **2:56**

Mold, **2:57**

OVERFILING

Louisiana Department of
Environmental Quality, **3:54**

OWNERS OR OPERATORS

Hazardous substance site remedia-
tion, **4:19**

Underground storage tanks, remedia-
tion and cost recovery, **4:31**

PACKAGE MANUFACTURERS

Hazardous material transportation,
2:27

PARENT AND SUBSIDIARY CORPORATIONS

Compliance, **9:59**

PCBs

Spill/release reporting requirements,
7:25

PENALTIES OR SANCTIONS

Citizen suits, **8:11**

CWA/OPA, **7:23**

Emergency Planning and Community
Right-to-Know Act, **7:18**

Louisiana Department of
Environmental Quality, **3:5 to**
3:7, 3:48

Spill/release reporting requirements
CWA/OPA, **7:23**

Emergency Planning and Com-
munity Right-to-Know Act,
7:18

state, **7:50**

Toxic Substances Control Act
(TSCA), **7:28**

Spill/release reporting requirements.
See index heading **SPILL/RELEASE**
REPORTING REQUIREMENTS

PENALTIES OR SANCTIONS —Cont'd

Toxic Substances Control Act
(TSCA), **7:28**

PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS)

Small quantity hazardous waste
generators, **6:27**

PERMITS

General discussion, **5:1 to 5:77**

Acid rain, **5:14**

Air

general discussion, **5:2 to 5:17**

acid rain, **5:14**

application shield, **5:15**

emission permits, **2:7**

exemptions, operating permits, **5:8**
hazardous air pollutants (HAPs),
5:10

insignificant activities, operating
permits, **5:8**

inventorying requirements review
for air quality compliance, **2:7**

judicial review, **5:17**

major source permits, **5:6**

minor source permits, **5:3**

new source performance standards,
operating permits (NSPS), **5:9**

non-attainment, operating permits,
5:13

operating permits, **5:7 to 5:17**
“operational flexibility” provi-
sions, **5:7**

Part 70 Source Permits, **5:6**

permit shield, **5:4, 5:16**

pre-construction review, **5:2**

prevention of significant deteriora-
tion (PSD), **5:12**

temporary permits, **5:4, 5:5**

toxic air pollutants, **5:11**

Animal feeding operations, **5:22**

Annual compliance certification
forms, **5:76**

Application

air, application shield, **5:15**

coastal use permits, **5:32, 5:64,**
5:65

404 permits, **5:37, 5:64, 5:65**

PERMITS—Cont'd

Application—Cont'd

LPDES application, form, **5:59**

supplement to permit application,
form, **5:57**

Title V application, **5:58**

Aquaculture, **5:24**

Aquatic animal production, **5:23**

Certification of water quality, **5:30,**
5:63

Checklists

coastal use permit/404 application,
5:65

form, **2:95**

permit transfer checklist, **5:75**

wetland checklist, **5:68**

Coastal use permits

general discussion, **2:37, 2:38,**
5:32 to 5:36

application, **5:32, 5:64, 5:65**

exemptions, **5:33**

judicial review, **5:36**

parish programs, **5:35**

reconsideration petition, judicial
review, **5:35**

Coastal wetlands, **2:38**

Coastal zone coordination, 404
permits, **5:43**

Compliance. See index heading
COMPLIANCE

Construction activity, storm water
discharge, **5:29, 5:62**

Decision document, 404 permits,
5:44

Endangered species, incidental use
permit, **5:53**

Endangered species consultation, 404
permits, **5:41**

Exemptions

air, **5:8**

coastal use permits, **5:33**

Forms

general discussion, **5:57 to 5:77**

annual compliance certification
forms, **5:76**

certification of water quality, **5:63**

coastal use permit/404 application,
5:64, 5:65

INDEX

PERMITS—Cont'd

Forms—Cont'd

corps sample decision document,
5:67

DMR, **5:60**

groundwater advisory (2007) (currently moot), **5:72**

incidental use permit, **5:71**

LDEQ IT outline, **5:73**

LDEQ notification of change form,
5:77

LDEQ sample decision document,
5:74

LPDES application, **5:59**

public notice, **5:66**

storm water

notice of intent, **5:61**

permit application for stormwater
discharges associated with
construction activities 5
acres or greater, **5:62**

supplement to permit application,
5:57

Title V application, **5:58**

transfer checklist, **5:75**

UST registration, **5:70**

wetland checklist, **5:68**

wild and scenic river application,
5:69

404 permits

general discussion, **5:37 to 5:49**
application, **5:37**

coastal use permit/404 application,
forms, **5:64, 5:65**

coastal zone coordination, **5:43**

decision document, **5:44**

endangered species consultation,
5:41

general permits, **5:47**

guidelines, **5:39**

judicial review, **5:49**

mitigation, **5:44**

national historic preservation
coordination, **5:43**

nationwide permits, **5:48**

notice to public, **5:38**

public interest review, **5:40**

review

appeals, **5:46**

PERMITS—Cont'd

404 permits—Cont'd

review—Cont'd

judicial review, **5:49**

public interest review, **5:40**

Groundwater advisory (2007) (currently moot), **5:72**

Groundwater certification, **5:55**

Habitat conservation plans, registration
of USTs, **5:54**

Hazardous air pollutants (HAPs),
5:10

Incidental use permit, **5:53, 5:71**

Industrial permits, **5:19**

Judicial review

air, **5:17**

coastal use permits, **5:36**

water, **5:31**

wild and scenic river permits, **5:51**

LDEQ IT outline, **5:73**

LDEQ notification of change form,
5:77

LDEQ sample decision document,
5:74

LPDES application, **5:59**

Mitigation, 404 permits, **5:44**

Municipal permits, water, **5:20**

National historic preservation
coordination, 404 permits, **5:43**

Naturally occurring radioactive material
(NORM), **5:54**

Notice

LDEQ notification of change form,
5:77

public notice, **5:38, 5:66**

Oil and gas exploration and production,
5:26

Point sources, **5:21 to 5:25**

Public and the environment, **8:4**

Public notice, form, **5:66**

Public trust, IT analysis, **5:56**

Radiation, **5:54**

Save Ourselves decision, **5:56**

Silviculture, **5:25**

Spill/release reporting requirements.

See index heading **SPILL/RELEASE
REPORTING REQUIREMENTS**

PERMITS—Cont'd

Storm water

- general discussion, **5:27 to 5:29**
- notice of intent, form, **5:61**
- permit application for stormwater discharges associated with construction activities 5 acres or greater, **5:62**

Temporary permits, air, **5:4, 5:5**

Toxic air pollutants, **5:11**

Transfer checklist, **5:75**

Transfers

- general discussion, **9:44**
- permit transfer agreement, **9:73**

Underground storage tanks, habitat conservation plans, **5:54**

USTs, registration of, **5:52, 5:54, 5:70**

Water

- general discussion, **5:18 to 5:31**
 - animal feeding operations, **5:22**
 - aquaculture, **5:24**
 - aquatic animal production, **5:23**
 - certification of water quality, **5:30**
 - coastal wetlands, **2:38**
 - construction activity, storm water discharge, **5:29, 5:62**
 - general permits, **5:18**
 - groundwater advisory (2007) (currently moot), **5:72**
 - groundwater certification, **5:55**
 - industrial permits, **5:19**
 - industry
 - permits, generally, **5:19**
 - storm water, **5:28**
 - judicial review, **5:31**
 - municipal permits, **5:20**
 - oil and gas exploration and production, **5:26**
 - point sources, **5:21 to 5:25**
 - silviculture, **5:25**
 - storm water, above
- Wild and scenic rivers
- general discussion, **2:46**
 - application, form, **2:72**
 - judicial review, **5:51**
 - permit process, **5:50**

PERSONAL AND IMPUTED LIABILITIES

See index heading **COMPLIANCE**

PEST CONTROL

Structural Pest Control Commission, **1:15**

PESTICIDES

General discussion, **2:47, 2:48**

Louisiana Advisory Commission on Pesticides, **1:14**

PLANT CLOSING

Compliance, **9:45**

PLEADINGS

Louisiana Department of Environmental Quality, **3:18, 3:29**

POINT SOURCES

Permits, **5:21 to 5:25**

POLICE

General discussion, **1:17**

POLLUTION SOURCE OR FACILITY

Hazardous substance site remediation, **4:17**

POTENTIALLY RESPONSIBLE PARTIES (PRPs)

Hazardous substance site remediation, **4:10**

PRE-EMPTION DOCTRINE

Agency organizations, **1:2**

PRE-HEARING CONFERENCES

Louisiana Department of Environmental Quality, **3:12**

PREPAREDNESS AND PREVENTION

Waste management, **6:19**

PRESCRIPTION

Louisiana Department of Environmental Quality, **3:38**

PRESUIT NOTICE OF VIOLATIONS

Citizen suits, **8:8**

INDEX

PRIVATE ATTORNEY GENERALS

Public and the environment, **8:1**

PRIVILEGES

Audits, **9:10**

PROMISCUOUS DUMP

Defined, **4:2**

PROPOSED FINDINGS AND CONCLUSIONS OF LAW

Louisiana Department of Agriculture
and Forestry, **3:71**

PUBLIC HEALTH OFFICE

General discussion, **1:19**

PUBLIC INVOLVEMENT PLAN

Form, **8:22**

PUBLIC RECORDS ACT

Information access tools, **1:48**

PUBLIC SAFETY AND CORRECTIONS

Administrative laws and regulations,
2:53

Community right to know, **2:53**

PURCHASER'S CHECKLIST

Compliance, **9:64**

QUESTIONNAIRE

Compliance, **9:8**

RADIATION AND RADIOACTIVE MATERIAL

Naturally occurring. See index head-
ing **NATURALLY OCCURRING RADIO-
ACTIVE MATERIAL (NORM)**

Permits, **5:54**

RAIN

Acid rain permits, **5:14**

RCRA

Spill/release reporting requirements,
7:29

Wetlands, **2:16**

READY-FOR-REUSE DETERMINATIONS

Hazardous substance site remedia-
tion, **4:12**

RECORDS AND RECORDATION

Louisiana Department of
Environmental Quality, **3:22,**
3:33

Remediation and cost recovery, unau-
thorized and promiscuous
dumps, **4:4**

Waste management, **6:17**

RECUSAL

Louisiana Department of
Environmental Quality, **3:13**

RECYCLING

Generally, **6:24**

Tax credits, **6:32**

RELEASES

Compliance, **9:36**

Hazardous substance site remedia-
tion, **4:6**

Spill/release reporting requirements
general discussion, **7:1 to 7:57**
for detailed treatment see index
heading **SPILL/RELEASE REPORT-
ING REQUIREMENTS**

Underground storage tanks, remedia-
tion and cost recovery, **4:29**

REMEDIATION AND COST RECOVERY

General discussion, **4:1 to 4:75**

Action levels, **4:38**

Asbestos, **4:51, 4:52**

Attachment, **4:61**

Civil law damages, **4:59**

Conveyance notification, **4:74**

Cooperative agreement, **4:25, 4:63**

Cooperative agreements with
LDENR, **4:75**

Dumps, unauthorized and promiscu-
ous dumps, **4:2 to 4:4**

Forms

general discussion, **4:60 to 4:74**
attachment, **4:61**

conveyance notification, **4:74**

cooperative agreement, **4:63**

cooperative agreements with
LDENR, **4:75**

LDEQ demand letter, **4:68**

REMEDATION AND COST RECOVERY—Cont'd

Forms—Cont'd

- LDEQ information request combined with a demand, **4:62**
- notification of intent to perform a UST closure/change-in-service, **4:65**
- partial remediation agreement, **4:72**
- private clean-up agreement, **4:71**
- private demand, **4:69**
- public recordation, **4:60**
- RECAP submittal summary, **4:70**
- UST closure/assessment form, **4:66**
- UST reimbursement form, **4:67**
- voluntary clean-up agreement, **4:64**
- VRP application, **4:73**
- Groundwater, **4:57**
- Hazardous substance site remediation
 - general discussion, **4:5 to 4:26**
 - for detailed treatment see index heading HAZARDOUS SUBSTANCE SITE REMEDIATION
- Joint and several liability of CERCLA, inactive and abandoned hazardous substance site remediation, **4:11**
- Lead, **4:49, 4:50**
- Lead Hazardous Reduction Fund, **4:50**
- Lead Hazardous Reduction Licensure and Certification Act, **4:49**
- Liability exemption, voluntary remediation program, **4:33**
- Louisiana Abandoned Oilfield Waste Site Clean-Up Fund, **4:45**
- Louisiana Abandoned Oilfield Waste Site Law, **4:45**
- Louisiana Department of Environmental Quality (LDEQ). See index headings LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)
- Management options, **4:39 to 4:42**
- Mercury, **4:58**

REMEDATION AND COST RECOVERY—Cont'd

- National Emission Standard for Hazardous Air Pollutants (NESHAP), **4:51**
- Naturally occurring radioactive material (NORM), **4:47**
- Natural Resource Damages (NRD), “double jeopardy” environmental doctrine, **4:11**
- Notification
 - conveyance notification, **4:74**
 - intent to perform a UST closure/change-in-service, **4:65**
- Regulations and Procedures for Unauthorized Discharges, **4:2**
- unauthorized and promiscuous dumps, **4:2**
- underground storage tanks, **4:27**
- Oilfield and related properties, **4:45 to 4:48**
- Oilfield Site Restoration Commission, **4:45**
- Oil Pollution Act (OPA), **4:56**
- Orphaned oilfield site, defined, **4:45**
- Partial remediation agreement, **4:72**
- PCB spill clean-up, Toxic Substances Control Act (TSCA), **4:54**
- Private clean-up agreement, **4:71**
- Private demand, **4:69**
- Promiscuous dump, defined, **4:2**
- Public recordation, **4:60**
- RECAP
 - general discussion, **4:36 to 4:44**
 - institutional controls, **4:43**
 - submittal, **4:70**
 - tiered framework, **4:36**
- Recordation, unauthorized and promiscuous dumps, **4:4**
- Relationship to other programs, **4:44**
- Resource Conservation and Recovery Act (RCRA), **4:55**
- Restrictions in use, **4:43**
- Screening levels, **4:37**
- Solid waste, unauthorized and promiscuous dumps, **4:2 to 4:4**
- Stigma damages, **4:59**
- Target housing, lead-based paint activities at, **4:50**

INDEX

REMEDIATION AND COST

RECOVERY—Cont'd

- Tires, waste tires, **4:53**
- Toxic Substances Control Act (RCRA), **4:54**
- Unauthorized dump, defined, **4:2**
- Underground storage tanks
 - general discussion, **4:27 to 4:32**
 - for detailed treatment see index heading UNDERGROUND STORAGE TANKS
- UST closure/assessment form, **4:66**
- UST reimbursement form, **4:67**
- Voluntary clean-up agreement, **4:64**
- Voluntary remediation program, **4:33 to 4:35**
- VRP application, **4:73**
- Waste Tire Management Fund, **4:53**
- Wetlands, **2:15**

REMEDIES

- Citizen suits, **8:10**

REPAIR CLAUSE

- Compliance, **9:40**

REPORTS AND REPORTING

- Community right to know, **2:51, 2:52**
- Hazardous chemical reporting, **2:51**
- Hazardous waste annual report, form, **2:83**
- Spill/release reporting requirements
 - general discussion, **7:1 to 7:57**
 - for detailed treatment see index heading SPILL/RELEASE REPORTING REQUIREMENTS
- Toxic chemical reporting, **2:52**

REPRESENTATIONS AND WARRANTIES

- Compliance, **9:33, 9:70, 9:71**

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

- Remediation and cost recovery, **4:55**

REVERSE FALSE CLAIMS

- Financial disclosure requirements, **9:47**

RISK ALLOCATION

- Compliance, **9:37**

RIVERS

- See index heading WILD AND SCENIC RIVERS

RIVERS AND HARBORS ACT OF 1899

- Federal agencies, **1:26**
- Navigation, **2:20**

RULEMAKING

- General discussion, **2:72 to 2:78**
- Challenge to rules, **2:77**
- Comments
 - format, form, **2:79**
 - response, **2:74**
- Declaratory rulings, **2:78**
- Federal Administrative Procedure Act, **2:72**
- Louisiana Department of Environmental Quality, **2:75, 2:76**
- Notice to public, **2:73**
- Public and the environment, **8:3**

SAFETY DATA SHEETS (SDS)

- Spill/release reporting requirements, Emergency Planning and Community Right-to-Know Act, **7:15**
- Websites, **2:70**

SARBANES-OXLEY ACT OF 2002

- Financial disclosure requirements, **9:46**

SATELLITE STORAGE

- Waste management, **6:15**

SCENIC RIVERS

- See index heading WILD AND SCENIC RIVERS

SETTLEMENT

- Enforcement and hearings, **3:52, 3:67, 3:75**
- Louisiana Department of Environmental Quality, **3:52, 3:67**
- Louisiana Department of Public Safety and Corrections, **3:75**

SHARE EXCHANGE

- Compliance, **9:16**

SHIPPERS

Hazardous material transportation,
2:26

SILVICULTURE

Permits, 5:25

SITE ACCESS AGREEMENT

Form, 9:75

**SMALL BUSINESS COMPLIANCE
POLICY**

Compliance, 9:9

**SMALL BUSINESS LIABILITY
RELIEF AND BROWNFIELD
REVITALIZATION ACT**

Hazardous substance site remediation, 4:12

**SMALL QUANTITY HAZARDOUS
WASTE GENERATORS**

See index heading WASTE MANAGEMENT

SOLID WASTE

General discussion, 2:9 to 2:13
For detailed treatment see index
heading HAZARDOUS AND SOLID
WASTE

**SOLID WASTE MANAGEMENT
AND RESOURCE RECOVERY
LAW**

General discussion, 2:11

**SPILL/RELEASE REPORTING
REQUIREMENTS**

General discussion, 7:1 to 7:57

Air

certification required, 7:34
reporting requirements, 7:33

Bypass, federal permits, 7:31

CERCLA

general discussion, 7:2 to 7:11
continuous releases, 7:7
exemptions, 7:10
mixtures, 7:8
notification, 7:6
past releases, 7:9
releases, generally, 7:3, 7:5
reportable quantities (RQs), 7:4

**SPILL/RELEASE REPORTING
REQUIREMENTS—Cont'd**

CERCLA—Cont'd

sanctions, 7:11

CWA/OPA

general discussion, 7:19 to 7:23

hazardous substances, 7:21

oil, 7:20

sanctions, 7:23

wetlands, 7:22

DEQ single point of contact procedure, 7:56

Discharge reporting requirements, 7:34

DOT hazardous material incident report form and instructions, 7:52

Emergencies

state requirements, 7:32

Toxic Substances Control Act (TSCA), 7:27

Emergency Planning and Community Right-to-Know Act

general discussion, 7:12 to 7:18

exemptions

off-site releases, 7:14

toxic releases, 7:17

inventories, 7:16

off-site releases, 7:14

planning requirements, 7:13

sanctions, 7:18

SDS, 7:15

toxic releases, 7:17

E & P waste, 7:49

Ethical considerations, 7:51

Exemptions, CERCLA, 7:10, 7:14, 7:17

Federal requirements, 7:2 to 7:31

Forms

DEQ single point of contact procedure, 7:56

DOT hazardous material incident report form and instructions, 7:52

LDEQ incident report, 7:53

reporting checklist, 7:57

sample written report, 7:54

INDEX

SPILL/RELEASE REPORTING REQUIREMENTS—Cont'd

- Forms—Cont'd
 - uniform hazardous materials reporting form, **7:55**
- Groundwater, **7:39**
- Hazardous material, **7:47**
- Hazardous Materials Transportation Uniform Safety Act (HMTUSA), **7:30**
- Hazardous substances, CWA/OPA, **7:21**
- Hazardous waste, **7:37**
- Inventories, right to know
 - Federal Emergency Planning and Community Right-to-Know Act, **7:16**
 - state reporting requirements, **7:45**
- Knowledge requirements, **7:4**
- Louisiana Department of Environmental Quality, incident report, **7:53**
- MSDS, **7:43**
- Naturally occurring radioactive material (NORM), **7:35**
- Notice
 - CERCLA, **7:6**
 - reporting duties, **7:1**
- Off-site releases, Emergency Planning and Community Right-to-Know Act, **7:14**
- Oil, **7:20, 7:41**
- PCBs, Toxic Substances Control Act (TCSA), **7:25**
- Penalties. Sanctions, below
- Permits
 - federal, **7:31**
 - state, **7:48**
- “Person in charge,” obligations, **7:2**
- Planning requirements, Emergency Planning and Community Right-to-Know Act, **7:13**
- RCRA, **7:29**
- Release reporting, **7:44**
- Reportable quantities (RQs), **7:4, 7:32**
- Reporting issues, **7:51**
- Right to know
 - federal, **7:12 to 7:18**

SPILL/RELEASE REPORTING REQUIREMENTS—Cont'd

- Right to know—Cont'd
 - state, **7:42 to 7:46**
- Sanctions
 - CERCLA, **7:11**
 - CWA/OPA, **7:23**
 - Emergency Planning and Community Right-to-Know Act, **7:18**
 - state, **7:50**
 - Toxic Substances Control Act (TCSA), **7:28**
- Solid waste, **7:38**
- State requirements, **7:32 to 7:50**
- Surface water, **7:36**
- Toxic releases, Emergency Planning and Community Right-to-Know Act, **7:17**
- Toxic Substances Control Act (TCSA)
 - general discussion, **7:24 to 7:28**
 - emergencies, **7:27**
 - PCBs, **7:25**
 - sanctions, **7:28**
 - section 8, **7:26**
- Transportation incidents, **7:46**
- Uniform hazardous materials reporting form, **7:55**
- Upset, federal permits, **7:31**
- USTs, **7:40**
- Wetlands, **7:22**

STAGES OF OPERATIONS

- Compliance, **9:6**

STANDING

- Citizen suits, **8:7, 8:20**

STATE AGENCIES

- General discussion, **1:3 to 1:24**
- Department of Agriculture and Forestry
 - general discussion, **1:12 to 1:15**
 - for detailed treatment see index
 - heading LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY (LDAF)
- Department of Public Safety and Corrections. See index heading Lou-

STATE AGENCIES—Cont'd

LOUISIANA DEPARTMENT OF PUBLIC
SAFETY AND CORRECTIONS
(DPS&C)

Doctrine of pre-emption, **1:2**

Hazardous Material Response Act,
1:17

Historic Preservation Officer
(SHPO), **1:24**

Louisiana Advisory Commission on
Pesticides, **1:14**

Louisiana Department of Energy and
Natural Resources, **1:9 to 1:11,**
1:38

Louisiana Department of Energy and
Natural Resources (LDENR),
2:65, 3:60

Louisiana Department of
Environmental Quality
general discussion, **1:3 to 1:8**
for detailed treatment see index
heading LOUISIANA DEPARTMENT
OF ENVIRONMENTAL QUALITY
(LDEQ)

Louisiana Department of Health,
1:18, 1:19, 1:41

Louisiana Department of Wildlife
and Fisheries. See index heading
LOUISIANA DEPARTMENT OF
WILDLIFE AND FISHERIES (LDWF)

Louisiana Oil Spill Coordinator,
1:23, 1:42

Office of Agriculture and
Environmental Services, **1:13**

Office of Coastal Restoration and
Management, **1:11**

Office of Conservation, **1:10**

Police, **1:17**

Public health office, **1:19**

Structural Pest Control Commission,
1:15

Threatened and Endangered Species
Conservation Law, enforcement
by Dept. of Wildlife and Fisher-
ies (LDWF), **1:20**

**STATE HISTORIC
PRESERVATION OFFICER
(SHPO)**

Generally discussion, **1:24**

STATE POLICE

Louisiana Department of Public
Safety and Corrections, **1:17**

STIPULATIONS

Louisiana Department of Agriculture
and Forestry, **3:69, 3:70**

Louisiana Department of Public
Safety and Corrections, **3:75**

STOCK AND STOCKHOLDERS

Compliance, **9:52**

Sale, **9:13**

Share exchange, compliance, **9:16**

STORM WATER

Permits
general discussion, **5:27 to 5:29**
for detailed treatment see index
heading PERMITS

**STRUCTURAL PEST CONTROL
COMMISSION**

General discussion, **2:48**

SUBPOENAS

Enforcement and hearings, **3:15,**
3:26, 3:66

Louisiana Department of
Environmental Quality, **3:15,**
3:26

SUBSIDIARY CORPORATIONS

Compliance, **9:59**

SUCCESSORS

Compliance, **9:60**

**“SUDDEN AND ACCIDENTAL”
POLLUTION**

Compliance, exclusion, **9:43**

**SUPPLEMENTAL
ENVIRONMENTAL
PROJECTS**

Louisiana Department of
Environmental Quality, **3:5, 3:8**

SURFACE WATER

Spill/release reporting requirements,
7:36

INDEX

SURRENDER IN GOOD CONDITION CLAUSE

Compliance, **9:41**

TAXES

Recycling tax credits, **6:32**

Waste management, generally, **6:20**

TELEPHONES

Agencies, contract with agencies,
1:35 to 1:41

TEMPORARY ON-SITE STORAGE

Waste management, **6:14**

TERMINATION

Compliance, **9:32**

TERMS AND CONDITIONS

Compliance, **9:31**

THRESHOLD PLANNING QUANTITY (TPQ)

Community right to know, **2:50**

“TINY TIM” PRINCIPLE

Compliance, **9:9**

TIRES

Remediation and cost recovery, waste
tires, **4:53**

TOXIC AIR POLLUTANTS

Permits, **5:11**

TOXIC CHEMICAL REPORTING

General discussion, **2:52**

Community right to know, **2:52**

TOXIC RELEASES

Spill/release reporting requirements,
Emergency Planning and Com-
munity Right-to-Know Act, **7:17**

TOXIC SUBSTANCE CONTROL ACT (TSCA)

General discussion, **2:9**

Remediation and cost recovery, **4:54**

Spill/release reporting requirements
general discussion, **7:24 to 7:28**
for detailed treatment see index
heading **SPILL/RELEASE REPORT-
ING REQUIREMENTS**

TOXIC TORTS

General discussion, **8:19**

TRAINING

Waste management, **6:23**

TRANSFER CHECKLIST

Permits, **5:75**

TRANSFERS

Permits
general discussion, **9:44**
for detailed treatment see index
heading **PERMITS**

TRANSPORTATION

Department of Transportation. See
index heading **DEPARTMENT OF
TRANSPORTATION (DOT)**
Hazardous materials. See index head-
ing **HAZARDOUS MATERIAL
TRANSPORTATION**
Spill/release reporting requirements,
7:46
Waste management, **6:16**

TRUSTEES

Compliance, **9:54**

TRUST FUNDS

Underground storage tanks, trust fund
reimbursement and cost
recovery, **4:32**

TSDF

Waste management
checklist, **6:37**
corrective actions, **6:30**
duties, **6:29**

UNAUTHORIZED DUMP

Defined, **4:2**

UNDERGROUND STORAGE TANKS

General discussion, **2:31 to 2:35**
Abandoned sites, **2:35**
Closure/change-in-service, remedia-
tion and cost recovery, **4:28**
Defined, **2:32**
Liable owners and operators, **4:31**
Motor Fuel Underground Tank Trust
Fund, **2:35**

**UNDERGROUND STORAGE
TANKS—Cont'd**

- Notification, remediation and cost recovery, **4:27**
- Registration, **2:33**
- Release detection, **4:29**
- Remediation and cost recovery
 - general discussion, **4:27 to 4:32**
 - closure/change-in-service, **4:28**
 - corrective action, **4:30**
 - liable owners and operators, **4:31**
 - notification, **4:27**
 - release detection, **4:29**
 - trust fund reimbursement and cost recovery, **4:32**
- Resource Conservation Recovery Act, regulation by, **2:31**
- Trust fund reimbursement and cost recovery, **4:32**

**UNIFORM HAZARDOUS
MATERIALS REPORTING
FORM**

- Spill/release reporting requirements, **7:55**

UNIVERSAL WASTE

- Waste management, **6:22**

URBAN SPRAWL

- General discussion, **8:16**

USTs

- Permits, **5:52, 5:70**
- Spill/release reporting requirements, **7:40**

VAGUENESS

- Louisiana Department of Environmental Quality, **3:46**

VIOLATIONS

- Notice of violations, pre-suit, **8:8**
- Ongoing violations, **8:9**
- Public and the environment, generally, **8:4**

WAIVER OF WARRANTY

- Form, **9:71**

WARRANTIES

- Compliance, **9:33, 9:70, 9:71**

WASTE CODE NUMBERS

- Hazardous and solid waste, **2:12**

WASTE MANAGEMENT

- General discussion, **6:1 to 6:39**
- Certification of compliance, annual, **6:39**
- Characteristic waste, **6:6**
- Checklists
 - general discussion, **6:36**
 - TSDf checklist, **6:37**
- Classification of waste, **6:2 to 6:4**
- Contained in determination, **6:13**
- Contained in policy, **6:11**
- Contingency plans, **6:18**
- Corrosive waste, **6:6**
- Derived from rule, **6:10**
- Determinations, **6:4**
- DOT registration, form, **6:35**
- Exemptions, **6:8**
- Exit rules, **6:12**
- Fees, **6:20**
- Forms
 - certification of compliance, annual, **6:39**
 - checklists
 - general discussion, **6:36**
 - TSDf checklist, **6:37**
 - land ban notice form, **6:33**
 - revised manifest, **6:38**
 - solid waste annual report form, **6:34**
 - U.S. DOT registration, **6:35**
- Generator, **6:3**
- Generator and facility duties, **6:31**
- Group I, II, III type recyclable materials, **6:24**
- Ignitable waste, **6:6**
- Land bans
 - general discussion, **6:7**
 - notice form, **6:33**
- Large quantity hazardous waste generators
 - general discussion, **6:2 to 6:25**
 - characteristic waste, **6:6**
 - classification of waste, **6:2 to 6:4**
 - contained in determination, **6:13**
 - contained in policy, **6:11**

INDEX

WASTE MANAGEMENT—Cont'd

- Large quantity hazardous waste
 - generators—Cont'd
 - contingency plans, **6:18**
 - corrosive waste, **6:6**
 - derived from rule, **6:10**
 - determinations, **6:4**
 - exemptions, **6:8**
 - exit rules, **6:12**
 - fees, **6:20**
 - generator, **6:3**
 - Group I, II, III type recyclable materials, **6:24**
 - ignitable waste, **6:6**
 - land bans, **6:7**
 - listed waste, **6:5**
 - minimization of waste, **6:21**
 - mixture rule, **6:9**
 - oil, used, **6:25**
 - preparedness and prevention, **6:19**
 - reactive waste, **6:6**
 - records, **6:17**
 - recycling, **6:24**
 - “remediation waste,” contained in policy, **6:11**
 - satellite storage, **6:15**
 - taxes, **6:20**
 - temporary on-site storage, **6:14**
 - toxic characteristics, **6:6**
 - training, **6:23**
 - transportation, **6:16**
 - universal waste, **6:22**
- Listed waste, **6:5**
- Minimization of waste, **6:21**
- Mixture rule, **6:9**
- Oil, used, **6:25**
- PFAS, small quantity hazardous waste generators, **6:27**
- Preparedness and prevention, **6:19**
- Reactive waste, **6:6**
- Records, **6:17**
- Recycling
 - generally, **6:24**
 - tax credits, **6:32**
- “Remediation waste,” contained in policy, **6:11**
- Revised manifest, **6:38**
- Satellite storage, **6:15**

WASTE MANAGEMENT—Cont'd

- Small quantity hazardous waste
 - generators
 - duties, **6:26**
 - PFAS, containing materials, **6:27**
 - redefinition of “small quantity,” **6:28**
- Solid waste
 - general discussion, **6:31**
 - annual report form, **6:34**
 - recycling tax credits, **6:32**
- Taxes, **6:20**
- Temporary on-site storage, **6:14**
- Toxic characteristics, large quantity hazardous waste generators, **6:6**
- Training, **6:23**
- Transportation, **6:16**
- Transporters, duties, **6:28**
- TSDF
 - checklist, **6:37**
 - corrective actions, **6:30**
 - duties, **6:29**
- Universal waste, **6:22**
- U.S. DOT registration, form, **6:35**

WATER

- Discharge and quality, **2:8**
- End-of-pipe program, water discharge and quality, Water Control Law, **2:8**
- Groundwater. See index heading GROUNDWATER
- Louisiana Water Control Law, **2:8**
- Permits
 - general discussion, **5:18 to 5:31**
 - for detailed treatment see index heading PERMITS
- Surface water, spill/release reporting requirements, **7:36**
- Wild and scenic rivers. See index heading WILD AND SCENIC RIVERS

WEBSITES

- General discussion, **2:59 to 2:71**
- Army Corps of Engineers, **2:61**
- Coast Guard, **2:62**
- Department of Public Safety and Corrections (DPS&C), **2:68**

WEBSITES—Cont'd

- Department of Transportation (DOT), **2:63**
- Environmental Protection Agency (EPA), **2:59**
- Fish and Wildlife Services, **2:60, 2:66**
- Louisiana Department of Agriculture and Forestry (LDAF), **2:67**
- Louisiana Department of Energy and Natural Resources (LDENR), **2:65**
- Louisiana Department of Environmental Quality, **2:64**
- Louisiana Department of Environmental Quality (LDEQ), **2:64**
- Louisiana Department of Health and Hospitals (LDHH), **2:69**
- Louisiana Department of Wildlife and Fisheries (LDWF), **2:66**
- Safety data sheets (SDS), **2:70**

WETLANDS

- General discussion, **2:14 to 2:17**
- CERCLA, **2:15**

WETLANDS—Cont'd

- Coastal wetlands. See index heading **COASTAL WETLANDS**
- Compliance, **9:25**
- Corps wetlands appeal form, **2:91**
- Corps wetlands appeal sample objections, form, **2:90**
- Form, wetland determination request, **2:86**
- Hazardous and solid waste, wetland determination request, **2:86**
- RCRA, **2:16**
- Remediation, **2:15**
- Spill/release reporting requirements, CWA/OPA, **7:22**
- Summary list of clean-up programs, **2:17**

WILD AND SCENIC RIVERS

- General discussion, **2:45, 2:46**
- Permits
 - general discussion, **2:46**
 - for detailed treatment see index heading **PERMITS**

WILDLIFE

- See index heading **FISH AND WILDLIFE**