

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 heading **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 DEPARTMENT OF ENVIRONMENTAL QUALITY**

ADMINISTRATIVE LAWS AND REGULATIONS

General discussion, **2:1 to 2:96**
Abandoned Oilfield Waste Site Law, **2:44**
Abandoned sites, underground storage 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 requirements, **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 exemptions, **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 heading 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 authority, **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 remediation, **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 remediation, **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 management, **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 certifi-
cation 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 certifica-
tion 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 require-
ments, **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 remediation, **4:5 to 4:12**
Spill/release reporting requirements general discussion, **7:2 to 7:11** for detailed treatment see index heading **SPILL/RELEASE REPORTING 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 REPORTING 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 remediation, **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 remediation, **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 hazardous 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 Management, Regulation and Enforcement (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 information 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 remediation, **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

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**

INCOLPATORY 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 DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)**
Louisiana Department of Public Safety and Corrections. See index heading **LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS (DPS&C)**
Louisiana Department of Wildlife and Fisheries, **3:76, 3:77**
Permits. See index heading **PERMITS**
Remediation and cost recovery, unauthorized 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, remediation 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 remediation, 4:19
Underground storage tanks, remediation 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 Community 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” provisions, **5:7**

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

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

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

prevention of significant deterioration (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) (cur-
rently 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 produc-
tion, **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 remedia-
tion, **4:17**

**POTENTIALLY RESPONSIBLE
PARTIES (PRPs)**

Hazardous substance site remedia-
tion, **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 heading NATURALLY OCCURRING RADIOACTIVE 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 remediation, 4:12

RECORDS AND RECORDATION

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

Remediation and cost recovery, unauthorized 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 remediation, 4:6

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

Underground storage tanks, remediation 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 promiscuous 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

REMEDIATION 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**
- REMEDIATION 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

ISIANA 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 Fisheries (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 Community 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 REPORTING 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 heading **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, remediation 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**