

Office of Environmental Assessment  
Remediation Services Division  
Environmental Technology Division  
Underground Storage Tank Division

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*Annual Legislative Report  
for Fiscal Year 2006-07*

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# Table of Contents

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Executive Summary .....	1
Remediation Program Updates and Site Activities FY 2006-07 .....	2
Hurricane Response Activities .....	3
Assessment of Underground Storage Tanks and Facilities .....	3
Soil and Sediment Sampling of Hurricane Flood Impacted Areas ...	3
Additional Soil Sampling at Schoolyards Successfully Completed ..	4
Use of Dedicated State Remediation Funds .....	6
Hazardous Waste Site Cleanup Fund (HWSCF) .....	6
Abandoned Underground Storage Tank (UST) Trust Fund .....	7
Supplemental Funding for the Leaking Underground Storage Tanks (LUST) Trust Fund Program.....	8
Louisiana Motor Fuels Underground Storage Tank Trust Fund.....	8
Site Remediation Activities.....	10
Remediation Process and Accomplishments .....	10
Remediation Process Support Functions .....	12
Voluntary Remediation and Brownfields Programs .....	13
Voluntary Remediation Program .....	13
Brownfields Activities.....	13
Targeted Brownfields Assessments .....	15
Other Remediation Program Activities .....	17
Ready for Reuse .....	17
Louisiana's Participation in the Ready for Reuse Program.....	17
RCRA Corrective Action Program .....	18
Remediation Program Regulatory Update .....	222
Appendix A - Inventory of Sites Completed FY 2006-07 .....	23
Sites Completed During FY 2006-07.....	24
Map of Remediation-sites Completed as of June 30, 2007 .....	35

Appendix B - Site Summaries FY 2006-07 .....	36
Bayou Trepagnier.....	37
Bayou Bonfouca.....	39
Calcasieu Estuary (Bayou d'Inde).....	41
Citgo – Lake Charles Manufacturing Complex.....	44
Combustion, Inc. ....	47
Dixie Metals Corporation.....	50
Marine Shale Processors .....	53
Recycling Park Inc. ....	55
Thompson Hayward.....	58
Appendix C - Superfund Sites in Louisiana FY 2006-07 .....	60
Current National Priorities List (NPL) Sites .....	61
Proposed Listing Date.....	62
Sites Deleted from the NPL.....	62
Appendix D - Inventory of Inactive and Abandoned Sites FY 2006-07 .....	63
Louisiana Confirmed Sites FY 2006-07.....	64
Louisiana Potential Sites FY 2006-07 .....	68
Map of Inactive and Abandoned Sites as of June 30, 2007 .....	77
Appendix E - Voluntary Remediation Program Sites FY 2006-07 .....	78
Voluntary Remediation Program Sites as of June 30, 2007 .....	79
Map of VRP Sites as of June 30, 2007.....	83

## Executive Summary

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The Remediation Services Division (RSD), the Environmental Technology Division (ETD) and the Underground Storage Tank Division (USTD) within the Office of Environmental Assessment (OEA) prepared this report to provide a brief overview of these divisions' remediation process activities for FY 2006-07. This report also functions to submit the site lists as required by La. R.S. 30:2226.H.

Primarily due to significant new federal mandates required by the Underground Storage Tank Compliance Act of 2005 affecting state UST programs nationwide, the USTD was created within the OEA during FY 2006-07. In addition to staff formerly in the RSD and ETD, the new USTD includes staff from LDEQ Permitting, Enforcement and Surveillance Divisions. Reorganization of all these functions into one division will allow LDEQ to manage the UST site universe efficiently and ensure state compliance with new federal mandates. The RSD and ETD continue to work on investigation and cleanup of all solid waste, hazardous waste, groundwater, Voluntary Remediation Program (VRP), and inactive and abandoned sites involved in the remediation process. The portion of the UST site universe in need of cleanup is now managed by the USTD with assistance from RSD and ETD in accordance with the remediation process.

During FY 2006-07, the remediation process divisions completed 235 sites. (See Appendix A.) These included UST sites, groundwater sites, solid waste sites, hazardous waste sites, VRP sites, and inactive and abandoned sites or portions thereof. (See Figure 1, page 12.) As of June 30, 2007, there were 152 confirmed inactive and abandoned sites needing cleanup action and 434 potential sites awaiting assessments. (See Appendix D). ETD also continues to add sites to the VRP. An updated list of VRP sites is located in Appendix E of this report. The RSD, ETD, and USTD continue to seek innovative ways to enhance the site remediation process and improve the efficiency with which the entire site remediation universe is managed.

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**Remediation Program Updates and Site Activities  
FY 2006-07**

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# **Hurricane Response Activities**

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## **Assessment of Underground Storage Tanks and Facilities**

In the fiscal year beginning July 1, 2006, all UST facilities in the eleven hurricane impacted parishes that sustained damage were re-inspected. Results of these inspections were used to determine the number of facilities to be assessed using the FY 2006-07 Gulf of Mexico Hurricane Supplemental Funding for the Leaking Underground Storage Tank (LUST) Trust Fund Program, which was awarded by the Environmental Protection Agency (EPA). Of the 184 damaged facilities, 80 UST facilities had sustained the heaviest impact from Hurricanes Katrina and Rita and had not yet returned to service or had not been assessed for damages by the owners/operators.

Following completion of the re-inspections, LDEQ developed a scope of services for comprehensive UST system and site assessments at these hurricane damaged facilities. In June 2007, the initial assessment contract using the Hurricane Supplemental Funding was awarded to SEMS, Inc. The 80 facilities are being assessed for potential releases under this contract. LDEQ anticipates the awarding of additional contracts under the Hurricane Supplemental Funding. The additional contracts will address risk assessment and corrective action at these hurricane damaged facilities. Additional sites may be added to these contracts as warranted based on available funding and potential environmental impact caused by the hurricanes.

## **Soil and Sediment Sampling of Hurricane Flood Impacted Areas**

In the fiscal year 2005-06 report, the OEA reported its involvement in assisting EPA and its partners in the collection of approximately 1800 sediment and soil samples in Jefferson, Orleans, Plaquemines, and St. Bernard Parishes. During fiscal year 2006-07, an additional 200 sediment and soil samples were collected totaling 2000 samples for the entire sampling effort. Most of the samples were

analyzed for over 200 metals and organic chemicals. As each phase of the sampling was completed, the results were compared to conservative health-based screening levels for residential exposure developed by EPA and LDEQ. The sample results indicate that the sediments left behind by the flooding from Katrina are not expected to cause adverse health impacts to individuals returning to New Orleans.

### **Additional Soil Sampling at Schoolyards Successfully Completed**

In the spring of 2007, a coalition of community and environmental groups collected single soil samples from 19 schools in the New Orleans area. Test results for arsenic at four of the 19 schools showed soil-arsenic levels above the Louisiana background of 12 mg/kg. Based on all available information, the sample results from Craig Elementary, Drew Elementary, Dilbert Elementary and McDonough Elementary #42 did not appear to be Katrina-related and were likely due to pre-Katrina activities such as the application of herbicides and/or the use of chromated copper arsenate (CCA) on playground equipment and fencing. Regardless of the source, if these concentrations or higher were present over an entire school yard, some type of action would be warranted.

Since one sample result from a location is not sufficient to adequately characterize conditions at a site, the collection of more information was warranted. Two LDEQ sample teams collected eight soil samples at each of the four schools in August 2007.

Sample results indicated that arithmetic mean arsenic concentrations in soil at each school are below the state background level of 12 mg/kg for arsenic in soil, and well below risk-based levels of concern for children, evaluating both carcinogenic and non-carcinogenic health effects. It is important to keep in mind that health-based screening levels represent a level below which adverse health effects are not expected for healthy adults as well as sensitive subpopulations such as children. Extremely protective and conservative exposure assumptions

were used in the assessment of risk at each school. The exposure assumptions, used for both exposure frequency and duration for children, far exceed those actually found in an elementary school setting.

These sample results are consistent with both state and national background levels of arsenic, and are below protective human health-based levels. The sample results from the four schools are also consistent with EPA and LDEQ collection efforts throughout post-Katrina New Orleans. EPA and LDEQ sample results from New Orleans clearly indicated that soils and sediments left behind by the flooding did not negatively impact soils in the affected area and are not expected to cause any adverse health impacts to residents, including children, returning to New Orleans and surrounding parishes.

## Use of Dedicated State Remediation Funds

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### Hazardous Waste Site Cleanup Fund (HWSCF)

The HWSCF provides for statewide identification, investigation, containment, control and cleanup of both hazardous and non-hazardous waste sites that have been determined priority sites by LDEQ. In addition to providing for state-funded work at these waste sites, the HWSCF is also used: to match EPA-funded cleanup work at Superfund sites, to fund long-term maintenance contracts at Superfund sites where construction of the remedy has been completed, and to provide supplemental funding for abandoned underground storage tank sites.

As of the end of FY 2006-07 there were 152 confirmed inactive and abandoned waste sites in the RSD site universe. The RSD sites with no financially viable responsible parties may be eligible for remediation with government funding from EPA Superfund (if they qualify) or the HWSCF. Priority ranking of these sites is based on risk to human health and the environment, on the availability of funding sources from financially viable responsible parties, and other relevant factors. In addition to the 152 confirmed sites, there were 434 potential sites needing initial evaluation as of the end of FY 2006-07.

During FY 2006-07, the RSD continued utilizing the HWSCF for contracts to conduct coring services, monitoring well installation and sampling, data validation, analytical services and remediation services. This work was performed for investigation and cleanup at the high priority RSD confirmed sites.

LDEQ paid a total of \$118,847 from the HWSCF to EPA Region 6 during FY 2006-07 as state match for EPA-lead work at two Superfund sites: American Creosote and Central Wood Preserving. At the American Creosote site, a long-term remediation process is continuing. Future state match payments will also

be required for remediation work at the Marion Pressure Treating site pending the availability of federal funding.

In addition to EPA Superfund match payments, RSD paid a total of \$484,225 from the HWSCF to its contractors for continuing long-term maintenance work at three Superfund sites: Bayou Bonfouca, Delatte Metals, and Madisonville Wood Preserving. The state is responsible for funding and implementing long-term maintenance at these sites until determined to be no longer necessary through five-year reviews. In future years, the state will be responsible for maintenance at additional Superfund sites, as remedial work is completed.

During FY 2006-07, LDEQ also continued working extensively with EPA and the Federal Emergency Management Agency (FEMA) to address site damage resulting from Hurricane Katrina. Office furniture and other damaged items totaling \$8,088 were replaced at the Bayou Bonfouca site office. LDEQ anticipates FEMA reimbursement for these expenses in lieu of using the HWSCF. Additional site repair work to be funded by FEMA is scheduled through FY 2007-08 at the Bayou Bonfouca site.

### **Abandoned Underground Storage Tank (UST) Trust Fund**

Revenue for the Abandoned UST Trust Fund is derived from interest earned by the Motor Fuels UST Trust Fund, as mandated by La. R.S. 30:2195 F, and is used for the closure of abandoned motor fuel USTs and assessment and remediation of property contaminated by abandoned motor fuel USTs. LDEQ utilizes an identification and ranking process which addresses specific eligibility requirements, and is based on a numerical ranking system for quantifying risk to public health and the environment. More than 500 known leaking UST sites have been screened, with 22 sites identified as candidates for the abandoned UST program. These 22 sites have been prioritized based on their numerical ranking and will be addressed in response to the level of risk posed to public health and the environment. To supplement the Abandoned UST Trust Fund, money from

the HWSCF is also being utilized for the closure, assessment and remediation of these abandoned sites, as allowed by statute.

One UST remediation contract is now being implemented for cleanup of the highest priority abandoned UST site. Work under this contract is being completed under a pay-for-performance structure with payment contingent upon completion of pre-determined percentages of cleanup. The other abandoned UST sites will be addressed based on funding availability and prioritization.

### **Supplemental Funding for the Leaking Underground Storage Tanks (LUST) Trust Fund Program**

The HWSCF is also being used to supply match funding for two special appropriation post-hurricane grants. During FY 2006-07, LDEQ applied for and received two grant awards from EPA for assessment and corrective action at UST sites affected by Hurricanes Katrina and Rita. These two awards total over \$12 million including the 10% state match provided by the HWSCF. Funding for each of these grant awards was appropriated separately by Congress; they are both titled by EPA as “FY 2006 Gulf of Mexico Hurricane Supplemental Funding for the Leaking Underground Storage Tank Trust Fund Program”. The first award totaled over \$6.4 million including the state match; and the second award is over \$5.6 million including state match.

LDEQ is utilizing the awarded Gulf of Mexico Hurricanes Supplemental Funding for evaluation and subsequent remediation of the hurricane-impacted UST sites. LDEQ is employing contractors for assessment and remediation to maximize agency personnel resources and complete the work as expeditiously as possible.

### **Louisiana Motor Fuels Underground Storage Tank Trust Fund**

The Motor Fuels UST Trust Fund is administered by LDEQ Office of Management and Finance. In accordance with the UST regulations (LAC 33:XI.101 et seq), UST owners or operators who are eligible participants in the

Motor Fuels UST Trust Fund program may receive payment or cost reimbursement for assessment, investigation or remediation work that is necessary to mitigate releases from UST systems into the environment. A detailed financial report is prepared and submitted annually to the legislature by LDEQ Office of Management and Finance regarding use of this fund. Oversight of the work performed and paid with monies from this fund is conducted by remediation process site team leaders.

During FY 2006-07, LDEQ continued its efforts to utilize limited state funding for remediation at UST sites, as well as other priority waste sites, seeking innovation and improvement where possible in the management of available state funds.

# Site Remediation Activities

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## Remediation Process and Accomplishments

The remediation process site universe consists of several different types of sites, all of which are governed by the Environmental Quality Act, LDEQ Risk Evaluation and Corrective Action Program (RECAP) regulations, and specific LDEQ program and media regulations. These types include UST, solid waste, hazardous waste, groundwater, VRP, and inactive and abandoned sites. The inactive and abandoned sites with significant potential to pose a threat to human health or the environment, and scoring above a specific federal threshold, may be placed on the National Priority List (Superfund list), and are governed by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), also referred to as Superfund. Within the inactive and abandoned sites universe at the state level, there are confirmed sites (awaiting cleanup action), and potential sites (awaiting assessment). Appendices C, D and E provide statewide information about the Superfund sites, inactive and abandoned confirmed and potential sites, and the VRP sites, respectively.

All of the major site remedial activities are conducted by LDEQ under a single remediation process administered by the RSD, ETD, and USTD. This process which includes site identification, investigation and cleanup tasks is outlined in detailed Standard Operating Procedures (SOPs). Site work is prioritized based on risk to human health and the environment, availability of funding sources, and other relevant factors.

The RSD, ETD, and USTD site remediation process groups effectively operate under shared SOPs to ensure efficient use of available resources. Staff duties in the RSD, ETD, and USTD site remediation process groups include serving as a team leader and/or team support on projects involving remediation of soil and/or groundwater. The project team leader is the single point of contact for the

regulated community and the general public, and is the person accountable for the progress and completion of assigned site work.

During FY 2006-07, the remediation process divisions completed 235 sites and concluded that No Further Action (NFA) is needed based on the current conditions and the intended uses of the properties. However, changes in land use (i.e. industrial to residential) or construction of enclosed structures could trigger the need for additional action due to changes in exposure scenarios.

A statewide map of completed sites by parish and a list of the sites by parish are included in Appendix A of this report. Classification of the completed sites list is as follows: 150 UST sites, 54 solid waste sites, 10 groundwater sites, 4 inactive and abandoned confirmed sites, 11 hazardous wastes sites, 5 VRP sites, and 1 inactive and abandoned potential site\*. Figure 1 is a graph depicting the percentage of completed sites by site type.

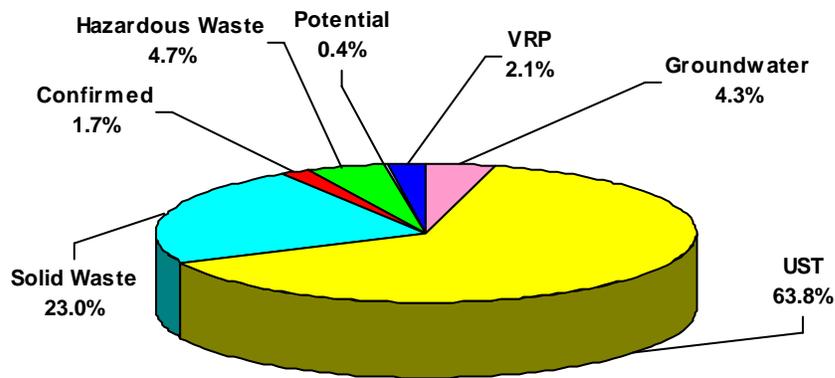


Figure 1: Type of sites completed during FY 2006-07

**\*An unsolicited assessment report provided enough information to issue the NFA for the potential site.**

This report also contains nine site summaries updating progress of sites the remediation process divisions are currently working on or have completed. These site summaries including photos can be found in Appendix B of this report.

## **Remediation Process Support Functions**

The RSD support and administrative sections also perform several functions that are integral to the operation of the RSD, ETD and USTD, as they relate to the remediation process. The RSD staff provides data input and administration of the Tools for Environmental Management and Protection Organizations (TEMPO), a central data management system for the remediation process in all three divisions. The support section is also responsible for managing cost documentation for the RSD, ETD, and USTD and for cost recovery invoicing to potentially responsible parties (PRPs) in accordance with cooperative agreement cost recovery provisions and as authorized by La. R.S. 30:2271, et seq. This section also conducts VRP quarterly invoicing to VRP applicants; and it is initiating a new invoicing process for review of environmental conditions for real estate transactions, authorized by legislation enacted during the 2006 Regular Legislative Session and the pursuant regulation promulgated in March 2007. The RSD administrative staff is responsible for maintaining current remediation process SOPs for the three divisions. Finally, development of the budget and work plans for all federal grants from the Superfund, Brownfields, Ready for Reuse, Leaking Underground Storage Tank and Defense State Memorandum of Agreement programs, as well as administration and reporting for these grant programs, is performed by this RSD staff for the remediation process divisions.

# Voluntary Remediation and Brownfields Programs

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## **Voluntary Remediation Program (VRP)**

The VRP received voluntary remedial investigation or voluntary remediation applications for 16 properties during this fiscal year which increased participation to 89 properties by the end of the fiscal year (Appendix E). Total participation in this program increased by more than 17% compared to the previous fiscal year.

The applicants for sites completing the VRP receive a Certificate of Completion (COC). The COC provides the applicant with a release of liability for future cleanup of historical contamination at the site. This release of liability also flows to future owners of the property. Five properties completed VRP remediation and received COC's during the fiscal year, which increased the total cumulative number of properties receiving COC's for completing the VRP to 23 by the end of the fiscal year, increasing the universe of completed VRP properties by 28%.

In addition, RSD brownfields staff met with more than 40 potential and ongoing VRP participants to provide technical and regulatory assistance.

One notable successful participant in the VRP, the Shreveport Convention Center, was nominated in 2007 to compete for the prestigious Phoenix Award, which is given to the best national and regional brownfields redevelopments in the country.

## **Brownfields Activities**

EPA defines brownfields as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land and

both improves and protects the environment. LDEQ has been working with EPA Region 6 since its initial efforts to develop the federal Brownfields program approximately ten years ago.

For LDEQ, its brownfields outreach activities from previous years bore fruit during FY 2006-07. RSD had previously sponsored several “brownfields breakfast” workshops focused on local “movers and shakers” around the state to stimulate brownfields interest and activity. One of these workshops was held in Lake Charles and the City of Lake Charles was awarded their first EPA brownfields grant in June, 2007. LDEQ is pleased to have this new local brownfields partner.

The Brownfields program staff also began planning five traveling RECAP workshops around the state to be sponsored with brownfields funding to provide the public and private sector with practical introductory and advanced RECAP instruction. These workshops were set to begin in the fall of 2007.

The Brownfields program staff also assisted EPA Region 6 in planning a regional Brownfields Lenders Workshop held in New Orleans in June, 2007. These staff provided invaluable assistance in forming the agenda, identifying and locating speakers, and providing extensive commercial lender contact information.

The 2007 Louisiana Legislature passed legislation to enhance the existing Louisiana Brownfields Investor Tax Credit in the regular session. The amendments increased the tax credit for brownfields cleanups from 25% to 50% of cleanup costs and provided for the credits to be transferable, making the program more attractive and flexible. RSD provided valuable technical assistance to legislative staff revising the law.

LDEQ Brownfields program staff also attended and made presentations at the Brownfields 2006 National Conference, EPA Region 6 Annual Partners Forum, and EPA Regional Brownfields Lenders Workshop.

## **Targeted Brownfields Assessments**

During FY 2006-07, LDEQ Brownfields staff continued work on the Targeted Brownfield Assessments (TBA) program. This work is being conducted under a \$400,000 contract with funds awarded by EPA for eligible properties that are not privately owned. Through this contract, the Brownfields program staff can direct the performance of Phase I (document review of site history for potential areas of concern) and Phase II (on-site investigatory sampling of areas of potential concern) environmental site assessments, as well as RECAP investigations to delineate areas of concern on eligible properties. The Brownfields program staff designed a process for determining eligibility and prioritizing applications for the TBA program.

Sixteen properties have been selected for TBA work and RSD has completed ten as of June 30, 2007. The selected properties with their current status as of June 30, 2007 are listed below:

<b>Targeted Brownfield Assessment Site</b>	<b>Site Investigation</b>	<b>Status</b>
Moran Galvanizing, Shreveport	Phase II/RECAP	Active
L & M Traffic, Lake Charles	Phase I Environmental Site Assessment	Complete
Mansfield Road Street, Shreveport	Phase II/RECAP	Active
U.S. Post Office, Gretna	Phase I Environmental Site Assessment	Complete
4-H Club Road Property, Denham Springs	Phase I Environmental Site Assessment	Complete
Grambling University, Grambling	Phase I Environmental Site Assessment	Complete
Cohn High School, Port Allen	Phase I Environmental Site Assessment	Complete
Nicholson Drive, LLC, Baton Rouge	Phase I Environmental Site Assessment	Complete

<b>Targeted Brownfield Assessment Site</b>	<b>Site Investigation</b>	<b>Status</b>
Baton Rouge Docks, Baton Rouge	Phase I Environmental Site Assessment	Complete
Acme Brick, Shreveport	Phase I Environmental Site Assessment	Complete
153 Road Camp Road Site, Ruston	Phase I Environmental Site Assessment	Complete
Juban Lumber, Baton Rouge	Phase II/RECAP	Active
Shreveport Creosoting Site-W.M. Barnett Property, Shreveport	Phase II/RECAP	Active
Former Auto Store, Maringouin	Phase I Environmental Site Assessment	Complete
O'Brien House, Baton Rouge	Phase II Environmental Site Assessment	Active
Global Green, New Orleans	Phase II Environmental Site Assessment	Active

## Other Remediation Program Activities

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### **Ready for Reuse**

Ready for Reuse is a key component of EPA's National Land Revitalization Initiative. EPA Region 6 in Dallas developed the concept. The goal of this initiative is to make land revitalization and reuse a fundamental element of all EPA and state cleanup programs (e.g., RCRA, Superfund, Brownfields, USTs, voluntary cleanups, etc.) to help foster economic development, and return previously contaminated or abandoned properties back to productive use.

This is not intended to be a clean-closure approach; rather, it encourages cleanups that will quickly support protective redevelopment opportunities. As part of this effort, a regulatory "certification" is provided that will be an affirmatory determination that the site is considered acceptable for its designated reuse. The Ready for Reuse determination verifies that the environmental conditions on a property are protective of human health and the environment based on its current use and anticipated future use as a commercial/industrial operation.

### **Louisiana's Participation in the Ready for Reuse Program**

LDEQ has committed to utilize the land use revitalization program Ready for Reuse, together with the existing Brownfields and VRP Programs, to help promote redevelopment opportunities at facilities and sites throughout the state. These include operating facilities as well as facilities that are not in full use, where there is development or redevelopment potential, and where reuse or development of these sites is slowed due to concerns about RCRA requirements.

LDEQ began participation with EPA in the Ready for Reuse program in July, 2003. During FY 2006-07, four Ready for Reuse determinations were signed by LDEQ and EPA Region 6:

- Shell Chemical LP, Taft (AI 583)
- Syngenta Crop Protection Inc. Block F-7, St. Gabriel (AI 2367)

- Syngenta Crop Protection Inc. Block G-6, St. Gabriel (AI 2367)
- CS Metals of LA LLC, Convent (AI 32814)

Future Ready for Reuse projects are being developed at a number of additional facilities:

- Amax Metals Recovery Inc., Braithwaite (AI 16817)
- Former Pan American Southern Refinery, Destrehan (AI 4356)
- ExxonMobil Chemical Corp., Polyolefins Plant, Baton Rouge (AI 3519)
- Pearl River Polymers (Polychemie, Inc.), Pearl River (AI 4766)
- Chemtura (formerly Crompton), Gretna (AI 2119)
- Chemtura Corporation, Harahan (AI 1615)
- Marathon Petroleum Co., Garyville (AI 3165)
- Microchemical Co. Inc., Winnsboro (AI 1387)

Note: AI is LDEQ's Agency Interest number assigned to the site.

### **Resource Conservation and Recovery Act (RCRA) Corrective Action Program**

As part of its commitments under the Performance Partnership Grant with EPA, LDEQ currently measures RCRA corrective action progress to meet programmatic objectives from the Government Performance Results Act of 1993 (GPRA). This Act was mandated by the U.S. Congress and requires federal agencies such as EPA to develop measures for tracking environmental results. The environmental objectives are referred to as Environmental Indicators (EIs) and carry corrective action codes that are entered by states into EPA's RCRAInfo database. RCRA corrective action tracking is performed at those facilities included in a baseline list of facilities developed by EPA, with input from LDEQ. The baseline lists are named according to the fiscal year in which EPA's goals for each state are to be met. For example, the current baseline list is called 2008, and includes facilities eligible for EI tracking in fiscal years 2005-2006, 2006-2007, and 2007-2008. The initial 2005 baseline list included 40 facilities. Seven more facilities were added to these for the 2008 baseline list bringing the total number of facilities eligible for EI tracking to 47.

For FY 2006-07, LDEQ reported RCRA corrective action progress to EPA for four EIs (also known as events). LDEQ began reporting the first two of these indicators to EPA with the 2005 baseline list. These two EIs were also used to report progress in accordance with LDEQ's operational plan. Reporting to EPA on the second two indicators began with the 2008 baseline list. LDEQ will use the second two EIs to report progress in accordance with its operational plan beginning next year. LDEQ also tracks other corrective action activities at RCRA facilities for grant commitment purposes.

(1) Current Human Exposures under Control (RCRAInfo Code CA725)

This is the event by which LDEQ formally makes the determination that human exposures to contamination are under control for the entire facility.

EPA's goal for Louisiana for the 2008 baseline is to have 95% of the eligible facilities with a positive determination for this indicator. LDEQ's completion of this determination at one facility during FY 2006-07 (Colfax Treating Company – Alexandria) brought LDEQ's total to 45 of 47 facilities, or 96%. Therefore, LDEQ has already met EPA's goal for the 2008 baseline.

(2) Migration of Contaminated Groundwater under Control (RCRAInfo Code CA750)

This is the event by which LDEQ formally makes the determination that the migration of contaminated groundwater is under control for the entire facility.

EPA's goal for Louisiana for the 2008 baseline is to have 80% of facilities with a positive determination for this indicator. LDEQ's completion of this determination at one facility during FY 2006-07 (Georgia Pacific

Plaquemine) brought LDEQ's total to 42 of 47 facilities, or 89%. Therefore, LDEQ has exceeded EPA's goal for the 2008 baseline.

(3) Remedy Selection Decision – Facility Wide (RCRAInfo Code CA 400)

This is the event for which LDEQ formally selects a remedy designed to meet the RCRA corrective action long term goals of protection of human health and the environment for the entire facility. CA 400 also applies when No Further Action (NFA) is required because stabilization measures have been implemented or because site characterization demonstrates that corrective action goals have been achieved. If remedies are selected on a unit-by-unit basis (e.g., Solid Waste Management Units, or SWMUs), the facility-wide determination is made when the remedy is selected for the last unit.

EPA's goal for Louisiana for the 2008 baseline is to have 25% of eligible facilities with a remedy selected for the entire facility. By completing this indicator at four facilities during FY 2006-07 (Marathon Petroleum Company, Garyville; Monsanto Company, Luling; Chemtura Corporation, Taft; and Colfax Treating Co., Pineville), LDEQ met its annual goal and brought the total completed to 8 of 47 facilities, or 17%.

(4) Remedy Construction Completed – Facility Wide (RCRAInfo Code CA 550)

This is the event by which LDEQ acknowledges in writing that the RCRA facility has completed construction of a remedy that was designed to achieve long-term protection of human health and the environment for the entire facility. CA 550 requires that the remedy is functioning as designed, whether or not final cleanup goals or other requirements have been achieved. CA 550 applies when construction is complete or documentation of no physical construction of a remedy is needed. If corrective action occurs on a unit by unit basis (e.g., Solid Waste

Management Units, or SWMUs), the facility-wide determination is made when remedy construction is completed for the last unit.

EPA's goal for Louisiana for the 2008 baseline is to have 20% of eligible facilities with the remedy construction completed for the entire facility. By completing this indicator at three facilities during FY 2006-07 (Marathon Petroleum Company, Garyville; Monsanto Company, Luling; and Chemtura Corporation, Taft), LDEQ met its annual goal and brought the total completed to 6 of 47 facilities, or 13%.

(5) Other Unit Level Corrective Action Activities

Other unit level (SWMUs, Areas of Concern [AOC], etc.) corrective action events tracked by LDEQ to meet grant commitment goals include risk assessments (clean-up standards approved) (CA 204), approval of corrective measures studies (CA 350), determinations of NFA (CA 375), selection of remedies and remedy completed/construction completed at the unit level (CA 400 and CA 550), implementation and completion of stabilization measures (CA 600 and CA 650), and facility-wide termination of corrective action (CA 999). These events are grouped by EPA for the purposes of setting goals. EPA's goal for Louisiana for FY 2006-07 for these activities as a group was a total of 18.

Louisiana exceeded its corrective action goal for these activities during FY 2006-07 by completing a total of 55 at eligible 2008 baseline facilities. Accomplishments included risk assessments (clean-up standards approved) (CA 204) for 19 corrective action (CA) units, approval of corrective measures studies (CA 350) for 5 CA units, petitions for NFA (CA 375) approved for 8 CA units, remedy selection imposed (CA 400) for 4 units, certification of remedy construction complete/construction completion (CA 550) at 15 CA units, and stabilization measures implemented (CA 600) at 4 CA units.

## Remediation Program Regulatory Update

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As authorized by La. R.S. 30:2011(D)(25), enacted during the 2006 Regular Legislative Session, LDEQ promulgated the Requests for Review of Environmental Conditions regulation in March 2007. The intent of the authorizing legislation was to address the increased workload for remediation process staff created due to the trend of banks and other lending institutions requiring American Society for Testing and Materials (ASTM) Phase 1 and/or Phase II investigations prior to lending money for real estate transactions. The new regulation provides for the review of environmental conditions of specified tract(s) of immovable property including but not limited to requests for NFA letters. Pursuant to law, the regulation also requires that the applicant requesting a review of environmental conditions on immovable property pay an initial \$1500 minimum fee to LDEQ. LDEQ issues the results of the review to both the owner/operator of the facility and to the applicant requesting the review. LDEQ is required to document personnel hours expended for processing each request for review of environmental conditions. Costs exceeding the initial minimum fee will be invoiced to the applicant before a response letter is issued to the applicant. RSD will report on participation in this program in the FY 2007-08 report to the legislature.