STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY

OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF	*	
	*	
UNITED STATES	*	
DEPARTMENT OF THE ARMY	*	**ENFORCEMENT TRACKING NO.**
WEBSTER PARISH	*	
ALT ID NO. LAR000032607	*	**MM-AO-14-00302**
	*	
	*	**AGENCY INTEREST NO.**
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	**40158**
ENVIRONMENTAL QUALITY ACT,	*	
La. R.S. 30:2001, ET SEQ.	*	

ADMINISTRATIVE ORDER

The following **ADMINISTRATIVE ORDER** is issued to the **UNITED STATES DEPARTMENT OF THE ARMY (RESPONDENT)** by the Louisiana Department of Environmental Quality (the Department), under the authority granted by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001, et seq., and particularly by La. R.S. 30:2011(D)(6) and (D)(14), 2033, 2204.A.2. 2274.A, and 2275.A.

FINDINGS OF FACT

I.

The Respondent (also referred to herein as "the Army") awarded contracts to Explo Systems, Inc. (also referred to herein as "Explo") to conduct the demilitarization of military munitions and to recover, recycle, and sell for reuse components of those demilitarized munitions to legitimate end users of the recovered materials. The Explo facility is located on approximately 132 acres of a facility known to the Department as Camp Minden. Camp Minden includes approximately 14,995 acres, and was formerly known as the Louisiana Army Ammunition Plant (also referred to herein as "LAAP"). The Respondent is subject to applicable requirements of the Louisiana Environmental Quality Act, and the Louisiana Solid Waste and Hazardous Waste Regulations. The Department has determined that the Respondent has

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contributed to the storage, treatment, transportation and/or disposal of solid and/or hazardous waste that have been abandoned at Camp Minden.

II.

On January 1, 2005, the Army transferred ownership of the LAAP to the State of Louisiana by Quitclaim Deed and the property was re-named "Camp Minden." Camp Minden was assigned to the Louisiana Military Department (LMD). One of the conditions of the property transfer was that the State of Louisiana would honor any existing leases in place at that time. Explo was a lessee at the time of the property transfer. As the agency of the State of Louisiana assigned the property, in February 2007, LMD entered into leasing agreements with Explo, which allowed Explo to use the property and approximately 100 magazines/buildings as required for Explo to bid on private and government contracts to demilitarize and recycle components of military munitions. The Explo facility included buildings, storage areas, storage magazines designated as Areas L-1, L-2, L-3, and L-4, and vacant land within an area designated as "Area S."

III.

During the week of April 15 – 19, 2013, representatives of the United States Environmental Protection Agency (USEPA) and the Department conducted an unannounced inspection of the Explo facility located at Camp Minden. During the inspection, the USEPA and the Department gathered information/records pertaining to Explo's operations and the large volume of potentially hazardous and/or explosive materials/wastes located at the Site. Specific information and facts discovered during this inspection pertaining to the Respondent's role in the transport and subsequent abandonment of potential hazardous substances/wastes located at Camp Minden are specified in Findings of Fact Paragraphs IV- XVII below.

IV.

On or about January 21, 2010, Explo submitted to the Army a "Proposal for Demilitarization of Charge, Propelling, 115 MM, M119A2 DODIC D533 NSN:1320-01-093-6856" in response to a solicitation for demilitarization of M6 propellant. On or about March 24, 2010, the United States Department of Defense awarded a contract (also referred to herein as the "Contract") to Explo to conduct the demilitarization of Army M119A2 propelling charges and the subsequent recycling and resale of explosive/propellant materials recovered during the demilitarization process. The Contract stipulated that Explo was to recycle/reprocess

these recovered explosives/propellants and utilize them in the production of commercial explosives that were to be sold and utilized by various mining enterprises. The vast majority of materials recovered during the demilitarization process consisted of a material commonly referred to as "M6 propellant." M6 propellant is a mixture comprised of approximately 87% nitrocellulose, 10% dinitortoluene, 3% dibutyl phthalate, 2% potassium sulfate, and 1% diphenylamine. M6 propellant is readily capable of explosive decomposition, reaction and/or auto-ignition at standard temperature and atmospheric pressure. Chemical ingredients commonly referred to as "stabilizers" are added to the M6 propellant during manufacturing in order to prolong the useful life of the M6 propellant and the military munitions containing M6 propellant. These M6 propellant stabilizers naturally degrade/deteriorate over time. The degradation of these stabilizers is accelerated when exposed to heat and/or humidity.

V.

The initial Contract also stipulated that the Respondent was to pay Explo $2,902,500 to conduct demilitarization and M6 propellant recycling activities. The Army amended the Contract several times to increase the amount of surplus and/or obsolete artillery charges to be demilitarized/recycled by Explo and the amount of payments to be paid to Explo for the provided services. According to the final amended contract, the Army agreed to pay Explo a total of approximately $8,617,500 for the demilitarization of approximately 1,350,000 artillery charges containing M6 propellant. In the military munition demilitarization bid submitted by Explo to the Army, Explo stated that recovered M6 propellant from demilitarization operations would be sent to Kentucky Powder Company for reprocessing of the material into commercial products. The reprocessing of M6 propellant was to be conducted at Kentucky Powder Company utilizing a unit designated as the "slurry unit." Neither Explo nor Kentucky Powder Company had the necessary permits to store recovered explosive materials at the Kentucky Powder Company facility.

VI.

The Contract stipulated that the demilitarization of military munitions shipped to Explo would be verified by the Respondent through the utilization of certificates of destruction (CODs). These CODs were to serve as documentation that the demilitarization process had been properly completed for military munitions accepted from the Respondent by Explo. Upon the completion of the demilitarization of the military munitions shipped by the Respondent to Explo,

Explo was to prepare CODs for the signature of a representative of the Defense Contract Management Agency (DCMA). The Contract also stipulated that Explo was to prepare and submit to the DCMA End Use Certificates (EUCs) documenting the recovery and resale of materials produced as a result of the demilitarization of the Respondent's military munitions. The DCMA was the agency responsible for verifying: 1) Explo's compliance with the terms and conditions of the above-referenced munition demilitarization contracts; 2) the content and accuracy of the destruction CODs provided by Explo: and 3) the content and accuracy EUCs provided by Explo. A review of the EUCs for the M6 propellant from July 8, 2010 through October 15, 2012 shows that Explo claimed to have sold 18,502,810 pounds of the approximately 23,513,397 pounds of M6 propellant that should have been recovered over that period of time. Therefore, if the EUCs prepared by Explo and reviewed by the DCMA had been accurate, there should have only been approximately 5,014,587 pounds of M6 propellant at the Explo facility at the end of November 2012. Despite what Explo claimed in the EUCs it prepared, Explo was unable to sell the majority of the M6 propellant that it demilitarized. Rather, Explo only sold or transferred off-site approximately 5,713,397 pounds of M6 propellant. Approximately 17,800,000 pounds remain and have been abandoned at Camp Minden. Because there was insufficient storage space at Camp Minden, Explo transferred 2.8 million pounds of M6 propellant from Camp Minden to an Austin Powder facility in East Camden, Arkansas during the period from November 2012 until sometime in 2013. Approximately 200,000 pounds of this M6 propellant was later sold. Currently, approximately 15 million pounds of M6 propellant is stored in the magazines at Camp Minden. Thus, approximately 75.7% of the M6 propellant generated from demilitarization of the Army's military munitions was not sold or reused or otherwise legitimately recycled. Therefore, the M6 propellant abandoned at Camp Minden is not subject to the military munition reuse, recycle, and/or reclaim provisions specified in LAC 33:V.5303.A.1.2. In addition, in January - February 2012, Boren Explosives Co., Inc. returned approximately 292,160 pounds of M6 propellant it had previously purchased from Explo because the M6 propellant did not perform as it had been represented to them.

VII.

The DCMA is an agency of the USDoD responsible for the administration and verification of compliance with contracts awarded by the USDoD. The "DCMA Ammunition Group" was in charge of administering and verifying Explo's compliance with the terms and

conditions of the Contract. Under the terms of the Contract, a DCMA Quality Assurance Representative was to visit the Explo facility to review and verify the above-referenced military munition demilitarization CODs. As a result of the above-referenced USEPA/Department inspection of the Explo facility, it has been determined that the DCMA Quality Assurance Representative relied extensively on the statements and representations provided by Explo regarding Explo's demilitarization of the Respondent's military munitions, the final disposition of components/materials that were recovered/generated as a result of those demilitarization activities, and the CODs prepared by Explo. The DCMA Quality Assurance Representative failed to properly review and/or verify statements/representations provided by Explo regarding the demilitarization of military munitions addressed under the Contract. The joint USEPA and LDEQ inspection also revealed that DCMA representatives did not enter or assess all areas within the Explo facility that were utilized for the demilitarization operations and the management/storage of materials generated/recovered from Explo's demilitarization activities.

VIII.

On or about April 19, 2010, Explo submitted for Army-approval a "Safety Site Plan" as required by the awarded demilitarization contract. Explo's Safety Site Plan stated that wastes generated as a result of its demilitarization activities would be sent to landfills authorized to receive those wastes or the wastes would be treated within a static detonation chamber designated as SDC-1200. On or about December 10, 2009, the Department issued Hazardous Waste Operating Permit No. LAR000032607-RDD-1, authorizing the Respondent to construct and operate the SDC-1200 unit. However, Explo never constructed or operated the SDC-1200 Unit during the term of the Contract. The Respondent approved/certified Explo's Safety Site Plan despite the fact that Explo had failed to construct/operate the SDC-1200 Unit.

IX.

On or about June 8, 2010, Explo submitted for Army-approval an "Ammunition Demilitarization and Disposal Plan" as required by the awarded demilitarization contract. The plan stated that material designated as "Category D propellant" would be destroyed within Explo's SDC-1200 Unit within thirty (30) days of receipt. Explo never constructed the SDC-1200 Unit. Category D propellant is characterized as having an unacceptable degree of stabilizer loss.

X.

In June 2010, the Respondent began shipments of military munitions (containing M6) for demilitarization and recycling at the Explo facility. The Respondent initiated these shipments of military munitions despite the fact that: 1) Explo did not have the necessary permits/authorizations to store explosive/propellant materials recovered from demilitarization operations at either the Respondent's Kentucky facility or the Camp Minden facility as required by the Contract; 2) the slurry unit that was to be utilized to reprocess recovered explosive/propellant materials at the Kentucky Powder Company (as specified in documents associated with the Contract) facility was never constructed; and 3) Explo failed to construct the SDC-1200 Unit that was to be utilized to treat/destroy of materials designated as Class D explosives as specified in documents associated with and/or required under the demilitarization contract awarded by the Respondent to Explo.

XI.

On October 15, 2012, an explosion occurred at the Explo facility due to the ignition of smokeless powder stored within one of the magazines leased by Explo and a box trailer containing M6 generated from demilitarization of Army munitions. The explosion resulted in the complete destruction of the magazine and box trailer, shattered windows in nearby communities, and derailed railcars. The Louisiana State Police (LSP) initiated an inspection of the Explo facility in response to the explosion. As a result of the violation and areas of concern noted by LSP during it inspection, LSP executed a search warrant of the Explo facility on November 27, 2012. During this search, LSP observed large volumes of improperly stored M6 and other explosive materials throughout the Explo facility. At the time the LSP search warrant was executed, LSP estimated that there was 17.8 million pounds of M6 at the Explo facility. In an effort to mitigate the risk of an explosion, from November 2012 through May 2013, LSP and Explo transferred the large volumes of improperly stored M6 propellant into empty magazines located at the Camp Minden. On or about September 6, 2013, the Governor of the State of Louisiana issued Proclamation No. 129 BJ 2013, which declared a state of emergency at Camp Minden based on Explo's failure to provide for the *"monitoring, removal, or disposal of approximately 18 million pounds of M6 propellant and other explosives, which pose a continuing threat to the safety of citizens and property of the State in and around Camp Minden."*

XII.

On or about April 2 - 3, 2013, a team of technical experts from the USDoD Explosive Safety Board and the U.S. Army Technical Center for Explosives Safety visited Camp Minden to assess the stored propellant and make recommendations. The team issued a Report dated April 18, 2013 (i.e., Report No. 1). According to Report No. 1, some M6 propellant storage boxes were not labeled with the manufacturer's propellant lot number and/or the lot number was not readable. Propellants with lost manufacturer lot identity present an immediate potential safety hazard. In addition, Report No. 1 highlighted the problem of long-term storage of the M6 propellant and states: *"The preponderance of evidence indicates that the probability of an explosives event directly related to the long-term storage of M6 propellant at Minden is likely. That is: (a) anecdotal evidence indicates that the "kicker boxes" of propellant may contain multiple Lots, instead of the single Lot number indicated on the "blue" labels; (b) due to the unknown storage conditions for M6 propellant after its removal from the propellant charge cans, the propellant's stability cannot be guaranteed; and (c) the bulk packaging (white bag, fiber drum or cardboard box) is not a standard packaging method for long- term storage of M6 propellant. The use of such bulk packaging may (a) not prevent the loss of stabilizer; (b) allow moisture intrusion; and (c) increase nitrocellulose decomposition rates. These factors, combined with nitrocellulose's ability to auto-ignite, increase the probability of a detonation within a storage structure at Camp Minden..."*

XIII.

On May 7 – 9, 2013, a technical assistance team from USDoD and the Army visited Camp Minden to assess the risks posed by stockpiled materials at the Explo facility. The team issued a report dated June 13, 2013 (i.e., Report No.2). Report No. 2 stated the following: *"Low stability content can result in auto-ignition of propellant in storage, causing a detonation. At Camp Minden, Explo's operations appear to have resulted in the loss of lot identity for the M6 propellant that Explo has in storage. Explo's packaging configurations (e.g., incorrect lot markings on containers and outer-packs, multiple markings); storage procedures, which exposed some of the packaged propellant to the environment; and packaging process, which may have mixed lots led the technical assistance visit team to conclude that lot identity was, at a minimum, questionable. Explo did not have a propellant stability monitoring program in place. Although the transfer of M6 propellant to earth covered storage has reduced the risk to public safety, an*

explosive event (i.e., a detonation) from auto-ignition is very possible."

XIV.

On July 22, 2013, LMD commenced eviction proceedings against Explo to regain control of the leased premises and to recoup past due rent and other expenses. On or about August 12, 2013, one day before the eviction hearing, Explo filed for Chapter 11 bankruptcy in the U.S. Bankruptcy Court, Western District of Louisiana, Shreveport Division (Case No. 13-12046). On September 12, 2013, the Adjutant General, Major General Glenn Curtis, requested assistance from the Army and the National Guard Bureau for Operation & Maintenance funding for the disposal and/or destruction of M6 propellant and other explosives currently located at Camp Minden, Louisiana. This attempt was unsuccessful. In an attempt to acquire financial assistance from the U.S. National Guard Bureau to remove, treat, and/or dispose of materials that were abandoned by Explo at Camp Minden, LMD requested that the Bankruptcy Court transfer possession of the abandoned materials to the LMD. On September 30, 2013, Judge Steven Calloway of the U.S. Bankruptcy Court for the Western District of Louisiana issued an order authorizing the transfer of 18 million pounds of explosive materials from Explo to LMD. On October 29, 2013, Major General Curtis sent a request for Defense Support to Civil Authorities (DSCA) to the U.S. Secretary of Defense to provide assistance in the removal of the 18 million pounds of explosive material. On December 10, 2013, the Secretary of the Army sent a letter rejecting Major General Curtis' DSCA request.

XV.

As a result of the April 15 – 19, 2013 inspection, the USEPA and the Department determined that Explo failed to properly manage and store M6 propellant recovered from munition demilitarization. Specifically, contrary to the Contract, Explo stored recovered M6 propellant outside where it was exposed to heat and humidity. Failure to properly handle and manage M6 material increases the risk of explosion, detonation, and/or auto-ignition. Section 13-14 of the Army's SB 742-1, Ammunition Surveillance Procedures states: *"propellants with lost lot identity cannot be tested to determine current level of stabilizer, since the specific propellant index cannot be identified. Therefore these lots represent a potential safety hazard. Propellant with lost lot identity will not be retained in storage in any account. Propellant with lot numbers "MIXED," "UNKNOWN," or "NONE," as part of the lot number will be demilitarized within sixty (60) days of discovery."* Section 13-2 of the Army's SB-742-1 - Ammunition Surveillance

Procedures includes the following warning: *"Nitrocellulose-based propellants can become thermally unstable as they age. The normal aging process of the propellants involves deterioration of the nitrocellulose with an accompanying generation of heat. At some point, the propellant may reach a state where heat is generated faster than it can be dissipated. The accumulation of heat can lead to combustion (auto-ignition). Chemical stabilizers are added to propellants to slow the aging process. In time, the stabilizer levels will drop to a point where the remaining effective stabilizer (RES) is not sufficient to prevent an accelerating rate of decomposition. When this point is reached, the propellant may auto-ignite, with possible catastrophic results to property and life. Monitoring the stability level of each propellant lot is essential for continued safe storage."*

XVI.

In response to concerns raised during a review of the circumstances surrounding regarding Explo's demilitarization activities and the accumulation of large volumes of M6 propellant at Camp Minden as a result of those demilitarization activities, a multi-agency team (which included members from DoD, the Army, and DCMA) called the "Ammunition and Explosives (AE) and Material Demilitarization Integrated Process Team" (a/k/a the "IPT) was created to review the adequacy of contract oversight protocols and explosive safety criteria pertaining to military munition demilitarization contracts. This review included, but was not limited to, a review of roles and responsibilities of personnel responsible for contract awards and contract oversight; policies and procedures, including contract pre-award (e.g., content of statements of work, evaluation of explosive safety management submittals/plans) and compliance with applicable DoD and Army safety criteria. In a document titled the "Ammunition and Explosives and Material Demilitarization Integrated Process Team Charter" dated July 22, 2013, it was stated that the IPT was to, develop recommendations for: 1) changes, if needed, to the DoD Contractor's Safety Manual (DoD 4145.26-M) and the DoD Ammunition and Explosives Safety Standards (DoD 6055.9-M, Volumes 1 – 8) to improve the safety, surveillance and accountability of contract AE demilitarization activities; and 2) to improve the contracting process for demilitarization of AE by non-DoD entities with the goal of ensuring effective explosives safety management and AE surveillance and accountability throughout contract execution.

XVII.

The IPT produced a report titled the "Explo Systems Inc. Ammunition & Explosive Commercial Demi Demilitarization Preliminary Report." Some of the findings included in the report are as follows:

- Explo improperly stored large volumes of demilitarized M6 propellant in unauthorized storage areas in likely violation of the approved safety site plan and state/federal regulations. DCMA representatives were unaware of the unauthorized storage issues since DCMA demilitarization surveillance activities were limited to the oversight of the disassembly of the M119A2 Propellant Charge. DCMA's surveillance did not require oversight of the final disposition/disposal of the Demilitarized material once titled passed to the contractor.
- The accumulation of large volumes of M6 propellant was likely due to the cause of market saturation and the inability of the contractor to dispose/sell the material.
- The DCMA Quality Assurance Representative (QAR) did not perform all incremental process reviews as identified and scheduled as outlined on Facility level Risk Profile and Plan dated 06 August 2012 and as prescribed by DCMA Policy Instruction # 311.
- DoD and/or the DCMA should develop a more robust contract surveillance plan to include the review of storage, handling, and traceability of demilitarization processes.
- Demilitarization contract invoicing should be revised to a two-step process where one-half of the unit price is invoiced by the demilitarization contractor once the munition is completely disassembled into its component parts and the second-half of the unit price is invoiced by the demilitarization contractor once the contractor provides documentation demonstrating that proper disposal/disposition of materials generated from demilitarization activities in accordance with the contractor's approved demilitarization plan.

XVIII.

On March 18, 2014, the USEPA issued to the Respondent a Resource Conservation and Recovery Act (RCRA) Section 7003 Unilateral Administrative Order (UAO) compelling the Respondent to take measures to minimize the risk posed to human health and/or the environment by the large volumes of M6 propellant generated from the demilitarization of military munitions owned by and transported to the Explo facility by the Respondent. These required measures were to address the safe and effective removal, treatment, and/or disposal of the M6 propellant. The UAO also stipulated that the Respondent was to submit for EPA-approval the following plans deemed necessary to protect human health and the environment and minimize releases to the environment during removal activities: 1) a M6 Propellant Work Plan; 2) a Spill Prevention and Emergency Response Contingency Plan; 3) a Health and Safety Plan; 4) a Community Relations Plan; and 5) a Quality Assurance Project Plan (QAPP).

CONCLUSIONS OF LAW

While the Department's investigation is not yet complete, the Department has determined the following:

I.

The Respondent is subject to applicable requirements of the Louisiana Environmental Quality Act, and the Louisiana Solid Waste and Hazardous Waste Regulations. The Federal Facility Compliance Act of 1992 specifically stipulates that states delegated to administer the RCRA regulatory program are legally authorized to enforce RCRA provisions/regulations against federal facilities, departments, and agencies through the issuance of injunctions, administrative orders, and/or penalties for noncompliance.

II.

The Respondent owned and/or transported military munitions to the Explo facility for demilitarization and subsequent recovery/recycling of materials during the demilitarization of those military munitions. Approximately 15 million pounds of M6 propellant generated as a result of the demilitarization of the Respondent's military munitions have been abandoned at Camp Minden. This abandonment of M6 propellant poses a substantial risk to human health and/or the environment.

III.

Camp Minden is classified as a "pollution source" facility as defined in La. R.S. 30:2004, La. R.S. 30:2173, and La. R.S. 30:2272(11) due to the storage and/or abandonment of solid wastes, hazardous wastes, and/or hazardous substances generated as a result the demilitarization of the Respondent's military munitions conducted by Explo.

IV.

The M6 propellant generated as a result of the demilitarization of the Respondent's military munitions and subsequently abandoned at Camp Minden is classified as a "hazardous substance" as defined in La. R.S. 30:2272(6)(a) and/or a "hazardous waste" as defined in La. R.S. 30:2173. La. R.S. 2273(2) stipulates that any person/entity who has directly transported or directly contracted for the transportation of a "hazardous substance" or "hazardous waste" to a "pollution source" facility and/or disposed of "hazardous substance" or "hazardous waste" at a "pollution source" facility is subject to the provisions of La. R.S. 30:Chapter 12 (Liability for Hazardous Substance Remedial Action).

V.

The Respondent failed to exercise due care of hazardous substances and/or hazardous wastes generated as a result of the demilitarization of the Respondent's military munitions. The Respondent failed to take precautions against foreseeable acts or omissions of any third person/party (i.e., Explo) with which the Respondent entered into a contractual relationship to conduct the demilitarization of military munitions and the recovery, recycling, reuse and/or sale of components (which included known hazardous substances) of those demilitarized munitions to legitimate end users of those recovered materials. The Respondent failed to exercise appropriate oversight of contracts awarded by the Respondent to Explo governing the transportation of military munitions to Camp Minden for the purposes of demilitarization and the recovery, recycling, reuse and/or sale of components of those demilitarized munitions to legitimate end users of those recovered materials. The Respondent's lack of contract oversight contributed to the accumulation of solid wastes, hazardous substances, and/or hazardous wastes currently stored at Camp Minden.

ADMINISTRATIVE ORDER

Based on the foregoing, the Department **hereby orders:**

I.

The Respondent to initiate, within fifteen (15) days of its receipt of this **ADMINISTRATIVE ORDER**, any and all measures necessary to safely manage, treat, remove, and/or dispose of the solid wastes, hazardous wastes, and/or hazardous substances located at Camp Minden generated as a result of the demilitarization of military munitions owned by and/or transported to Camp Minden and/or the former Explo facility by the Respondent.

II.

The Respondent to comply with the terms, conditions, submittal/reporting requirements, and compliance deadlines specified in Sections VI and VII (Paragraphs 69 - 89) of the RCRA Section 7003 UAO issued to the Respondent by the USEPA on March 18, 2014 (as described in Findings of Fact Paragraph XVIII and included as Attachment 1 of this Administrative Order).

III.

The Respondent to submit to the Department's Enforcement Division a report detailing remedial actions and removal activities implemented by the Respondent (including the characterization, quantity, and final disposition of the wastes/materials treated/removed from Camp Minden, within thirty (30) days of the completion of remedial/removal activities required by this **ADMINISTRATIVE ORDER.** This report and all other reports or information required by this **ADMINISTRATIVE ORDER** shall be submitted to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attention: Craig Easley
Enforcement Tracking No. MM-AO-14-00302
Agency Interest No. 40158

IV.

To the extent required by law, further proceedings relating to this **ADMINISTRATIVE ORDER** will be governed by the Administrative Procedure Act, La. R.S. 49:950, et seq.

V.

For each action or event described herein, the Department reserves the right to seek civil penalties and the right to seek compliance with its rules and regulations in any manner allowed

by law, and nothing herein shall be construed to preclude the right to seek such penalties and compliance.

VI.

This **ADMINISTRATIVE ORDER** is effective upon receipt.

Baton Rouge, Louisiana, this 03 day of June, 2014.

Cheryl Sonnier Nolan
Assistant Secretary
Office of Environmental Compliance

Copies of correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Craig Easley

USEPA – Region 6
Compliance Enforcement Section
Hazardous Waste Enforcement Branch
1445 Ross Avenue
Dallas, TX 75202-2733
Attention: Chuck Barnes