



April 25, 2023

SUBMITTED BY ELECTRONIC MAIL
DEQ.PUBLICNOTICES@LA.GOV

Michael S. Regan, Administrator, U.S. EPA, Washington DC Regan.Michael@epa.gov
Roger W. Gingles, Secretary, Louisiana Dept of Environmental Quality, Baton Rouge, LA officesec@la.gov

RE: Public Comment to the Louisiana DEQ and U.S. EPA on the Revised Draft Hazardous Waste Operating Permit and Proposed Minor Source Air Permit Modification for Clean Harbors Colfax AI Number 32096, Permit Number LAD 981 055 791-OP-RN-2, Activity Number PER20170002 and AI Number 32096, Permit Number LAD 1120-00010-07, and Activity Number PER20220002

Dear Administrator Regan and Secretary Gingles,

This joint national letter, signed by **81 environmental and social justice organizations** from across the U.S. and its territories, calls on the Louisiana Department of Environmental Quality and U.S. EPA to immediately halt all open burning and open detonation (OB/OD) of reactive, ignitable and explosive hazardous waste at the Clean Harbors Colfax facility in Louisiana. The facility has had literally decades to transition to commercially-available advanced alternative technologies that capture and treat toxic emissions – this tragedy must end.

We concurrently call for an immediate **halt to all receipt** of additional onsite hazardous waste to protect public health and the environment and to prevent suddenly accelerated open burning by the facility.

Residents in the small enclave of mostly Black residents just outside of Colfax have reported a deep slate of medical issues, ranging from asthma and allergies to cancer. Many of their illnesses are on the list of presumptive conditions the Department of Defense provided to veterans exposed to **burn pit** victims.

We support the requirement proposed by Louisiana Department of Environmental Quality (DEQ) that a Notification of Closure of OB/OD be submitted within 30 days after cessation of OB/OD. The facility must be required to immediately achieve **CLEAN closure** including the removal of all wastes, equipment, structures and remediation of soils, sediments, impoundments, storm water, groundwater and surface water.

Separately, if the proposed Contained Burn Chamber System alternative is approved, operating conditions must require that concentrations of the chemicals in stack emissions are constantly monitored and that real time access to the results is readily available to regulators and the public.

The draft emission thresholds for the proposed closed burn system are not protective and in some cases are actually higher after than those currently permitted for OB/OD. These thresholds need to be much lower and **far more protective** of health and the environment than proposed.

The list of prohibited wastes must also be expanded to include those specified in Section 2.2.5 Permitting and Prohibited Wastes in this [EPA Region III report](#).

Additionally, as Depleted Uranium is not formally classified as a “radioactive” waste, it should be specified that the prohibition on radioactive/nuclear waste includes depleted uranium. PFAS should also be specified as a prohibited waste – flares and incendiaries, for example, may contain as much as **45% PFAS**. To date, thermal destruction of PFAS has not been demonstrated nor achieved.

It is important to note that the expanded list of prohibited wastes is not without precedent and is found in the current EPA [RCRA permit for the Bluegrass Army Depot](#) in Kentucky. See Section P.III.A.(3) Prohibited Waste.

Finally, we ask that the permit include clear and specific language regarding **Environmental Justice Considerations** to assure the meaningful involvement of all people regardless of race, color, national origin or income. Populations at risk must be guaranteed earnest opportunities to actively participate in decisions that may affect their health and their environment.

Sincerely,

Laura Olah, Citizens for Safe Water Around Badger (CSWAB)

Brenda Vallee, Central Louisiana Coalition for a Clean & Healthy Environment

350 Bay Area Action

350Hawaii

7 Directions of Service

Action Now (a California Environmental Justice non-profit)

Alaska Community Action on Toxics

Animals Sentient Beings, Inc

ARTivism Virginia

Buxmont Coalition for Safer Water

California Communities Against Toxics

California Environmental Voters

CALIFORNIA SAFE SCHOOLS

Cease Fire Campaign

Center for Public Environmental Oversight

Clean Energy Action

Clean Water Partnership-Cannon

CleanAirNow

CO Dem. Party - Energy & Environment Initiative
Common Ground Rising
Concerned citizen of Campbell, WI
Don't Waste Arizona
Don't Waste Arizona
Downwinders at Risk
Echo Valley Hope
Empower Our Future
Family Farm Defenders
Freyou Farms
GAIA (Global Alliance for Incinerator Alternatives)
Green Cross International
Greenaction for Health and Environmental Justice
Grey Nuns of the Sacred Heart
Guam Youth Climate Strike
Highland Dairy Art Schapp
HunterSeven Foundation
Immaculate Heart Community Commission on the Environment
Inland Ocean Coalition
Interdisciplinary Institute for Sciences
Kentucky Environmental Foundation
Kickapoo Peace Circle
Long Island Progressive Coalition
Micah Six Eight Mission
Midwest Environmental Justice Organization
Military Poisons
Milwaukee Riverkeeper
Ministry for Earth of First Unitarian Universalist of New Orleans
MoveOn.org Hoboken RESIST
New Mexico Climate Justice
North American Climate, Conservation and Environment(NACCE)
NUKEWATCH
Office of Senator Perez
Physicians for Social Responsibility Wisconsin

Progressives for Climate
Protect All Children's Environment
Protect All Children's Environment
Prutehi Litekyan Save Ritidian
Rise Up WV
River Alliance of Wisconsin
River Valley Organizing
Save Our Water
Sayain Circle of Grandmothers
Sierra Club Delta Chapter (Louisiana)
SOH2O
Stand.earth
Subra Company
Terra Advocati
Texas Campaign for the Environment
The Enviro Show
The People's Justice Council
Thrive at Life: Working Solutions
Toxic Free NC
Tribal Environmental Watch Alliance
Turtle Island Restoration Network
Unitarian Universalists for Social Justice
Unite North Metro Denver
Valley Watch
Veterans for Peace Madison, Wisconsin Clarence Kailin Chapter 25
Vidas Viequenses Valen
Vote Climate
Western Broome Environmental Stakeholder Coalition
Zero Waste Ithaca