

# **Record of Environmental Consideration**

**REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- April 2007**

See 44 Code of Federal Regulation Part 10

**Project Name/Number:** Police Stables and K9 Unit Amendment / PW 11834

**Applicant Name:** City of New Orleans

**Project Location:** Harrison Avenue through Marconi Drive (11 sites)  
New Orleans, Louisiana, 70124

**Project Description:** Proposal is to remove and replace Hurricane Katrina flood damaged cabinets and counter tops, metal and asphalt shingle roofs, resilient floor tiles, wooden and metal doors, gypsum wall boards, window air conditioning units, associated electrical and networking components, and other miscellaneous related hardware components of City of New Orleans Police Stables and K-9 Unit facilities. There are eleven facilities that are located along Harrison Avenue through Marconi Drive (Lat. 30.0040, Long. -90.09871 to Lat. 30.00014, Long. -90.07429). The Main stable is located at Latitude 29.9975, Longitude -90.0737.

Hazard mitigation to minimize future water damages at facilities includes the following:

- replacing network cabling with a wireless network system consisting of one wireless access point, one C.L.F Cat 5 cabling, four RJ-45 Cat 5 connectors, and 5 wireless PCI adapters;
- replacing wooden stables dividers with concrete masonry units;
- replacing stables storage lockers plywood doors with protective coated locker doors;
- installing anchoring components to strengthen roof's ventilation systems structural integrity;
- replacing vinyl flooring with ceramic tiles; and
- constructing a platform (4 by 4 feet) to elevate the Captain's Office generator 6 feet from grade.

## **National Environmental Policy Act (NEPA) Determination**

- ☐ Statutorily excluded from NEPA review (**Review Concluded**)
- ☐ Programmatic Categorical Exclusion - Category (**Review Concluded**)
- ☒ Categorical Exclusion - Category xv and xvi
- ☒ No Extraordinary Circumstances exist.
- Are project conditions required? ☒ Yes (see section V) ☐ No (**Review Concluded**)
- ☐ Extraordinary Circumstances exist (see Section IV).
- ☐ Extraordinary Circumstances mitigated. (see Section IV comments)
- Are project conditions required? ☐ Yes (see section V) ☐ No (**Review Concluded**)
- ☐ Alternative Arrangements
- ☐ Public Involvement Plan on file (see comments below)
- ☐ Environmental Assessment
- ☐ Supplemental Environmental Assessment (Reference EA or PEA in comments)
- ☐ Environmental Impact Statement

**Comments:** Based on information provided by the applicant, the scope of work for this project is categorically excluded from the preparation of an Environmental Impact Statement or Environmental Assessment under 44 CFR Part 10.8 (d)(2) (xv) and (xvi). Any changes to this approved scope of work will require submission to, and evaluation and approval by, the state and FEMA prior to initiation of any work, for compliance with the National Environmental Policy Act. The applicant is required to obtain and comply with all local, state and federal permits and requirements. Non-compliance with the requirements noted above may jeopardize the receipt of federal funding.

- ☐ Project is Non-Compliant (see attached documentation justifying selection).

**Reviewer and Approvals****FEMA Environmental Reviewer:**

Name: Pamela Sparks-McConkey, Environmental Specialist, FEMA LA TRO

Signature Date 10 May 2010**FEMA Environmental Liaison Officer or Delegated Approving Official:**

Name: Cynthia Teeter, Deputy Environmental Liaison Officer, FEMA LA TRO

Signature Date 5/10/10

Tiffany Spann for:

**I. Compliance Review for Environmental Laws (other than NEPA)****A. National Historic Preservation Act (NHPA)**

- ☐ Not type of activity with potential to affect historic structures or archaeological resources (**Review Concluded**)
- ☒ Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (December 3, 2004, Appendix C, Section I, A) - **Review Concluded**
- ☐ Applicable executed Programmatic Agreement (date in comments). See project review below for historic structures and archaeological resources.
- ☐ Other Programmatic Agreement dated \_\_\_\_\_ applies

**HISTORIC BUILDINGS AND STRUCTURES**

- ☐ No historic properties that are listed or 50 years or older in project area. (**Review Concluded**)
- ☐ Building or structure 50 years or older or listed on the National Register in the project area and activity not exempt from review.
- ☐ Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required? ☐ Yes (see Section V) ☐ No (**Review Concluded**)
- ☐ Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)  
☐ Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments
- ☐ No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required? ☐ Yes (see Section V) ☐ No (**Review Concluded**)
- ☐ Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)  
☐ Resolution of Adverse Effect completed (MOA on file)  
Are project conditions required ☐ Yes (see Section V) ☐ No (**Review Concluded**)

**ARCHEOLOGICAL RESOURCES**

- ☐ Project scope of work has no potential to affect archeological resources (no ground disturbance) (**Review Concluded**)
- ☐ Project affects undisturbed ground or grounds associated with a historic structure  
☐ Project area has no potential for presence of archeological resources  
☐ Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file) (**Review Concluded**)
- ☐ Project area has potential for presence of archeological resources  
☐ Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required ☐ Yes (see Section V) ☐ No (**Review Concluded**)
- ☐ Determination of historic properties affected  
☐ NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required ☐ Yes (see Section V) ☐ No (**Review Concluded**)
- ☐ NR eligible resources present in project area (FEMA finding/SHPO/THPO concurrence on file)  
☐ No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required? ☐ Yes (see Section V) ☐ No (**Review Concluded**)
- ☐ Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)  
☐ Resolution of Adverse Effect completed (MOA on file)  
Are project conditions required? ☐ Yes (see Section V) ☐ No (**Review Concluded**)

**Comments:** The structures do not meet the 50-year criterion, nor do they possess the level of exceptional importance required by criteria consideration G of the National Register Guidelines to be considered eligible for the National Register of Historic Places (SHPO 08/25/2006). The scope of work indicates no ground disturbing activities associated with the in-kind repairs and from the implementation of the listed hazard mitigation measures thus, archaeological monitoring is not required within the project site.

**Correspondence/Consultation/References:** Victoria Byrd, Historic Preservation Specialist

## B. Endangered Species Act

☒ No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action.

**(Review Concluded)**

☐ Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action.

☐ No effect to species or designated critical habitat. (See comments for justification)

Are project conditions required? ☐ Yes (see Section V) ☐ No **(Review Concluded)**

☐ May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) **(Review Concluded)**

Are project conditions required? ☐ Yes (see Section V) ☐ No **(Review Concluded)**

☐ Likely to adversely affect species or designated critical habitat

☐ Formal consultation concluded. (Biological Assessment and Biological Opinion on file)

Are project conditions required? ☐ YES (see Section V) ☐ NO **(Review Concluded)**

**Comments:**

**Correspondence/Consultation/References:** Per US Fish & Wildlife Services (USFWS) threatened/endangered species federal listings and critical habitat mapper; [http://ecos.fws.gov/tess\\_public/countySearch!speciesByCountyReport/](http://ecos.fws.gov/tess_public/countySearch!speciesByCountyReport/) and <http://criticalhabitat.fws.gov/>, respectively, accessed on May 6, 2010. Pamela Sparks-McConkey, Environmental Specialist

## C. Coastal Barrier Resources Act

☒ Project is not on or connected to CBRA Unit or Otherwise Protected Area **(Review Concluded)**.

☐ Project is on or connected to CBRA Unit or Otherwise Protected Area. (FEMA determination/USFWS consultation on file)

☐ Proposed action an exception under Section 3505.a.6 **(Review Concluded)**

☐ Proposed action not excepted under Section 3505.a.6.

Are project conditions required? ☐ YES (see Section V) ☐ NO **(Review Concluded)**

**Comments:** Project is not within a CBRA zone.

**Correspondence/Consultation/References:** Louisiana Coastal Barrier Resource System Maps accessed May 6, 2010. Pamela Sparks-McConkey, Environmental Specialist.

## D. Clean Water Act

☒ Project would not affect any waters of the U.S. **(Review Concluded)**

☐ Project would affect waters, including wetlands, of the U.S.

☐ Project exempted as in kind replacement or other exemption. **(Review Concluded)**

☐ Project requires Section 404/401 of Clean Water Act or Section 9/10 of Rivers and Harbors Act permit, including qualification under Nationwide Permits.

Are project conditions required? ☐ YES (see Section V) ☐ NO **(Review Concluded)**

☐ Project would affect waters of the U.S. by discharging to a surface water body.

**Comments:**

**Correspondence/Consultation/References:** Pamela Sparks-McConkey, Environmental Specialist.

## E. Coastal Zone Management Act

☐ Project is not located in a coastal zone area and does not affect a coastal zone area **(Review concluded)**

☒ Project is located in a coastal zone area and/or affects the coastal zone

☐ State administering agency does not require consistency review. **(Review Concluded)**

☒ State administering agency requires consistency review.

Are project conditions required? ☒ YES (see Section V) ☐ NO **(Review Concluded)**

**Comments:**

**Correspondence/Consultation/References:** Louisiana Coastal Zone maps accessed May 6, 2010. Pamela Sparks-McConkey, Environmental Specialist).

**F. Fish and Wildlife Coordination Act**

- ☒ Project does not affect, control, or modify a waterway/body of water. **(Review Concluded)**  
☐ Project affects, controls or modifies a waterway/body of water.  
    ☐ Coordination with USFWS conducted  
        ☐ No Recommendations offered by USFWS. **(Review Concluded)**  
        ☐ Recommendations provided by USFWS.  
Are project conditions required? ☐ YES (see Section V) ☐ NO **(Review Concluded)**

**Comments:** Project is for in-kind interior/exterior structural repairs thus work activities are not associated with any streams, bayous or water bodies.

**Correspondence/Consultation/References:** Louisiana Map (<http://www.lamap.doa.louisiana.gov/>) accessed May 6, 2010  
Pamela Sparks-McConkey, Environmental Specialist

**G. Clean Air Act**

- ☐ Project will not result in permanent air emissions. **(Review Concluded)**  
☐ Project is located in an attainment area. **(Review Concluded)**  
☒ Project is located in a non-attainment area.  
    ☒ Coordination required with applicable state administering agency.  
Are project conditions required? ☒ YES (see section V) ☐ NO **(Review Concluded)**

**Comments:** Applicant will coordinate with Louisiana Department of Environmental Quality (LDEQ) to ensure that renovation or demolition activities are performed in accordance with the LDEQ "Sixth Amended Declaration of Emergency and Administrative Order" dated June 30, 2006, incorporating the provisions of EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) and the Louisiana Administrative Code (LAC) 33.III.5151 and Chapter 27 (for details see Section V).

**Correspondence/Consultation/References:** EPA Region 6 Non-attainment mapper accessed on April 21, 2010 per <http://www.epa.gov/air/data/nonat.html?st~LA~Louisiana>. Pamela Sparks-McConkey, Environmental Specialist

**H. Farmland Protection Policy Act**

- ☒ Project will not affect undisturbed ground. **(Review Concluded)**  
☐ Project has a zoning classification that is other than agricultural or is in an urbanized area. **(Review Concluded)**  
☐ Project does not affect designated prime or unique farmland. **(Review Concluded)**  
☐ Project causes unnecessary or irreversible conversion of designated prime or unique farmland.  
    ☐ Coordination with Natural Resources Conservation Service required.  
        ☐ Farmland Conversion Impact Rating, Form AD-1006, completed.  
Are project conditions required? ☐ YES (see section V) ☐ NO **(Review Concluded)**

**Comments:** The site is located within an existing disturbed and urbanized area. Project activities would not potentially impact prime and unique federal and/or state farmland as defined in 7 CFR 6.58.2(a).

**Correspondence/Consultation/References:** US Department of Agriculture's Natural Resources Conservation Service (NRCS) soil survey mapper accessed on May 6, 2010 per <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm> . Pamela Sparks-McConkey, Environmental Specialist

**I. Migratory Bird Treaty Act**

- ☐ Project not located within a flyway zone **(Review Concluded)**  
☒ Project located within a flyway zone.  
    ☒ Project does not have potential to take migratory birds **(Review Concluded)**  
Are project conditions required? ☐ Yes (see section V) ☒ No **(Review Concluded)**  
    ☐ Project has potential to take migratory birds.  
        ☐ Contact made with USFWS

Are project conditions required? ☐ YES (see section V) ☐ NO (**Review Concluded**)

**Comments:** The site is an existing disturbed area with little value to migratory birds and would not be included in the USFWS migratory bird management program.

**Correspondence/Consultation/References:** USFWS guidance letter dated September 27, 2005. Pamela Sparks-McConkey, Environmental Specialist

## J. Magnuson-Stevens Fishery Conservation and Management Act

☒ Project not located in or near Essential Fish Habitat (**Review Concluded**)

☐ Project located in or near Essential Fish Habitat.

☐ Project does not adversely affect Essential Fish Habitat (**Review Concluded**)

Are project conditions required? ☐ Yes (see Section V) ☐ No (**Review Concluded**)

☐ Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file)

☐ NOAA Fisheries provided no recommendation(s) (**Review Concluded**).

Are project conditions required? ☐ Yes (see Section V) ☐ No (**Review Concluded**)

☐ NOAA Fisheries provided recommendation(s)

☐ Written reply to NOAA Fisheries recommendations completed.

Are project conditions required? ☐ YES (see Section V) ☐ NO (**Review Concluded**)

### **Comments:**

**Correspondence/Consultation/References:** National Marine Fisheries Services and US Fish & Wildlife Services (USFWS) critical habitat mapper accessed on May 6, 2010 per <http://mpa.gov/> and <http://criticalhabitat.fws.gov/>, respectively. Pamela Sparks-McConkey, Environmental Specialist

## K. Wild and Scenic Rivers Act

☒ Project is not along and does not affect Wild or Scenic River (WSR) - (**Review Concluded**)

☐ Project is along or affects WSR

☐ Project adversely affects WSR as determined by NPS/USFS. **FEMA cannot fund the action.** (NPS/USFS/USFWS/BLM consultation on file) (**Review Concluded**)

☐ Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file)

Are project conditions required? ☐ YES (see Section V) ☐ NO (**Review Concluded**)

**Comments:** Proposal's area for potential effects is not directly in the St John Bayou, a river listed per the Wild & Scenic Rivers Act, according to the Louisiana's Department of Wildlife & Fisheries based on that project activities are for in-kind exterior/interior structural repairs (i.e., within original footprint). However, applicant shall implement construction best management practices for equipment and materials storage and construction activities (including equipment and materials staging) to prevent erosion and sedimentation to the nearby banks of the St John Bayou. These measures are to negate ecological impacts to this listed natural resource per requirements of the WSR Act.

**Correspondence/Consultation/References:** National Wild and Scenic Rivers mapper accessed on May 6, 2010 per <http://www.nps.gov/rivers/wildriverslist.html>. Pamela Sparks-McConkey, Environmental Specialist

## L. Resource Conservation and Recovery Act

Unusable equipment, debris, and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project applicant shall handle, manage, and dispose of petroleum products, asbestos, hazardous materials (such as asbestos, mercury devices, polychlorinated biphenyls, lead based paint, etc.) and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies (see Section V for details). P. Sparks-McConkey, Environmental Specialist

## M. Other Relevant Laws and Environmental Regulations

In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13), Orleans Parish of Louisiana is under quarantine. The movement of wood or cellulose material, temporary housing or in-kind repairs of architectural components (e.g. beams, doors and other wood salvaged from a structure) may not leave the quarantined parishes without written authorization from the commissioner of the Louisiana Department of Agriculture and Forestry or his designee(s). P. Sparks-McConkey, Environmental Specialist

## **II. Compliance Review for Executive Orders**

### **A. E.O. 11988 - Floodplains**

- ☐ No Effect on Floodplains/Flood levels and project outside Floodplain - **(Review Concluded)**
- ☒ Located in Floodplain or Effects on Floodplains/Flood levels
- ☐ No adverse effect on floodplain and not adversely affected by the floodplain. **(Review Concluded)**  
Are project conditions required? ☐ Yes (see Section V) ☐ No **(Review Concluded)**
- ☐ Beneficial Effect on Floodplain Occupancy/Values **(Review Concluded)**
- ☒ Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment
- ☒ 8 Step Process Complete - documentation on file  
Are project conditions required? ☒ YES (see Section V) ☐ NO **(Review Concluded)**

**Comments:** City of New Orleans enrolled in the National Flood Insurance Program 08/03/70. Per Flood Insurance Rate Map (FIRM) 225203 0095E, dated 03/01/1984, this project is located in Zone "A6", area of 100-Year flood, base flood elevations and flood hazard factors determined. This project is a series of hazard mitigation proposals, and as per 44 CFR 9.11 (D) (9), the replacement of building contents, materials and equipment (mechanical or electrical) should be, where possible, wet or dry-proofed, elevated, or relocated to or above the Preliminary Digital (FIRM) panel 22071C0115F, dated 11/13/2008 Zone AE EL -3. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. In compliance with EO 11988 an 8-Step was completed and is on file. The cumulative public notice was published (November 7-9, 2005) and is on file, too.

**Correspondence/Consultation/References:** Alan Johnson, CFM Specialist

### **B. E.O. 11990 - Wetlands**

- ☒ No Effects on Wetland(s) and/or project located outside Wetland(s) - **(Review Concluded)**
- ☐ Located in Wetland or effects Wetland(s)
- ☐ Beneficial Effect on Wetland - **(Review Concluded)**
- ☐ Possible adverse effect associated with constructing in or near wetland
- ☐ Review completed as part of floodplain review
- ☐ 8 Step Process Complete - documentation on file  
Are project conditions required? ☐ YES (see Section V) ☐ NO **(Review Concluded)**

**Comments:**

**Correspondence/Consultation/References:** USFWS National Wetlands Inventory mapper accessed May 6, 2010 per <http://www.fws.gov/wetlands/Data/Mapper.html>. Pamela Sparks-McConkey, Environmental Specialist

### **C. E.O. 12898 - Environmental Justice for Low Income and Minority Populations**

- ☒ Project scope of work has no potential to adversely impact any population **(Review Concluded)**
- ☐ No Low income or minority population in, near or affected by the project based on information gathered from U.S. Census Bureau **(Review Concluded)**
- ☐ Low income or minority population in or near project area
- ☐ No disproportionately high and adverse impact on low income or minority population **(Review Concluded)**
- ☐ Disproportionately high or adverse effects on low income or minority population
- Are project conditions required? ☐ YES (see Section V) ☐ NO **(Review Concluded)**

**Comments:**

**Correspondence/Consultation/References:** U.S. EPA Environmental Justice Geographic mapper accessed May 6, 2010 per <http://www.epa.gov/enviro/ej/> Pamela Sparks-McConkey, Environmental Specialist

## **III. Other Environmental Issues**

Identify other potential environmental concerns in the comment box not clearly falling under a law or executive order (see environmental concerns scoping checklist for guidance).

**Comments:****Correspondence/Consultation/Reference:**

#### **IV. Extraordinary Circumstances**

**Yes**

- ☐ (i) Greater scope or size than normally experienced for a particular category of action
- ☐ (ii) Actions with a high level of public controversy
- ☐ (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- ☐ (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- ☐ (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- ☐ (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;
- ☐ (vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
- ☐ (viii) Potential for adverse effects on health or safety; and
- ☐ (ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
- ☐ (x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

**Comments:**

#### **V. Environmental Review Project Conditions**

**Project Conditions:****The following conditions apply as a condition of FEMA funding reimbursement:**

1. If during the course of work, archeological artifacts (prehistoric or historic) or human remains are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The applicant will not proceed with work until FEMA HP completes consultation with the SHPO. In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two hours of the discovery. If this scope of work or the location of the proposed work changes outside the current APE, this project will need to be resubmitted for further Section 106 review prior to ground disturbing activities taking place. Failure to comply with these stipulations may jeopardize receipt of federal funding.
2. This project is located within the Louisiana Coastal Management Zone. State of Louisiana Department of Natural Resources has determined that receipt of federal assistance is consistent with the Louisiana Coastal Resource Program. Projects within the Coastal Zone may still require a coastal permit or other authorization from DNR. Projects may be coordinated by contacting LA DNR at 1-225-342-7591.
3. Per 44 CFR 9.11 (d)(9) for the replacement of building contents, materials, and equipment, where possible mitigation or minimization standards must be applied such as, wet or dry-proofed, elevated, or relocated to or above the Preliminary Digital (FIRM) panel 22071C0115F, dated 11/13/2008 Zone AE EL -3. A cumulative public notice was published November 7-9, 2005 and is on file.

4. Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials (such as asbestos, mercury devices, polychlorinated biphenyls, lead based paint, etc.) and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies. Equipment that may include these materials are ice machines, refrigerators, generators, computers, televisions, mercury switches, batteries, fluorescent light systems, sandblast units, paint sprayers, etc.
  - a) Mercury containing devices - this project potentially involves the disposal of metallic mercury containing electronic devices. The applicant is responsible for ensuring that these devices are recovered, recycled, reused or sequestered in accordance with the Louisiana Department of Environmental Quality (LDEQ) "Declaration of Emergency; Mercury-containing Devices and Electronic Equipment as Universal Waste" letter dated October 3, 2005.
  - b) Removal and disposal of debris containing household hazardous waste and certain categories of liquid wastes must be performed in accordance with all applicable federal and state laws, regulations, executive orders and guidelines. LAC Title 33 Part vii requires that specified items, including lead acid batteries, used oil filters, used motor oil, scrap tires, cfc's (refrigerants), radioactive waste or regulated infectious wastes must be segregated from and excluded from non-hazardous debris collection, staging, processing and disposal sites. Failure to comply with applicable legal requirements in debris collection and/or disposal operations will jeopardize federal funding. The clean-up or restoration/repair of sites damaged as a result of such operations are ineligible for federal funding. Previously obligated funding is subject to de-obligation if a determination of ineligibility is made.
  - c) Lead-based paint (LBP) - this project potentially involves the demolition or renovation of a public structure that may contain surfaces coated with LBP. Activities involving abrading (sanding, scraping, etc.), heating, stripping, or otherwise concentrating LBP shall comply with applicable provisions of 29 CFR Parts 1910 and 1926 (OSHA - Worker Safety), and 40 CFR 260 through 268 (EPA - Hazardous Waste). The applicant is responsible for ensuring that renovation or demolition activities are coordinated with the Louisiana Department of Environmental Quality for abatement activities and is also responsible for ensuring proper disposal in accordance with the previously referenced regulations.
5. In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) Orleans Parish of Louisiana is under quarantine. The movement of wood or cellulose material, temporary housing or architectural components (e.g. beams, doors and other wood salvaged from a structure) may not leave the quarantined parishes without written authorization from the commissioner of the Louisiana Department of Agriculture and Forestry or his designee(s).
6. Because of the project involving the demolition or renovation of a public structure the applicant is responsible for ensuring that renovation or demolition activities are coordinated with the Louisiana Department of Environmental Quality (LDEQ) in accordance with the LDEQ "Sixth Amended Declaration of Emergency and Administrative Order" dated June 30, 2006, incorporating the provisions of EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) and the Louisiana Administrative Code (LAC) 33.III.5151 and Chapter 27. Should asbestos containing materials (ACMs) be present at the project site, the applicant is also responsible for ensuring proper disposal in accordance with the previously referenced administrative order.
  - a) Air Act National Emission Standards for Hazardous Air Pollutant Regulations and Louisiana Administrative Code 33:III 5151, demolition activities related to possible asbestos containing materials (PACM) must be inspected for ACM/PACM where it is safe to do so. ACM/PACM must be handled in accordance with local, state, and federal regulations and disposed of at approved facilities that accept ACM. Demolition activity notification must be sent to the Louisiana Department of Environmental Quality before work begins. In addition to reduce potential short term effects to air quality from construction related activities, the contractor will be responsible for keeping all excavated areas periodically sprayed with water (when dry), explaining to drivers of construction vehicles not to exceed 15 mph in the work area, and keeping all equipment maintained in good working order to minimize pollution/fugitive dust.