

# **LOUISVILLE METRO HAZARDOUS MATERIALS ORDINANCE 2024 SUMMARY**

Approval Date: 7/29/2025



**DISTRIBUTION LIST FOR THE APPEALS & OVERSEERS**  
**ANNUAL REPORT**

**The Honorable Craig Greenberg**  
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Louisville Metro Government

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MSD Wastewater Treatment Operations

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MSD Legal Division

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Hazmat Appeals & Overseers Board

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Hazmat Appeals & Overseers Board

**Col. Katherine Clemmer**  
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**Amanda Hahn**  
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Jefferson County Fire Chiefs Association

**Chief Brian O'Neill**

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Hazmat Appeals & Overseers Board

**Vacant**

Board Member  
Hazmat Appeals & Overseers Board

**Edward Meiman (Jody)**

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Council Member - District 9

**Josie Raymond**

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**Kevin Kramer**

Louisville Metro Government  
Council Member - District 11

**Jonathan Joseph**

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Council Member - District 12

**Dan Seum, Jr.**

Louisville Metro Government  
Council Member - District 13

**Kevin Bratcher**

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Council Member - District 22

**Jeff Hudson**

Louisville Metro Government  
Council Member - District 23

**Ginny Mulvey-Woolridge**

Louisville Metro Government  
Council Member - District 24

**Khalil Batshon**

Louisville Metro Government  
Council Member - District 25

**Brent Ackerson**

Louisville Metro Government  
Council Member - District 26

## **TABLE OF CONTENTS**

AUTHORITY AND PURPOSE OF HMO .....	PAGE 1
APPEALS AND OVERSEERS BOARD .....	PAGE 2
EXECUTIVE SUMMARY .....	PAGE 3
INDUSTRIAL WASTE DEPARTMENT EMERGENCY RESPONSE/HMPC PROGRAM UPDATE .....	PAGE 4
KEY STATISTICS FOR REPORTING YEAR.....	PAGE 6
HMO VIOLATIONS DURING REPORTING YEAR .....	PAGE 7
BOARD MEMBERSHIP .....	PAGE 9
MSD STAFF .....	PAGE 10

**AUTHORITY AND PURPOSE OF THE**  
**HAZARDOUS MATERIALS ORDINANCE**

The authority for the Hazardous Materials Ordinance (HMO) is KRS 67C.115(2), Chapter 95 of the Louisville Metro Code of Ordinances currently Ordinance 121, Series 2007.

The purpose of the HMO is for the protection of public health and safety in Louisville Metro, through prevention and control of hazardous materials incidents and releases and to require timely reporting of releases thereto.

## **APPEALS AND OVERSEERS BOARD**

The Appeals and Overseer Board (the "Board"), composed of representatives of industry, regulatory agencies and the general public appointed by the Mayor of Louisville Metro, has been established to insure that an appeal is available to those parties aggrieved by an action of the administering agency regarding the adequacy of a HMPC Plan; to those parties fined or penalized pursuant to the HMO; and to coordinate and integrate the policies and procedures of the regulating agencies and parties related to the HMPC Plan. Any recommendation of the Appeals and Overseer Board shall be advisory only and shall not be binding in any manner whatsoever upon the Board of the administering agency.

The Board, in hearing an appeal, shall recommend to the administering agency that the agency's action be modified, upheld, or dismissed or that a fine or penalty levied upon a party for violation of any provision of the HMO be set aside, modified or left intact. The Board, upon an Plan appeal, may recommend to the administering agency exemptions or modifications in the content of the HMPC Plan and requirements for reporting hazardous materials releases, provided that such exemption or modification is based on the preventive physical aspects of the facility, including containment structures and automatic monitors, and the recognized and documented good performance of the industry in handling hazardous materials.

The Appeals and Overseers Board met on February 29 and July 25 in the year 2024. There were no appeals submitted throughout 2024.

**EXECUTIVE SUMMARY**  
**METROPOLITAN SEWER DISTRICT (MSD)**

The Louisville and Jefferson County Metropolitan Sewer District (MSD) is the administering agency for the HMO. MSD is the approval authority for Hazardous Material Spill Prevention Control (HMPC) Plans. Exemptions from an approved HMPC Plan are based on Section 95.07(B) of the HMO and include companies that manage small quantities of hazardous materials which could not cause a dangerous release.

During the year 2024, MSD has begun posting Hazardous Materials incident Logs at <https://louisvillemSD.org/programs/industrial-waste-programs/hazardous-materials/Logs> to provide further transparency per request of the HMO Board. The HMO Board has also expressed concerns about MSD's late reporting violations of hazardous materials spills. MSD has implemented a training campaign that includes additional guidance on the reporting requirements during hazardous materials incidents. The reinforced training is presented during safety refreshers. Also, a supplemental hazardous materials reporting e-learning course is being developed that will be a requirement for targeted MSD personnel. The Industrial Waste Administration will also notify MSD Safety Department's management when late reporting violations exist to support prompt personnel investigations. MSD appreciates the HMO Board's inquiries and MSD's violations have significantly decreased from 2023 to 2024 with only one occurring during 2024.

Each year the administering agency (MSD) prepares a summary of its activities to be reviewed by the HMO Board before submission to the mayor. This report covers the period from January 1 to December 31, 2024. Please direct comments to Jacquelyn Quarles, MSD Deputy General Counsel.

**INDUSTRIAL WASTE DEPARTMENT**  
**EMERGENCY RESPONSE AND HMPC PROGRAM UPDATE**

The HMO requires industrial and commercial businesses that manufacture, use, or store reportable quantities of listed hazardous materials or substances to submit a plan that addresses what spill prevention and control measures will be in effect for those hazardous materials. The plan also addresses how releases of those materials will be reported to appropriate authorities. This documentation is known as the Hazardous Material Spill Prevention and Control Plan (HMPC plan). The main objective of the HMPC plan is to obtain pertinent information/data about an industry's chemicals on site, and the facilities and structures used to contain, process and store hazardous materials. Also required are detailed disclosures of equipment, maps, plans and materials that will be used to mitigate releases and/or spills. The plans account for or identify sewer facilities on site, describe training requirements for employees, and include an attachment outlining the industrial facility's spill plan.

As the administering agency for the HMO, MSD is responsible for reviewing and approving HMPC plans and exemptions, conducting inspections at businesses, responding to hazardous materials incidents in Metro, determining whether violations of the HMO have occurred, and imposing appropriate enforcement actions to the responsible parties involved in the violation. MSD is part of the Metro response community along with other agencies, such as Louisville and Suburban Fire Departments, Metro Public Health and Wellness, and the Metro Emergency Management Agency, as well as various State response agencies. MSD is committed to its continued cooperation with other response agencies to maximize the community's resources to provide the best possible emergency response in our community. It is recognized and acknowledged by MSD that the program's success is in large part due to the dedication and commitment displayed by all the agencies involved in emergency response in this community.

During this reporting period, MSD Environmental Compliance Inspectors (ECIs) continued all the activities associated with the HMO, including HMPC Plan and Exemption

review and approval, inspections, and incident response. In addition, MSD continued to administer the motor vehicle accident (MVA) mitigation kit distribution program that provides mitigation materials and a disposal site to participating fire departments. Regular Response Group Meetings (RGMs) are held to review and make decisions regarding corrective and enforcement actions regarding HMO related incidents.

ECIs have continued prioritizing, reviewing, and recording chemical inventory information. This data is shared with other emergency response agencies upon request to assist emergency response and long-term planning efforts. Hazardous material information is compared to spatial data using a Geographic Information System (GIS) to investigate potential impacts to the environment, allowing MSD a strategic advantage when analyzing the storage of materials in Jefferson County and ultimately supporting a better understanding of the risk associated with the use of those materials.

## **KEY STATISTICS FOR JANUARY 1 THROUGH DECEMBER 31, 2024**

### **Total hazmat related Incidents to which MSD responded:**

Declared hazmat Incidents .....	52
FD requests for MSD response (non-declared) .....	18
Other requests for MSD response .....	20
<b>Total.....</b>	<b>90</b>

### **Incident by type:**

Incidents that occurred at facility .....	46
Incidents that occurred at a private residence .....	1
Motor Vehicle Accidents (MVA) .....	35
Response due to vehicle or structure fire .....	3
Natural gas leaks .....	3
Transformer oil .....	1
Chemical dumping (abandonment) .....	1

### **Enforcement Actions:**

NOVs issued by MSD .....	11
Fines levied by MSD .....	2
NOV/Fines levied by EMA.....	1 (pending)

**HMO VIOLATIONS FOR JANUARY 1 THROUGH DECEMBER 31, 2024**

<b>COMPANY</b>	<b>INCIDENT NUMBER</b>	<b>DATE OF VIOLATION</b>	<b>MATERIAL RELEASED</b>	<b>REASON FOR VIOLATION</b>	<b>SECTION OF HMO VIOLATED</b>
<b>Allnex</b>	24ER1009	2/2/2024	Butyl Acetate	Delayed or failure to notify “911”	95.06 (A) (1)
<b>JBS Swift</b>	24ER1018	2/17/2024	Hydrochloric Acid	Delayed or failure to notify “911”	95.06 (A) (1)
<b>Midwestern Environmental</b>	24ER1022	2/19/2024	Oily Wastewater	Delayed or failure to notify “911”	95.06 (A) (1)
<b>MSD</b>	24ER1030	3/19/2024	Hydraulic Oil	Delayed or failure to notify “911”	95.06 (A) (1)
<b>Brown- Forman Distillery</b>	24ER1050	5/4/2024	Ethanol	Delayed or failure to notify “911”	95.06 (A) (1)
<b>Heaven Hill</b>	24ER1035	4/2/2024	Ethanol	Delayed or failure to notify “911”	95.06 (A) (1)
<b>Saia LTL Freight</b>	24ER1029	3/15/2024	Solvent	Delayed or failure to notify “911”	95.06 (A) (1)

<b>Heaven Hill</b>	24ER1060	5/25/2024	Sodium Hydroxide	Delayed or failure to notify "911"	95.06 (A) (1)
<b>The Chemours Company</b>	24ER1099	8/27/2024	Hydrochloric Acid	Delayed or failure to notify "911"	95.06 (A) (1)
<b>P&amp;L Railway</b>	24ER1138	12/6/2024	Lubricating Oil	Delayed or failure to notify "911"	95.06 (A) (1)
<b>Lewis Transport Inc.</b>	24ER1139	12/6/2024	Diesel Fuel	Delayed or failure to notify "911"	95.06 (A) (1)
<b>Ford LAP</b>	24ER1135	12/6/2024	Industrial Cleaner	Delayed or failure to notify "911"	95.06 (A) (1)

## **HMO BOARD MEMBERSHIP**

<b>Connie Mendel</b>	Regulatory Agency
<b>Corinne Greenberg</b>	Regulated Industry
<b>Cheryl Fisher</b>	General Public
<b>George Becker</b>	General Public
<b>Lori Carson</b>	Regulated Industry
<b>Col. Kate Clemmer</b>	Regulatory Agency
<b>Amanda Hahn</b>	Regulated Industry
<b>Chief Zion Meiman (Jason)</b>	Regulatory Agency
<b>Vacant</b>	Regulated Industry

## **MSD STAFF**

<b>Jacquelyn Quarles</b>	Deputy General Counsel
<b>Michael Moore</b>	Operations Director – Support Services
<b>Adraine Niehoff-Ritman</b>	Industrial Programs Manager
<b>Staunen Morian</b>	HazMat & Industrial Stormwater Supervisor
<b>Kitt Tuttle</b>	Regulatory Administrator
<b>Kandyce Groves</b>	FOG Program Administrator
<b>Robert Rose</b>	Industrial Programs Coordinator
<b>Scott Shrader</b>	Sr. Environmental Compliance Inspector
<b>Jeremy Knight</b>	Sr. Environmental Compliance Inspector
<b>Rodney Haskell</b>	Sr. Environmental Compliance Inspector
<b>Austin Reynolds</b>	Sr. Environmental Compliance Inspector
<b>Matthew Dwyer</b>	Sr. Environmental Compliance Inspector
<b>Robby Rice</b>	Environmental Compliance Inspector
<b>Jonathan Arnette</b>	Environmental Compliance Inspector
<b>Anna Newman</b>	Environmental Compliance Inspector