

LOUISVILLE METRO HAZARDOUS MATERIALS ORDINANCE 2025 ANNUAL REPORT

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7/30/2026



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AUTHORITY AND PURPOSE OF THE
HAZARDOUS MATERIALS ORDINANCE

The Hazardous Materials Ordinance (HMO) is authorized pursuant to KRS 67C.115(2) and is codified in Chapter 95 of the Louisville Metro Code of Ordinances, currently enacted as Ordinance No. 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.

HMO APPEALS AND OVERSEERS BOARD

The Appeals and Overseers Board, composed of representatives of industry, regulatory agencies and the general public appointed by the Mayor of Louisville Metro, shall be established to insure that an appeal is available to those parties aggrieved by an action of the administering agency regarding the adequacy of a Hazardous Materials Use and Spill Prevention Control (HMPC) Plan; to those parties fined or penalized pursuant to this ordinance; 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 Overseers Board shall be advisory only and shall not be binding in any manner whatsoever upon the board of the administering agency.

The Board shall be composed of representatives of industry, regulatory agencies and the general public not to exceed nine members. The Mayor shall appoint nine members, four of whom shall be representatives of regulated industry appointed from a list of at least ten names submitted by Greater Louisville, Inc.; three of whom shall be representatives of regulatory agencies; and two of whom shall be representative of the general public. A simple majority of the Board shall constitute a quorum. The Board shall function according to by-laws developed by the Board.

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.

In 2025, the Board met twice, first on January 23 and again on July 31, to address matters related to the HMO and Louisville and Jefferson County Metropolitan Sewer District (MSD) activities.

At the January 23 meeting, the Board requested that the link be corrected on MSD's website to clearly reference the official HMO. This update was subsequently completed. The Board also reviewed and discussed incident logs. During the meeting, emergency response agencies expressed interest in opening the HMO for review, though no formal process or schedule for such a review was in place at that time.

The Board reconvened on July 31, where members reviewed and accepted the 2024 Annual Report. MSD delivered a presentation outlining the role and function of the HMO Appeals and Overseers Board. The discussion also covered requirements of the Hazardous Materials Use and Spill Prevention Control (HMPC) Plan, including maximum applicable penalties. Eckart America Corporation submitted an appeal for an NOV issued for HMO, Section 95.06(A)(1), late reporting. The incident occurred on February 25, 2025, and was heard on January 22, 2026.

EXECUTIVE SUMMARY
METROPOLITAN SEWER DISTRICT (MSD)

MSD serves as the administering agency for the HMO in accordance with Section 95.05 and is responsible for the review and approval of HMPC Plans under Section 95.07. MSD also investigates HMO-related incidents and performs facility inspections under Section 95.08. Additionally, MSD functions as the lead enforcement agency for violations of the ordinance under Section 95.11.

During calendar year 2025, MSD continued to post Hazardous Materials Incident Logs on its website (<https://louisvillemsd.org/programs/industrial-waste-programs/hazardous-materials/logs>) to support public transparency and accessibility. MSD also maintained a training campaign focused on hazardous materials reporting requirements. All field personnel are required to complete an e-learning course covering hazardous materials reporting requirements. In addition, reinforced instruction on reporting requirements is provided during annual in-person safety refresher training. When an HMO violation is attributed to MSD, the case is referred to MSD Safety for follow-up. The MSD Safety Department investigates all incidents involving alleged or confirmed MSD HMO violations. MSD violations are forwarded to EMA for enforcement actions.

Each year, the administering agency (MSD) prepares an annual report summarizing HMO program activities. This report is reviewed and approved by the HMO Board prior to submission to the Mayor, Metro Council, and other agencies. This report covers the reporting period from January 1 through December 31, 2025. MSD also prepares meeting minutes, agendas, and provides technical support for the HMO Board under Article VI of the Appeals and Overseers Board Bylaws. Questions or comments regarding this report should be directed to Jacquelyn Quarles, MSD Deputy General Counsel.

EMERGENCY RESPONSE AND HMPC PROGRAM UPDATE
MSD INDUSTRIAL WASTE ADMINISTRATION

The Hazardous Materials Ordinance (HMO) requires industrial and commercial facilities that manufacture, use, or store reportable quantities of listed hazardous materials or substances to submit an HMPC plan. These plans describe spill prevention and control measures and establish procedures for reporting releases to the appropriate authorities.

The primary objective of the HMPC Plan is to provide pertinent information regarding the hazardous chemicals present at a facility, as well as the structures and systems used to contain, store, and process those materials. The plan requires detailed disclosure of equipment, facility maps, containment measures, and response materials that will be utilized to prevent or mitigate spills and releases. In addition, HMPC Plans outline employee training requirements and include attachments describing the facility's spill response procedures and notification requirements.

As the administering agency for the HMO, MSD is responsible for reviewing and approving HMPC Plans and exemptions, conducting inspections at regulated facilities, responding to hazardous materials incidents within Metro Louisville, determining whether violations of the HMO have occurred, and taking appropriate enforcement action against responsible parties. MSD is an integral member of the Metro Louisville emergency response community and works in coordination with agencies such as Louisville Metro Emergency Management Agency (EMA), Louisville and Suburban Fire Departments, Louisville Metro Department of Public Health and Wellness (LMPHW), the Air Pollution Control District (APCD), Louisville Metro Department of Codes & Regulations, and various state and federal response entities.

MSD remains committed to continued cooperation with these partner agencies to maximize available resources and ensure the most effective emergency response possible for the community. MSD recognizes that the success of the HMO program is largely attributable to the dedication, coordination, and shared commitment of all agencies involved in hazardous materials emergency response throughout the region.

During this reporting period, MSD Environmental Compliance Inspectors (ECIs) continued to carry out all functions associated with administration of the HMO. These activities included the review and approval of HMPC Plans and exemptions, routine and compliance inspections, and response to hazardous materials incidents. MSD also continued to administer the motor vehicle accident (MVA) mitigation kit distribution program, which provides participating fire departments with spill mitigation materials and access to a designated disposal site. This program supports the collection of chemicals released during traffic incidents and helps prevent environmental contamination.

In support of coordinated incident response and enforcement, MSD convened monthly Response Group Meetings (RGMs) with EMA, LMPHW, and APCD. These meetings are used to review HMO-related incidents and to discuss and determine appropriate corrective actions and enforcement responses.

ECIs continue to prioritize the review, verification, and documentation of chemical inventory information submitted by regulated facilities. This information is shared with other emergency response agencies upon request to assist with incident response, preparedness, and long-term planning. Hazardous materials data is incorporated into Geographic Information Systems (GIS) and evaluated against spatial and infrastructure data to assess potential environmental impacts. This integrated approach enhances MSD's ability to evaluate hazardous materials risks across Jefferson County and strengthens regional preparedness for hazardous materials incidents.

KEY STATISTICS FOR JANUARY 1 THROUGH DECEMBER 31, 2025

Total hazmat related Incidents to which MSD responded:

Declared hazmat incidents	60
Non-declared hazmat incidents	58
Total	118

Incident by type:

Abandonment	2
Air Release	7
Discharge	3
Explosion	2
Fire	6
Improper Disposal to MS4	3
Leak.....	7
Non-Stormwater to MS4	1
Spill.....	66
Motor Vehicle Accident (MVA).....	15
Other	6
Total	118

Enforcement Actions:

NOVs issued by MSD	9
Fines levied by MSD.....	3
Cases referred to EMA	3

Fines are limited to \$5,000 maximum. MSD imposes other corrective measures to support compliance, such as field correction notices, notices of violations, education, root cause analysis, HMPC Plan review & approvals, and inspections.

Cases involving illegal dumping and vandalism continue to impose a significant financial burden on the community, costing thousands of dollars each year in cleanup, repair, and environmental remediation efforts. Beyond the direct monetary impact, these activities also degrade public spaces, strain municipal resources, and divert funding away from essential services and community improvements. Increased enforcement, public awareness, and community engagement are critical to reducing these incidents and protecting the overall quality of life for residents.

HMO VIOLATIONS FOR JANUARY 1 THROUGH DECEMBER 31, 2025

COMPANY	INCIDENT NUMBER	DATE OF VIOLATION	MATERIAL RELEASED	REASON FOR VIOLATION	HMO VIOLATION
ASRC Louisville Plant	25ER1006	1/14/2025	Polymer w/ cyclohexane	Delayed or failure to notify "911"	95.06 (A) (1)
P&L Railway	25ER1016	2/3/2025	Diesel fuel	Delayed or failure to notify "911"	95.06 (A) (1)
Louisville Metro Housing Authority	25ER1017	2/6/2025	Transformer oil	Delayed or failure to notify "911"	95.06 (A) (1)
Eckart America Corporation	25ER1028	2/25/2025	Mineral spirits	Delayed or failure to notify "911"	95.06 (A) (1)
Rumpke of Kentucky	25ER1054	4/14/2025	Diesel fuel	Delayed or failure to notify "911"	95.06 (A) (1)
Rumpke Transportation, LLC	25ER1066	5/30/2025	Hydraulic fluid	Delayed or failure to notify "911"	95.06 (A) (1)
Zschimmer & Shwarz Interpolymer Inc.	25ER1112	7/10/2025	MMA	Delayed or failure to notify "911"	95.06 (A) (1)
Rumpke Transportation, LLC	25ER1117	7/10/2025	Gear oil	Delayed or failure to notify "911"	95.06 (A) (1)
MSD*	25ER1127	8/5/2025	Hydraulic fluid	Delayed or failure to notify "911"	95.06 (A) (1)
MSD*	25ER1130	8/9/2025	Hydraulic fluid	Delayed or failure to notify "911"	95.06 (A) (1)
MSD*	25ER1158	9/30/2025	Diesel fuel	Delayed or failure to notify "911"	95.06 (A) (1)
Bakelite Synthetics	25ER1184	11/6/2025	Formaldehyde & methanol mixture	Delayed or failure to notify "911"	95.06 (A) (1)

*Cases involving MSD referred to Louisville Emergency Management Agency under HMO Section 95.11 (A)

HMO BOARD MEMBERSHIP

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Chair
Regulatory Agency

Corinne Greenberg
Vice Chair
Regulated Industry

Cheryl Fisher
Recorder
General Public

Lori Carson
Board Member
Regulated Industry

Bobby Cooper
Board Member
Regulatory Agency

Amanda Hahn
Board Member
Regulated Industry

Jason Meiman
Board Member
Regulatory Agency

Kenneth Reynolds
Board Member
Regulated Industry

Rick Wardrip
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General Public

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Deputy General Counsel

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Adraine Niehoff-Ritman

Industrial Programs Manager

Staunen Morian

HazMat & Ind. Stormwater Supervisor

Kitt Tuttle

Regulatory Administrator

Kandyce Groves

FOG Program Administrator

Robert Rose

Industrial Programs Coordinator

Jonathan Arnette

Environmental Compliance Inspector

Matthew Dwyer

Environmental Compliance Inspector

Rodney Haskell

Environmental Compliance Inspector

Jeremy Knight

Environmental Compliance Inspector

Anna Newman

Environmental Compliance Inspector

Robby Rice

Environmental Compliance Inspector

Austin Reynolds

Environmental Compliance Inspector

Scott Shrader

Environmental Compliance Inspector