



**BOBBY JINDAL**  
GOVERNOR

**PEGGY M. HATCH**  
SECRETARY

**State of Louisiana**  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

November 1, 2012

CERTIFIED MAIL (7003 2260 0000 5825 4783)  
RETURN RECEIPT REQUESTED

**JEFFERSON PARISH GOVERNMENT**  
c/o Honorable John F. Young Jr., Parish President  
1221 Elmwood Park Blvd., Suite 1002  
Harahan, LA 70123

**RE: AMENDED COMPLIANCE ORDER**  
**ENFORCEMENT TRACKING NO. WE-C-10-01412A**  
**AGENCY INTEREST NO. 4668**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED COMPLIANCE ORDER** is hereby served on **JEFFERSON PARISH GOVERNMENT (RESPONDENT)** for the violations described therein.

Any questions concerning this action should be directed to Suzanne Gardner at (225) 219-3078.

Sincerely,

Celena J. Cage  
Administrator  
Enforcement Division

CJC/SDG/sdg  
Alt ID No. LA0042081  
Attachment  
e-copy: DHH/Office of Public Health



STATE OF LOUISIANA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

<p>IN THE MATTER OF</p> <p>JEFFERSON PARISH GOVERNMENT JEFFERSON PARISH ALT ID NO. LA0042081</p> <p>PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, <u>ET SEQ.</u></p>	<p>* * * ENFORCEMENT TRACKING NO. * * WE-C-10-01412A * * AGENCY INTEREST NO. * * 4668 * *</p>
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**AMENDED COMPLIANCE ORDER**

The Louisiana Department of Environmental Quality (the Department) hereby amends the **COMPLIANCE ORDER WE-C-10-01412** issued to **JEFFERSON PARISH GOVERNMENT (RESPONDENT)** on November 18, 2010, in the above-captioned matter as follows:

I.

The Department hereby amends Paragraph IV and Paragraph V to the Findings of Fact to read as follows:

"IV.

An inspection conducted by the Department on or about June 7, 2011, and a subsequent file review conducted by the Department on or about September 26, 2012, revealed the following effluent limitation exceedances as reported by the Respondent on its Discharge Monitoring Reports (DMRs):

DATE	OUTFALL	PARAMETER	PERMIT LIMIT	SAMPLE VALUE
01/2010	001 A	BOD <sub>5</sub> Monthly Average	30 mg/L	33 mg/L
04/2010	001 A	BOD <sub>5</sub> Monthly Average	30 mg/L	43 mg/L
		BOD <sub>5</sub> Weekly Average	45 mg/L	48 mg/L
04/25/2010	001 A	BOD <sub>5</sub> Weekly Average	45 mg/L	67 mg/L*
05/2010	001 A	BOD <sub>5</sub> Monthly Average	3,428 lbs/day	4,499 lbs/day
		BOD <sub>5</sub> Monthly Average	30 mg/L	50 mg/L
		BOD <sub>5</sub> Weekly Average	45 mg/L	70 mg/L
05/09/2010	001 A	BOD <sub>5</sub> Weekly Average	45 mg/L	48 mg/L*
06/2010	001 A	BOD <sub>5</sub> Monthly Average	30 mg/L	34 mg/L
07/2010	001 A	BOD <sub>5</sub> Monthly Average	30 mg/L	31 mg/L
		TSS Monthly Average	30 mg/L	42 mg/L
		TSS Weekly Average	45 mg/L	65 mg/L
07/18/2010	001 A	TSS Weekly Average	45 mg/L	49 mg/L*
05/2011	001 A	BOD <sub>5</sub> Monthly Average	3,428 lbs/day	3,435 lbs/day
		BOD <sub>5</sub> Monthly Average	30 mg/L	33 mg/L
08/2011	001 A	BOD <sub>5</sub> Monthly Average	3,428 lbs/day	5,018 lbs/day
		BOD <sub>5</sub> Monthly Average	30 mg/L	36 mg/L
		BOD <sub>5</sub> Weekly Average	45 mg/L	86 mg/L
		TSS Monthly Average	3,428 lbs/day	3,802 lbs/day
		TSS Weekly Average	45 mg/L	62 mg/L
03/2012	001 A	BOD <sub>5</sub> Monthly Average	3,428 lbs/day	3,878 mg/L
		BOD <sub>5</sub> Monthly Average	30 mg/L	42 mg/L
		BOD <sub>5</sub> Weekly Average	45 mg/L	64 mg/L
04/2012	001A	BOD <sub>5</sub> Monthly Average	30 mg/L	35 mg/L

\* As reported by the Respondent on Non-Compliance Reports.

Each exceedance of the effluent limitations is a violation of LPDES Permit LA0042081 (Part I, Page 2 of 3, and Part III, Section A.2), La. R.S. 30:2076 (A)(3), and LAC 33:IX.501.A.

#### V.

An inspection conducted by the Department on or about June 8, 2011, and a subsequent file review conducted by the Department on or about September 26, 2012, revealed that the Respondent caused and/or allowed the unauthorized discharge of untreated sanitary wastewater into the Jefferson Parish Storm Drainage System, and thence into Bayou Barataria, waters of the state. Specifically, the following overflows in the collection system were reported by the Respondent on its Collection Overflow Summary:

DATE	AMOUNT DISCHARGED (approximately)	LOCATION OF OVERFLOW	CAUSE
01/04/2010	400 Gallons	Force main at the intersection of 673 Wright Ave. & Concord St.	Broken force main
01/13/2010	5,000 Gallons	Lift station wet well at Meadowbrook Sewerage Pump Station	Broken force main
	2,500 Gallons	Clean out line for return sludge line of #2 Final Clarifier at Harvey STP	Broken clean-out cap

DATE	AMOUNT DISCHARGED (approximately)	LOCATION OF OVERFLOW	CAUSE
01/14/2010	200 Gallons	Force main at 605 Lapalco Blvd.	Broken force main
02/12/2010	208,800 Gallons	Lift station wet well at the intersection of Diplomat St. and Stumpf Blvd.	Excessive rain
02/12/2010	239,250 Gallons	Manhole at the intersection of Brown Lane & Cranberry Dr.	Excessive rain
	43,500 Gallons	Manhole at 3828 Clover Lane	Excessive rain
	130,500 Gallons	Manhole at the intersection of Lake Aspen Dr. & Lake Timberlane Dr.	Excessive rain
	65,050 Gallons	Manhole at 2264 S. Friendship Dr.	Excessive rain
	2,700 Gallons	Manhole at intersection of Deerfield Rd. and Emerson St.	Excessive rain
02/28/2010	1,157 Gallons	Force main at the intersection of Lapalco Blvd. & Fairfield Ave.	Broken force main
03/05/2010	4,900 Gallons	Fore main at the intersection of Honeysuckle PL. & Industry Canal	Broken force main
03/12/2010	3,952 Gallons	Lift station wet well at Meadowbrook Sewerage Pump Station.	Electrical failure
03/21/2010	200 Gallons	Force main at the intersection of 149 Commerce St. & Timberlane Dr.	Broken force main
05/12/2010	87,000 Gallons	Manhole at 400 block of Fairfield Dr.	Excessive rain
07/06/2010	435,000 Gallons	Manhole at the intersection of Deerfield Rd. & Emerson St.	Excessive rain
	174,000 Gallons	Lift station wet well at the intersection of Harvard Ave. & Glencove Lane	Excessive rain
	69,600 Gallons	Manhole at the intersection of 8 <sup>th</sup> St. and Olive Ave.	Excessive rain
07/15/2010	200 Gallons	Force main at 509 Bannerwood Dr.	Broken force main
07/22/2010	300 Gallons	Force main at the intersection of Greenleaf Dr. and Westbank Expressway.	Broken force main
08/30/2010	200 Gallons	Force Main at 558 Lapalco Blvd.	Broken force main
08/31/2010	43,500 Gallons	Lift station wet well at the intersection of Flamingo Rd. and Whisper Lane	Excessive rain
01/10/2011	1,000 Gallons	Force main near 308 Brett Dr.	Broken force main
01/14/2011	200 Gallons	Force main near 395 Fairfield Dr.	Broken force main
02/22/2011	300 Gallons	Force main near 709 Wright Ave.	Broken force main
03/09/2011	34,800 Gallons	Manhole near 412 Bannerwood Dr.	Excessive rain
	261,000 Gallons	Manhole near Deerfield Rd and Emerson St.	Excessive rain
03/29/2011	12,000 Gallons	Force main near 206 Brett Dr.	Broken force main
03/30/2011	87,000 Gallons	Manhole near Deerfield Rd. and Diplomat St.	Excessive rain
	130,500 Gallons	Manhole near Deerfield Rd. and Emerson St.	Excessive rain



DATE	AMOUNT DISCHARGED (approximately)	LOCATION OF OVERFLOW	CAUSE
04/01/2011	400 Gallons	Force main near 673 Wright Ave.	Broken force main
05/09/2011	300 Gallons	Force main near 445 Fairfield Dr.	Broken force main
07/18/2011	391,500 Gallons	Manhole near Morningside Dr. and East Marlin Ct.	Excessive rain
07/28/2011	600 Gallons	Force main across the street and Canal from 717 Wright Ave.	Broken force main
09/03/2011	69,600 Gallons	Lift station wet well at the intersection of Morningside Dr. and Mink St.	Excessive rain
	52,200 Gallons	Lift station wet well at the intersection of Lake Louise Dr. and Lake Kristin Dr.	Excessive rain
	43,500 Gallons	Lift station wet well at the intersection of Lake Aspen Dr. and Lake Timberlane Dr.	Excessive rain
09/03/2011-09/04/2011	348,800 Gallons	Lift Station wet well at the intersection of Lake Aspen Dr. and Lake Timberlane Dr.	Excessive rain
09/03/2011-09/05/2011	1,696,500 Gallons	Manhole near Carol Sue Ave. and Terry Pkwy.	Excessive rain
	1,848,750 Gallons	Manhole near Emerson St. and Deerfield Rd.	Excessive rain
09/04/2011	261,000 Gallons	Lift station wet well at 3316 Mt. Laurel Dr.	Excessive rain
09/04/2011-09/05/2011	243,000 Gallons	Lift station wet well at 412 Bannerwood Dr.	Excessive rain
	382,800 Gallons	Manhole near the intersection of Mt. Laurel Dr. and Cottonwood Dr.	Excessive rain
09/05/2011	104,400 Gallons	Manhole near the intersection of Lake Aspen Dr. and Lake Timberlane Dr.	Excessive rain
	217,500 Gallons	Manhole near the intersection of Lake Catherine Dr. and Lake Arthur Dr.	Excessive rain
	391,500 Gallons	Manhole near the intersection of 5 <sup>th</sup> Ave. and 9 <sup>th</sup> St.	Excessive rain
09/08/2011	11,600 Gallons	Force main at the intersection of 1785 Carol Sue Ave. and Wright Ave.	Broken force main
09/20/2011	939 Gallons	Force main at 2700 Whitney Ave.	Broken force main
09/27/2011	1,650 Gallons	Force main at 745 Wright Ave.	Broken force main
03/23/2012	152,250 Gallons	Lift station wet well near 2264 S. Friendship Dr.	Excessive rain
	69,600 Gallons	Manhole near the intersection of Stonebridge Dr. and Trapp Canal	Excessive rain
03/31/2012	300 Gallons	Force main near 3700 Lake Aspen Dr.	Broken force main
04/04/2012	124,665 Gallons	Lift station wet well near E. Friendship Dr. and Orbit Ct.	Excessive rain
	130,900 Gallons	Manhole near the intersection of Deerfield Rd. and Emerson St.	Excessive rain

DATE	AMOUNT DISCHARGED (approximately)	LOCATION OF OVERFLOW	CAUSE
04/04/2012	99,732 Gallons	Lift station wet well near the intersection of Diplomat St. and Daniels Rd.	Excessive rain
04/15/2012	900 Gallons	Force main at 141 Commerce St.	Broken force main
04/19/2012	162 Gallons	Force main at 1451 Manhattan Blvd.	Broken force main
05/22/2012-05/23/2012	2,437 Gallons	Lift station wet well near the intersection of E. Monterey and S. Monterey.	Power failure
05/31/2012	12,300 Gallons	Lift station wet well at Lake Timberlane sewerage pump station west of 3600 Manhattan Blvd.	Power failure
06/02/2012	1,624 Gallons	Lift station wet well at Saturn St. and S. Friendship Dr.	Broken discharge line on a portable pump
06/13/2012	2,026 Gallons	Lift station wet well at S. Monterrey Ct. and Behrman Hwy.	Mechanical failure of one pump and one clogged pump
06/14/2012	1,478 Gallons	Lift station wet well at S. Monterrey Ct. and Behrman Hwy.	Clogged pumps
06/18/2012	1,850 Gallons	Lift station wet well at S. Monterrey Ct. and Behrman Hwy.	Power failure
06/21/2012	3,000 Gallons	Force main at 617 Wright Ave. near the intersection of Wright Ave. and Cooper Rd.	Broken force main
06/29/2012	1,000 Gallons	Force main at 745 Wright Ave.	Broken force main
07/06/2012	5,000 Gallons	Force main 657 Wright Ave.	Broken fore main
07/17/2012	1,230 Gallons	Portable pump discharge line at lift station at intersection of W Friendship Dr. & Saturn St.	Broken discharge line on a portable pump
07/19/2012	25,350 Gallons	Lift station wet well at Lake Timberlane Sewerage Pump Station	Entergy power failure to the lift station
07/23/2012	2,200 Gallons	Lift Station wet well at 2301 Manhattan Blvd.	Mechanical failure of the rotating assembly in the pump

Each unauthorized discharge of untreated sanitary wastewater from a location not authorized by the permit is a violation of La. R.S. 30:2076 (A)(1)(a), and LAC 33:IX.501.D. The failure to properly operate and maintain systems of treatment and control is a violation of LPDES Permit LA0042081 (Part III, Section A.2 and B.3.a), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.E.”

## II.

The Department hereby adds Paragraph VII and Paragraph VIII to the Findings of Fact to read as follows:

### “VII.

A file review conducted by the Department on or about September 26, 2012, revealed that the Respondent caused and/or allowed unauthorized discharges of wastewater. Specifically,

Respondent caused and/or allowed the unauthorized discharge of wastewater from the HWTP into waters of the state or onto the ground and are summarized below:

DATE OF BYPASS	IMPACTED AREA	AMOUNT	TYPE OF DISCHARGE
12/31/2010	Gardere Canal	2.25 Million Gallons	Partially treated wastewater
01/22/2011	Soil, Gardere Canal	30,000 Gallons	Sludge/wastewater mix
01/27/2011	Soil	38,063 Gallons	Untreated sanitary wastewater
06/30/2011	Soil, Gardere Canal	1,181 Total Gallons (827 Gallons of the 1,181 Gallons discharged into Gardere Canal)	Untreated sanitary wastewater
03/01/2012	Soil	38,063 Gallons	Untreated sanitary wastewater
06/18/2012	Soil, Rathborne Ditch, and Gardere Canal	36,833 Total Gallons (3,683 Gallons of the 36,833 Gallons discharged into Rathborne Ditch)	Untreated sanitary wastewater

Each wastewater discharge from a location not authorized by a permit is a violation of La. R.S. 30:2076 (A)(1)(a), and LAC 33:IX.501.D. The failure to operate and maintain system of treatment and control is a violation of LPDES Permit LA0042081 (Part III, Section A.2 and B.3.a), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.E

#### VIII.

A file review conducted by the Department on or about September 26, 2012, revealed that the Respondent caused and/or allowed the unauthorized discharge of approximately 25,375 gallons of untreated sanitary wastewater from the Meadowbrook Pumping Station into the Fortado Canal on or about October 26, 2010. Specifically, the overflow into the Fortado Canal resulted in a fish kill of approximately twenty (20) to thirty (30) minnows along with a couple of fish (perch). On or about October 27, 2010, a Jefferson Parish Department of Environmental Affairs employee inspected the Fortado Canal where the overflow took place. The water color was dark brown in color at the time of the inspection. The Dissolved Oxygen (DO) reading in the Fortado Canal was 0.2 mg/L in the area approximately 200-300 yards along the length of the Fortado Canal where the overflow occurred. Fortado Canal was flushed with fresh water from four (4) to six (6) fire hydrants and then back-flushed. DO readings increased from 0.2 mg/L to 4.5 mg/L, 5.9 mg/L, and 6.4 mg/L in the area where the overflow occurred. The water color changed from a dark color back to a brown color that was near the natural color of the canal. Each discharge of untreated sanitary wastewater from a location not authorized by the permit is a violation of 30:2076 (A)(1)(a), and LAC 33:IX.501.D. The destruction of fish and wildlife is a

violation of La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.1113.B.1.d, LAC 33:IX.1113.B.2, and LAC 33:IX.1113.B.5.”

III.

The Department hereby amends Paragraph III of the Order portion of **COMPLIANCE ORDER WE-C-10-0173**, to read as follows:

“III.

The Respondent shall accomplish the following tasks and comply with the following schedule of activities associated with the improvements at the Harvey Wastewater Treatment Plant (HWTP):

**PROJECT 3114A - PRIMARY CLARIFIER NO.1 IMPROVEMENTS  
AT THE HARVEY WASTEWATER TREATMENT PLANT**

MILESTONE	COMPLETION DATE
Begin Construction	Completed
End Construction	March 31, 2013
Achieve and Maintain Compliance	June 30, 2013

**PROJECT 3112 - INSTALLATION OF BACK-UP GENERATORS  
AT THE HARVEY WASTEWATER TREATMENT PLANT**

MILESTONE	COMPLETION DATE
Begin Construction	Completed
End Construction	January 31, 2013

**FORCE MAIN INSPECTION AND REPAIR PROGRAM**

MILESTONE	COMPLETION DATE
Initiate Force Main Inspection Program	Completed
Initiate Repairs Identified From The Force Main Inspection Program	June 30, 2013

**WET WEATHER IMPROVEMENTS**

MILESTONE	COMPLETION DATE
Complete The Evaluation Report For The Following Stations: P-10-2, P14-3, Q11-6, And N10-1	October 31, 2012
Initiate Design And Implement Remedial Measures	June 30, 2013

The Respondent shall submit progress reports quarterly until completion of the proposed improvements. The next quarterly progress report is due September 30, 2012. Within 15 days of

any due date specified in the schedule above, the Respondent shall submit a certification of compliance or non-compliance with that activity. If the Respondent reports non-compliance with a schedule event, the certification shall include a discussion of the cause of the delay, an anticipated date of completion and a discussion of any impairment of a subsequent due date.”

VI.

The Department incorporates all of the remainder of the original **COMPLIANCE ORDER WE-C-10-01412** and **AGENCY INTEREST NO. 4668** as if reiterated herein.

VII.

This **AMENDED COMPLIANCE ORDER** is effective upon receipt.

Baton Rouge, Louisiana, this 01 day of November, 2012.



\_\_\_\_\_  
Cheryl Sonnier Nolan  
Assistant Secretary  
Office of Environmental Compliance

Copies of a request for a hearing and/or related 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: Suzanne D. Gardner





**BOBBY JINDAL**  
GOVERNOR

**PEGGY M. HATCH**  
SECRETARY

**State of Louisiana**  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

February 28, 2014

CERTIFIED MAIL (7004 2510 0006 3853 1311)  
RETURN RECEIPT REQUESTED

**JEFFERSON PARISH GOVERNMENT**  
c/o Honorable John F. Young Jr., Parish President  
1221 Elmwood Park Blvd., Suite 1002  
Jefferson, LA 70123

**RE: COMPLIANCE ORDER**  
**ENFORCEMENT TRACKING NO. WE-C-14-00001**  
**AGENCY INTEREST NO. 4668**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **COMPLIANCE ORDER** is hereby served on **JEFFERSON PARISH GOVERNMENT (RESPONDENT)** for the violations described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **COMPLIANCE ORDER** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Suzanne Gardner at (225) 219-3078.

Sincerely,

Celena J. Cage  
Administrator  
Enforcement Division

CJC/SDG/sdg  
Alt ID No. LA0042081  
Attachment



e-copy: DHH/Office of Public Health  
c: Linda Daly, Department of Sewage, Director

STATE OF LOUISIANA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

<p>IN THE MATTER OF</p> <p>JEFFERSON PARISH GOVERNMENT JEFFERSON PARISH ALT ID NO. LA0042081</p> <p>PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, <u>ET SEQ.</u></p>	<p>* * * ENFORCEMENT TRACKING NO. * * WE-C-14-00001 * * AGENCY INTEREST NO. * * 4668 * *</p>
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COMPLIANCE ORDER

The following **COMPLIANCE ORDER** is issued to **JEFFERSON PARISH GOVERNMENT (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. 30:2025(C) and 30:2050.2.

**FINDINGS OF FACT**

I.

The Respondent owns and/or operates a Publicly Owned Treatment Works (POTW) which serves the Harvey, Terrytown and Timberlane areas located at 2342 Paillet Street in Harvey, Jefferson Parish, Louisiana. The Department issued Louisiana Pollutant Discharge Elimination System (LPDES) permit LA0042081 to the Respondent on June 4, 2007 with an effective date of July 1, 2007, which expired on June 30, 2012. LPDES permit LA0042081 was administratively continued until it was re-issued on October 3, 2012, with an effective date of November 1, 2012, and an expiration date of October 31, 2017. Under the terms and conditions of LPDES permit LA0042081, the Respondent is authorized to discharge treated sanitary wastewater via Outfall,001 into the Mississippi River, waters of the state.

## II.

The Respondent was issued **COMPLIANCE ORDER WE-C-09-0173** on or about August 24, 2009. The relevant violations of the Findings of Fact were the following: The unauthorized discharge of wastewater from a location not specified in the permit; exceeding permitted limits; failing to submit non-compliance reports; failing to sample the discharge; bypassing treatment; failing to properly operate and maintain the facility; numerous overflows; failing to continuously record flow and properly calculate loadings; and the destruction of fish and wildlife. The relevant requirements of the **COMPLIANCE ORDER** were to: Cease all unauthorized discharges; immediately take any and all steps necessary to meet and maintain compliance with LPDES permit LA0042081; properly operate and maintain the facility, preventing bypasses and overflows, continuously recording flow, properly calculating loading values on DMRs, sampling the effluent, submitting NCRs, and preventing the destruction of fish and wildlife, and to submit a written response, within thirty (30) days of receipt of the **COMPLIANCE ORDER**. The Department received a response to the Order dated September 15, 2009. On or about September 24, 2009, the Department received a request for an Adjudicatory Hearing from the Respondent for **COMPLIANCE ORDER WE-C-09-0173**. The Department granted the Hearing Request on or about October 14, 2009.

## III.

The Respondent was issued **AMENDED COMPLIANCE ORDER WE-C-09-0173A** on or about February 24, 2010, to include the following violations: additional effluent violations, additional bypasses, additional overflows, additional fish kills, and the failure to produce the annual Municipal Water Pollution Prevention (MWPP) report. **AMENDED COMPLIANCE ORDER WE-C-09-0173A** required the Respondent to submit annual MWPP reports. The Department also incorporated all of the original **COMPLIANCE ORDER WE-C-09-0173**. The Department received a written response from the Respondent on or about March 29, 2010. On or about March 31, 2010, the Department received a request for an Adjudicatory Hearing from the Respondent for **AMENDED COMPLIANCE ORDER WE-C-09-0173A**. The Department and the Respondent entered into a Dispute Resolution Agreement on or about April 20, 2010.

## IV.

The Respondent was issued **COMPLIANCE ORDER WE-C-10-01412** on or about November 18, 2010. The relevant violations of the Findings of Fact were the following:

discharges exceeding permitted limits, numerous overflows, and bypasses. The relevant requirements of the **COMPLIANCE ORDER** were to: immediately cease all unauthorized discharges, immediately take any and all steps necessary to meet and maintain compliance with the LPDES permit LA0042081, properly operate and maintain the facility, preventing overflows and bypasses, comply with the compliance schedule, and to submit a written response, within thirty (30) days of receipt of the **COMPLIANCE ORDER**. A written response was received by the Department on or about February 24, 2011. On or about February 24, 2011, the Department received a request for an Adjudicatory Hearing from the Respondent for **COMPLIANCE ORDER WE-C-10-01412**. The Department and the Respondent entered into a Dispute Resolution Agreement on or about March 23, 2011.

V.

The Respondent was issued **AMENDED COMPLIANCE ORDER WE-C-10-01412A** on or about November 1, 2012, to include the following violations: additional effluent violations, additional bypasses, additional overflows, and the destruction of fish and wildlife. **AMENDED COMPLIANCE ORDER WE-C-10-01412A** required the Respondent to accomplish the schedule of activities associated with the improvements to the treatment system and submit quarterly progress reports. The Department also incorporated all of the original **COMPLIANCE ORDER WE-C-10-01412**. The Department received a written response from the Respondent on or about December 7, 2012. On or about December 7, 2012, the Department received a request for an Adjudicatory Hearing from the Respondent for **AMENDED COMPLIANCE ORDER WE-C-10-01412A**. The Department filed a request to consolidate **COMPLIANCE ORDER WE-C-10-01412A** with the previous Orders mentioned above. The Department was granted an Order of Consolidation on or about January 16, 2013.

VI.

An inspection conducted by the Department on or about June 19, 2013, revealed that the Respondent failed to implement an adequate Storm Water Pollution Prevention Plan (SWP3). Specifically, a stormwater drain valve on the secondary containment structure around the sodium hypochlorite tank was observed in the open position. The drain valve should be kept in the closed position. The failure to implement the SWP3 plan is a violation of LPDES permit LA0042081 (Part II, Section E.4.f and Part III, Section A.2), La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, and LAC 33:IX.2701.A.



## VII.

An inspection conducted by the Department on or about June 19, 2013, revealed that the Respondent failed to properly operate and maintain systems of treatment and control. Specifically, the Respondent had the following operation and maintenance deficiencies:

- A. The thermometer in the auto sampler was encased in ice and an accurate temperature reading could not be obtained to confirm temperature readings.
- B. The flow measuring device, a clamped on ultrasonic meter was improperly installed on the pipe. The flow meter was installed next to a ninety (90) degree elbow causing turbulence and air entrainment by the sudden change in direction of the fluid in the pipe. As the discharge passes through elbows, tees and expanding and/or reducing fittings, this causes an erratic signal and the recording pen to fluctuate.
- C. The flow meter is not capable of measuring peak flows of sixty (60) MGD. The circular charts demonstrated that the pen often pegged at full flow, indicating the flow measuring device is not capable of handling the facility's range of flow rates.
- D. The sludge holding tank overflowed a week prior to the inspection. Sludge could be seen on the ground as shown in the photographs taken by the Department during the inspection.
- E. One of the three large effluent pumps has been out of service for over two (2) months.
- F. The top of the trickling filter has damaged sections as shown in the photographs taken by the Department during the inspection.

The failure to properly operate and maintain systems of treatment and control is a violation of **COMPLIANCE ORDER WE-C-09-0173A**, **COMPLIANCE ORDER WE-C-10-01412A**, LPDES permit LA0042081 (Part III, Sections A.2 and B.3.a), La. R.S. 30:2076(A)(3), LAC 33:IX.2701.A, and LAC 33:IX.2701.E.

## VIII.

An inspection conducted by the Department on or about June 19, 2013, and a subsequent file review conducted by the Department on or about January 13, 2014, revealed the following violations for effluent exceedances as reported by the Respondent on DMRs:

DATE	OUTFALL	PARAMETER	PERMIT LIMIT	SAMPLE VALUE
09/2012	001 A	TSS Monthly Average	3,428 lbs/day	3,532 lbs/day
		TSS Monthly Average	30 mg/L	32 mg/L
10/2012	001A	BOD <sub>5</sub> Weekly Average	45 mg/L	75 mg/L
		TSS Weekly Average	45 mg/L	69 mg/L
		BOD <sub>5</sub> Monthly Average	30 mg/L	40 mg/L

Each effluent exceedance is a violation of **COMPLIANCE ORDER WE-C-09-0173A**, **COMPLIANCE ORDER WE-C-10-01412A**, LPDES permit LA0042081 (Part I, Page 2 of 3, and Part III, Section A.2), La. R.S. 30:2076 (A)(3), and LAC 33:IX.501.A.

IX.

A inspection conducted by the Department on or about June 19, 2013, and a subsequent file review conducted by the Department on or about January 13, 2014, revealed that the Respondent caused and/or allowed the discharge of wastewater into waters of the state from a location not authorized by LPDES permit LA0042081, and failed to properly operate and maintain all facilities and systems of treatment and control, which resulted in sanitary sewer overflows (SSOs). Specifically, 49 sanitary sewer overflows (SSO) and three (3) unauthorized discharges of untreated sanitary wastewater from August 2012 through December 2013, as reported by the Respondent on Collection System Overflow Summary sheets. Each unauthorized discharge of untreated sanitary wastewater from a location not authorized by the permit is a violation of **COMPLIANCE ORDER WE-C-09-0173A**, **COMPLIANCE ORDER WE-C-10-01412A**, La. R.S. 30:2076(A)(1)(a), and LAC 33:IX.501.D. The failure to properly operate and maintain systems of treatment and control is a violation of **COMPLIANCE ORDER WE-C-09-0173A**, **COMPLIANCE ORDER WE-C-10-01412A**, LPDES permit LA0042081 (Part III, Section A.2 and B.3.a), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.E.

X.

A file review conducted by the Department on or about January 13, 2014, revealed that the Respondent has received funds from the Clean Water State Revolving Fund (SRF) Loan Program, a low interest rate loan program for qualified environmental projects. On or about October 19, 2013, the Respondent also passed a Parish millage tax to assist in paying for the sewer improvements. The Respondent provided the schedule of activities associated with the improvements at the Harvey Wastewater Treatment Plant (HWTP) in Paragraph II of the Order section.

## COMPLIANCE ORDER

Based on the foregoing, the Respondent is **hereby ordered**:

### I.

To immediately take, upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to achieve and maintain compliance with the Water Quality Regulations and the permit limitations and conditions contained in LPDES permit LA0042081 including, but not limited to, ceasing all unauthorized discharges, bypasses, overflows, properly operating and maintaining the facility and all systems of treatment and control, and implementing the SWP3.

### II.

The Respondent shall accomplish the following tasks and comply with the following schedule of activities associated with its sewer improvements at the Harvey Wastewater Treatment Plant (HWTP) as referenced in the Respondent's documentation dated January 13, 2014.

#### Harvey Pump Station Rehabilitation Program

Project Name	Bid	Begin Construction	Project Complete
Stonebridge & Trapp LS - D3557	6/1/2014	9/1/14	5/1/2015
Bellemeade & Ginette LS - D3558	7/1/2014	10/1/14	6/1/2015
Cutty Sark & Titanic LS - D2530	10/1/2014	1/1/15	8/1/2015
Cooper & Wilbur LS	11/1/2014	2/1/15	9/1/2015

#### Harvey WWTP Rehabilitation Program

Project Name	Bid	Begin Construction	Project Complete
Harvey Trickling Filter (new 2 <sup>nd</sup> train)	10/1/14	1/1/15	12/31/15

The Respondent shall submit progress reports to the Enforcement Division following each calendar quarter until the completion of the aforementioned schedule. The Respondent shall submit each progress report within fifteen (15) days following the end of the calendar quarter. The next progress report is due on July 15, 2014. Additionally, the Respondent shall submit a letter of certification of compliance or non-compliance with each activity specified in the schedule above to the Enforcement Division within fifteen (15) days of the completion date. If the Respondent reports non-compliance with a schedule event, the certification shall include a discussion of the cause of the delay, an anticipated date of completion, and a discussion of any

impairment of subsequent due dates. The first certification is due on June 15, 2014. All documents required to be submitted to the Enforcement Division shall be submitted to the following address:

Louisiana Department of Environmental Quality  
Office of Environmental Compliance  
P.O. Box 4312  
Baton Rouge, LA 70821  
**Attention: Suzanne Gardner**

III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance  
Post Office Box 4312  
Baton Rouge, Louisiana 70821-4312  
**Attention: Suzanne Gardner**  
**Re: Enforcement Tracking No. WE-C-14-00001**  
**AI No. 4668**

**THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:**

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the **Enforcement Tracking Number** and **Agency Interest Number**, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality  
Office of the Secretary  
Post Office Box 4302  
Baton Rouge, Louisiana 70821-4302  
**Attn: Hearings Clerk, Legal Division**  
**Re: Enforcement Tracking No. WE-C-14-00001**  
**Agency Interest No. 4668**

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, *et seq.*), and the Department's Rules of Procedure. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars



(\$50,000) for each day of continued violation or noncompliance.

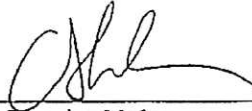
VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

VIII.

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

Baton Rouge, Louisiana, this 28 day of February, 2014.



\_\_\_\_\_  
Cheryl Sonnier Nolan  
Assistant Secretary  
Office of Environmental Compliance

Copies of a request for a hearing and/or related 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: Suzanne D. Gardner



BOBBY JINDAL  
GOVERNOR

PEGGY M. HATCH  
SECRETARY

State of Louisiana  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

February 28, 2014

CERTIFIED MAIL (7004 2510 0006 3853 1304)  
RETURN RECEIPT REQUESTED

**JEFFERSON PARISH GOVERNMENT**  
c/o Honorable John F. Young Jr., Parish President  
1221 Elmwood Park Blvd., Suite 1002  
Jefferson, LA 70123

**RE: CONSOLIDATED COMPLIANCE ORDER  
& NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. WE-CN-13-01371  
AGENCY INTEREST NO. 2918**

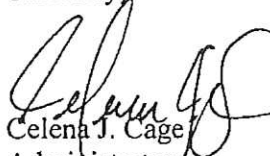
Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, *et seq.*), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **JEFFERSON PARISH GOVERNMENT (RESPONDENT)** for the violations described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Suzanne Gardner at (225) 219-3078.

Sincerely,

  
Celena J. Cage  
Administrator  
Enforcement Division

CJC/SDG/sdg  
Alt ID No. LA0042048  
Attachment



c: Jefferson Parish Department of Sewerage  
Linda Daly  
1221 Elmwood Park Blvd., Ste. 803  
Jefferson, LA 70123

e-copy: DHH/Office of Public Health

**STATE OF LOUISIANA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE**

<b>IN THE MATTER OF</b>	*	
	*	
<b>JEFFERSON PARISH GOVERNMENT</b>	*	
	*	<b>ENFORCEMENT TRACKING NO.</b>
<b>JEFFERSON PARISH</b>	*	
<b>ALT ID NO. LA0042048</b>	*	<b>WE-CN-13-01371</b>
	*	
	*	<b>AGENCY INTEREST NO.</b>
	*	
<b>PROCEEDINGS UNDER THE LOUISIANA</b>	*	<b>2918</b>
<b>ENVIRONMENTAL QUALITY ACT,</b>	*	
<b>La. R.S. 30:2001, <u>ET SEQ.</u></b>	*	

**CONSOLIDATED**  
**COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **JEFFERSON PARISH GOVERNMENT (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. 30:2025(C), 30:2050.2 and 30:2050.3(B).

**FINDINGS OF FACT**

**I.**

The Respondent owns and/or operates an existing publicly owned treatment works known as the Marrero Wastewater Treatment Plant that serves the residents and businesses of the City of Marrero. The facility is located at 6250 Lapalco Boulevard in Marrero, Jefferson Parish, Louisiana. The Respondent was issued Louisiana Pollutant Discharge Elimination System (LPDES) permit LA0042048 on December 29, 2004, with an effective date of February 1, 2005, and an expiration date of January 31, 2010, and was administratively continued. The Respondent was re-issued LPDES permit LA0042048 on March 10, 2010, with an effective date of April 1, 2010, and an expiration date of March 31, 2015. LPDES permit LA0042048

authorizes the Respondent to discharge certain quantities and qualities of treated sanitary wastewater via Outfall 001 to the Mississippi River, waters of the state.

## II.

The Respondent was issued **COMPLIANCE ORDER WE-C-10-01413** on or about November 18, 2010. The relevant violations of the Findings of Fact were the following: Discharges exceeding permitted limits, failing to maintain and/or produce Municipal Water Pollution Prevention (MWPP) annual environmental audit reports, stormwater discharge annual inspection reports, and stormwater training records at the time of the inspection, failing to properly operate and maintain the facility, numerous overflows, and failing to sample the effluent according to LPDES permit LA0042048. The relevant requirements of the **COMPLIANCE ORDER** were to: immediately cease all unauthorized discharges, immediately take any and all steps necessary to meet and maintain compliance with the LPDES permit LA0042048; properly operate and maintain the facility, preventing overflows; properly maintain required records; and to submit a written response, within thirty (30) days of receipt of the **COMPLIANCE ORDER**. On or about December 17, 2010, the Department received a request for an Adjudicatory Hearing from the Respondent for **COMPLIANCE ORDER WE-C-10-01413**. The Department and the Respondent entered into a Dispute Resolution Agreement on or about January 6, 2011. The Department received a written response to the Order dated February 18, 2011.

## III.

On or about May 18, 2010, an inspection conducted by the Department in response to a citizen's complaint, revealed that the Respondent caused and/or allowed the unauthorized discharge of untreated sanitary wastewater into waters of the state. Specifically, on or about May 15, 2010, a pump station discharged approximately 97,875 gallons of sewage onto the ground around the Jefferson Parish Lift Station M143 and into Cousins Canal located at Cousins Boulevard and Barataria Boulevard, due to a break in the force main. Solids were observed on the ground and in Cousins Canal. The discharge of untreated sanitary wastewater from a location not authorized by a permit is a violation of La. R.S. 30:2076(A)(1)(a) and LAC 33:IX.501.D. The failure to properly operate and maintain systems of treatment and control is a violation of **COMPLIANCE ORDER WE-C-10-01413**, LPDES permit LA0042048 (Part III, Sections A.2 and B.3.a), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.E.



## IV.

On or about November 16, 2011, an inspection conducted by the Department in response to a citizen's complaint on or about November 11, 2011, revealed that the Respondent caused and/or allowed the destruction of fish and wildlife. Specifically, the Respondent discharged an unknown amount of raw sewage into Millaudon Canal by digging a trench from a wooded area into the Gulizo Canal which then flowed into the Millaudon Canal on or about November 11, 2011, due to a break in a thirty-six (36) inch force main. Dead fish were found along the north and south banks of Millaudon Canal and near the intake of the Ames Pumping Station, located near Millaudon Canal, and in the screens at the Ames Pumping Station. The overflow into Millaudon Canal resulted in a fish kill of approximately two (2), twenty-four (24)-inch Carp and over one-thousand (1,000) dead Gizzard Shads. The destruction of fish and wildlife is a violation of La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, LAC 33:IX.1113.B.1.d, and LAC 33:IX.1113.B.5. The discharge of untreated sanitary wastewater from a location not authorized by a permit is a violation of La. R.S. 30:2076(A)(1)(a) and LAC 33:IX.501.D. The failure to properly operate and maintain systems of treatment and control is a violation of **COMPLIANCE ORDER WE-C-10-01413**, LPDES permit LA0042048 (Part III, Sections A.2 and B.3.a), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.E.

## V.

An inspection conducted by the Department on or about March 16, 2012, and a subsequent file review conducted by the Department on or about January 13, 2014, revealed the following effluent limitation exceedances as reported by the Respondent on the Discharge Monitoring Reports:

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMIT	REPORTED VALUE
11/30/2010	001A	BOD <sub>5</sub> (weekly avg.)	45 mg/L	58 mg/L
		TSS (monthly avg.)	30 mg/L	31 mg/L
		TSS (weekly avg.)	45 mg/L	75 mg/L
		TSS (weekly avg.)	45 mg/L	64 mg/L
12/31/2011	001A	TSS (weekly avg.)	45 mg/L	63 mg/L
		TSS (monthly avg.)	30 mg/L	32 mg/L
		BOD <sub>5</sub> (weekly avg.)	45 mg/L	53 mg/L
03/31/2012	001A	Fecal Coliform (weekly avg.)	400 col./100ml	1,763 col./100ml
08/31/2012	001A	TSS (monthly avg.)	2,815 lbs/day	3,263 lbs/day
11/30/2012	001A	BOD <sub>5</sub> (weekly avg.)	30 mg/L	31 mg/L

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMIT	REPORTED VALUE
12/31/2012	001A	BOD <sub>5</sub> (monthly avg.)	30 mg/L	46 mg/L
		BOD <sub>5</sub> (weekly avg.)	45 mg/L	63 mg/L
01/31/2013	001A	BOD <sub>5</sub> (monthly avg.)	30 mg/L	36 mg/L
		BOD <sub>5</sub> (weekly avg.)	45 mg/L	53 mg/L
04/30/2013	001	BOD <sub>5</sub> (monthly avg.)	2,815 lbs/day	3,204 lbs/day
		TSS (monthly avg.)	2,815 lbs/day	2,986 lbs/day
05/31/2013	001A	TSS (monthly avg.)	30 mg/L	34 mg/L
06/30/2013	001A	BOD <sub>5</sub> (monthly avg.)	30 mg/L	36 mg/L
		TSS (monthly avg.)	30 mg/L	42 mg/L
		TSS (weekly avg.)	45 mg/L	71 mg/L
07/31/2013	001A	BOD <sub>5</sub> (monthly avg.)	30 mg/L	34 mg/L
		TSS (monthly avg.)	30 mg/L	36 mg/L
08/31/2013	001A	BOD <sub>5</sub> (monthly avg.)	30 mg/L	31 mg/L
		TSS (monthly avg.)	30 mg/L	32 mg/L
10/31/2013	001A	BOD <sub>5</sub> (monthly avg.)	30 mg/L	36 mg/L
		TSS (monthly avg.)	30 mg/L	31 mg/L
11/30/2013	001A	BOD <sub>5</sub> (monthly avg.)	30 mg/L	34 mg/L
		TSS (monthly avg.)	30 mg/L	32 mg/L
12/31/2013	001A	BOD <sub>5</sub> (monthly avg.)	30 mg/L	44 mg/L
		BOD <sub>5</sub> (weekly avg.)	45 mg/L	49 mg/L
		TSS (monthly avg.)	30 mg/L	35 mg/L
		TSS (weekly avg.)	45 mg/L	46 mg/L
01/31/2014	001A	BOD <sub>5</sub> (monthly avg.)	30 mg/L	42 mg/L
		BOD <sub>5</sub> (weekly avg.)	45 mg/L	56 mg/L
		TSS (monthly avg.)	30 mg/L	41 mg/L
		TSS (weekly avg.)	45 mg/L	47 mg/L

Each effluent exceedance is a violation of **COMPLIANCE ORDER WE-C-10-01413**, LPDES permit LA0042048 (Part I, Page 2 of 3, and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

#### VI.

An inspection conducted by the Department on or about March 16, 2012, and a subsequent file review conducted by the Department on or about January 13, 2014, revealed that the Respondent caused and/or allowed the following unauthorized discharges as reported by the Respondent on Overflow Summary Sheet:

DATE	AMOUNT DISCHARGED (approximately)	LOCATION OF OVERFLOW	AFFECTED WATERBODY	CAUSE
01/11/2011	87,000 gallons	Lift station wet well in the 1400 block of Avenue A.	Bayou Barataria	Electrical pump failure in the sewer lift station
03/09/2011	87,000 gallons	Manhole near Rebenstich St. and 6 <sup>th</sup> St.	Bayou Barataria	Excessive rainfall at this location

DATE	AMOUNT DISCHARGED (approximately)	LOCATION OF OVERFLOW	AFFECTED WATERBODY	CAUSE
03/09/2011	174,000 gallons	Lift station wet well near College Pkwy. and Barataria Blvd.	Bayou Barataria	Excessive rainfall at this location
03/30/2011	69,600 gallons	Manhole near Rebenstich St. and 6 <sup>th</sup> St.	Bayou Barataria	Excessive rainfall at this location
03/30/2011	69,600 gallons	Lift station wet well near Clover Lane and Keithway Dr.	Bayou Barataria	Excessive rainfall at this location
	87,000 gallons	Manhole near Patriot St. and First Ave.	Bayou Barataria	Excessive rainfall at this location
	17,400 gallons	Manhole near Farrington Dr. and Patriot St.	Bayou Barataria	Excessive rainfall at this location
04/01/2011	87,000 gallons	Manhole near the intersection of Farrington Dr. and Patriot St.	Bayou Barataria	Excessive Rainfall at this location
04/27/2011	11,680 gallons	Force main near the intersection of Page St. and Barataria Blvd.	Bayou Barataria	Broken force main near this location
06/09/2011	87,000 gallons	Lift station wet well near the intersection of Patriot St. and Avenue G.	Bayou Barataria	Mechanical failures to the pumps in the lift station
07/18/2011	278,400 gallons	Lift station wet well near the intersection of First Avenue and Patriot St.	Bayou Barataria	Excessive rainfall at this location
	391,500 gallons	Manhole near the intersection of 3800 block of Cinwood Dr. and Touchwood	Bayou Barataria	Excessive rainfall at this location
	87,000 gallons	Lift station wet well near the intersection of Clover Lane and Keithway Dr.	Bayou Barataria	Excessive Rainfall at this location
08/05/2011	4,048 gallons	Force main near the intersection of Cousins Blvd. and Oakmere Dr.	Bayou Barataria	Broken air release valve on a sewer force main at this location.
10/20/2011 - 10/21/2011	5,000 gallons	Gravity line at the intersection of Avenue A and Patriot St.	Bayou Barataria	Broken sewer gravity line at this location
01/24/2012	400 gallons	Force main near 5191 Tusa Dr.	Bayou Barataria	Broken force main at this location
03/02/2012	100 gallons	Force main near the intersection of Westwood Dr. and Mayrunner Canal	Bayou Barataria	Broken force main at this location
03/23/2012	174,000 gallons	Lift station wet well near the intersection of Keithway Dr. and Clover Lane	Bayou Barataria	Excessive rainfall at this location

DATE	AMOUNT DISCHARGED (approximately)	LOCATION OF OVERFLOW	AFFECTED WATERBODY	CAUSE
04/04/2012	112,200 gallons	Manhole near the intersection of Ehret Rd. and Broas Dr.	Bayou Barataria	Excessive rainfall at this location
05/11/2012	3,000 gallons	Lift station wet well near 2517 Ramsey Dr.	Bayou Barataria	Entergy power failure at this location
05/14/2012	2,400 gallons	Lift station wet well near two (2) mile Canal east of intersection of Barataria Blvd. and Belle Terre Rd.	Bayou Barataria	Electrical power failure at this location
05/17/2012	3,000 gallons	Lift station wet well near two (2) mile Canal east of intersection of Barataria Blvd. and Belle Terre Rd.	Bayou Barataria	Mechanical failure at the sewerage lift station at this location
06/22/2012 - 06/25/2012	7,000 gallons	Force main at 2101 E. Ridgeland St. near intersection of E. Ridgeland St. and Cousins Blvd.	Bayou Barataria	Broken force main near this location
07/14/2012	49,866 gallons	Manhole at the intersection of Keithway Dr. and Clover Ln.	Bayou Barataria	Excessive rainfall at this location
08/08/2012	149,598 gallons	Manhole at the intersection of Keithway Dr. and Red Cedar Ln.	Bayou Barataria	Excessive rainfall at this location
	49,598 gallons	Manhole at 540 Bellanger St.	Bayou Barataria	Excessive rainfall at this location
08/14/2012 - 08/15/2012	2,499 gallons	Lift station wet well at the intersection of Barataria Blvd. and College Pkwy.	Bayou Barataria	Electrical power failure to the lift station
08/22/2012	13,745 gallons	Force main at the intersection of Barataria Blvd. and College Pkwy.	Bayou Barataria	Broken force main at this location
10/01/2012	2,050 gallons	Force main at 4924 Barataria Blvd.	Bayou Barataria	Broken force main at this location
10/08/2012	4,800 gallons	Force main at the intersection of Mayronne Canal and Westwood Dr.	Bayou Barataria	Broken force main at this location
10/22/2012	625 gallons	Manhole at 3150 Destrehan Ave.	Bayou Barataria	Electrical failure to the lift station at this location
01/10/2013	74,800 gallons	Lift station wet well at the intersection of Rebenstich Dr. and 7 <sup>th</sup> St.	Bayou Barataria	Excessive rainfall at this location
	299,196 gallons	Lift station wet well at the intersection of Keithway and Clover Lane	Bayou Barataria	Excessive rainfall at this location
	74,800 gallons	Lift station wet well at the intersection of Keithway and Clover Lane	Bayou Barataria	Excessive rainfall at this location

DATE	AMOUNT DISCHARGED (approximately)	LOCATION OF OVERFLOW	AFFECTED WATERBODY	CAUSE
01/10/2013	93,500 gallons	Lift station wet well at the intersection of 5 <sup>th</sup> St. and 9 <sup>th</sup> St.	Bayou Barataria	Excessive rainfall at this location
01/11/2013	74,800 gallons	Lift station wet well at the intersection of Rebenstich Dr. and 7 <sup>th</sup> St.	Bayou Barataria	Excessive rainfall at this location
01/14/2013	149,600 gallons	Lift station wet well at the intersection of Rebenstich Dr. and 7 <sup>th</sup> St.	Bayou Barataria	Excessive rainfall at this location
02/25/2013	149,600 gallons	Manhole at 3900 Rebenstich Dr. and 7 <sup>th</sup> St.	Bayou Barataria	Excessive rainfall at this location
	99,732 gallons	Manhole near the intersection of Ehret Rd. and Broas Dr.	Bayou Barataria	Excessive rainfall at this location
	349,062 gallons	Lift station wet well at the intersection of Rue Louis Philippe and Waters Dr.	Bayou Barataria	Excessive rainfall at this location
	112,200 gallons	Manhole near the intersection of Kennedy Dr. and Rochester Dr.	Bayou Barataria	Excessive rainfall at this location
02/25/2013	124,542 gallons	Manhole near the intersection of Kennedy Dr. and Rochester Dr.	Bayou Barataria	Excessive rainfall at this location
04/02/2013	387,200 gallons	Force main at 2500 Bent Tree Blvd.	Bayou Barataria	Broken force main in a wooded area at this location
04/02/2013	149,598 gallons	Manhole at Rebenstich Dr. and 7 <sup>th</sup> St.	Bayou Barataria	Excessive rainfall at this location
04/19/2013	249,330 gallons	Manhole at the intersection of Keithway and Clover Lane	Bayou Barataria	Excessive rainfall at this location
	187,000 gallons	Manhole at Rebenstich Dr. and 7 <sup>th</sup> St.	Bayou Barataria	Excessive rainfall at this location
05/11/2013	199,464 gallons	Manhole at Rebenstich Dr. and 8 <sup>th</sup> St.	Bayou Barataria	Excessive rainfall at this location
05/13/2013	86,700 gallons	Force main at the intersection of Rochester Dr. and Mt. Kennedy Ln.	Bayou Barataria	Broken force main at this location
07/29/2013	30 gallons	Lift station wet well at the intersection of Rue Louis Philipe and Fernando Ct.	Bayou Barataria	Electrical failure of the control panel in the lift station at this location
10/13/2013	3,654 gallons (intermittent)	Force main at 2812 Keithway Dr.	Bayou Barataria	Broken force main at this location
10/19/2013	42,500 gallons (intermittent)	Lift station wet well at Pritchard Central	Bayou Barataria	Electrical power failure to the lift station by Entergy



Each discharge of untreated sanitary wastewater from a location not authorized by a permit is a violation of **COMPLIANCE ORDER WE-C-10-01413**, La. R.S. 30:2076(A)(1)(a) and LAC 33:IX.501.D. The failure to properly operate and maintain systems of treatment and control is a violation of LPDES permit LA0042048 (Part III, Sections A.2 and B.3.a), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.E.

VII.

A file review conducted by the Department on or about January 13, 2014, revealed that the Respondent has received funds from the Clean Water State Revolving Fund (SRF) Loan Program, a low interest rate loan program for qualified environmental projects. On or about October 19, 2013, the Respondent also passed a Parish millage tax to assist in paying for the sewer improvements. The Respondent provided the schedule of activities associated with the improvements at the Marrero Wastewater Treatment Plant (MWTP) in Paragraph III of the Order section below.

**COMPLIANCE ORDER**

Based on the foregoing, the Respondent is **hereby ordered**:

I.

To immediately cease, upon receipt of this **COMPLIANCE ORDER**, all unauthorized discharges from the Respondent's facility into waters of the state and comply with the Water Quality Regulations.

II.

To immediately take, upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the permit limitations and conditions contained in LPDES permit LA0042048 including, but not limited to, preventing overflows, properly operating and maintaining the facility, and preventing the destruction of fish and wildlife.

III.

The Respondent shall accomplish the following tasks and comply with the following schedule of activities associated with the improvements at the Marrero Wastewater Treatment Plant:



## Marrero Pump Station Rehabilitation Program

Project Name	BID DATE	BEGIN CONSTRUCTION	COMPLETION DATE
Alexis LS - D2529	8/1/14	11/1/14	4/1/15
Patriot & Ave B LS	2/1/15	5/1/15	12/31/15
Robinson LS - D2527	12/1/14	3/1/15	9/1/15

## Marrero WWTP Rehabilitation Program

Project Name	BID DATE	BEGIN CONSTRUCTION	COMPLETION DATE
Marrero Auxiliary Power	COMPLETED	COMPLETED	6/28/14
Marrero Trickling Filter Rehabilitation	COMPLETED	5/1/14	5/1/15
Marrero Solids Handling Rehab	11/1/14	2/1/15	9/1/15
Marrero Trickling Filter Pump Station	7/1/15	9/1/15	7/1/16

The Respondent shall submit progress reports to the Enforcement Division following each calendar quarter until completion of the aforementioned schedule. The Respondent shall submit each progress report within fifteen (15) days following the end of the calendar quarter. The next progress report is due on July 15, 2014. Within fifteen (15) days after each completion date specified in the schedule above, the Respondent shall submit a certification of compliance or non-compliance with that activity. If the Respondent reports non-compliance with a schedule event, the certification shall include a discussion of the cause of the delay, an anticipated date of completion and a discussion of any impairment of a subsequent due date. All documents required to be submitted to the Enforcement Division shall be submitted to the following address:

Louisiana Department of Environmental Quality  
Office of Environmental Compliance  
P.O. Box 4312  
Baton Rouge, LA 70821  
**Attention: Suzanne D. Gardner**

## IV.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve

compliance with the Order Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance  
Post Office Box 4312  
Baton Rouge, Louisiana 70821-4312  
**Attention: Suzanne Gardner**  
**Enforcement Tracking No. WE-CN-13-01371**  
**Agency Interest No. 2918**

**THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:**

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the **Enforcement Tracking Number** and **Agency Interest Number**, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality  
Office of the Secretary  
Post Office Box 4302  
Baton Rouge, Louisiana 70821-4302  
**Attn: Hearings Clerk, Legal Division**  
**Re: Enforcement Tracking No. WE-CN-13-01371**  
**Agency Interest No. 2918**

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Department's Rules of Procedure. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after

providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

**NOTICE OF POTENTIAL PENALTY**

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Suzanne Gardner at (225) 219-3078 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement.

IV.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 28 day of February, 2014.



Cheryl Sonnier Nolan  
Assistant Secretary  
Office of Environmental Compliance

Copies of a request for a hearing and/or related 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: Suzanne D. Gardner