



BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

May 8, 2015

CERTIFIED MAIL (7004 2510 0006 3854 0504)
RETURN RECEIPT REQUESTED

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

RE: COMPLIANCE ORDER
ENFORCEMENT TRACKING NO. WE-C-15-00402
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 the **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 Bernie Boyett at (225) 219-0783.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/BKB/bkb
Alt ID No. LA0042081
Attachment

c: e-copy-DHH/Office of Public Health



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

IN THE MATTER OF

**JEFFERSON PARISH GOVERNMENT
JEFFERSON PARISH
ALT ID NO. 4668**

**PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT,
La. R.S. 30:2001, ET SEQ.**

| | |
|---|---------------------------------|
| * | |
| * | |
| * | ENFORCEMENT TRACKING NO. |
| * | |
| * | WE-C-15-00402 |
| * | |
| * | AGENCY INTEREST NO. |
| * | |
| * | 4668 |
| * | |
| * | |

COMPLIANCE ORDER

The following **COMPLIANCE ORDER** is issued to the **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 a Publicly Owned Treatment Works (POTW) which serves the Harvey, Terrytown, and Timberlane areas located at 2343 Paillet Street in Harvey, Jefferson Parish, Louisiana. The Department issued Louisiana Pollutant Discharge Elimination System (LPDES) permit LA0042081 to the Respondent 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 August 24, 2009. On or about September 25, 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 February 24, 2010. 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 November 18, 2010. 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 **COMPLIANCE ORDER WE-C-10-01412A** on November 1, 2012. 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.

The Respondent was issued **COMPLIANCE ORDER WE-C-14-00001** on February 28, 2014. On or about March 26, 2014, the Department received a request for an Adjudicatory Hearing from the Respondent for **COMPLIANCE ORDER WE-C-14-00001**. The Department and the Respondent entered into a Dispute Resolution Agreement on or about April 16, 2014.

VII.

An inspection conducted by the Department on or about January 28, 2015, revealed that the Respondent caused and/or allowed the discharge of untreated sanitary wastewater into waters of the state from a location not authorized by LPDES permit LA0042081. Specifically, a test was performed on the Timberlane Pump Station. When the pumps were shut down, the air relief valve, on the portion of the pipe crossing the Coulee Canal, sucked in air and discharged sewage into the canal. When the pumps were restarted, the air relief valve expelled air and discharged sewage into the canal. The Respondent failed to report the January 28, 2015 unauthorized discharge with the January 2015 DMR. The 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, COMPLIANCE ORDER WE-C-14-00001**, 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, COMPLIANCE ORDER WE-C-14-00001**, 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. The failure to report the discharge of untreated sanitary wastewater into waters of the state is a violation of LPDES permit LA0042081 (Part II, Section A.6; Part III, Sections A.2 and D.7), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.L.7.

VIII.

A file review conducted by the Department on or about April 6, 2015, 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, thirty-seven (37) SSOs, from January 2014 through February 2015, were 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, COMPLIANCE ORDER WE-C-14-00001**, 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, COMPLIANCE ORDER WE-C-14-00001, 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.

IX.

A file review conducted by the Department on or about April 6, 2015, revealed that the Respondent failed to submit certifications of non-compliance with scheduled events to the Enforcement Division within fifteen (15) days of the projected due dates of the following activities:

| Harvey Pump Station Rehabilitation Program | | |
|---|----------------------------------|-------------------------------|
| Project Name | Projected Completion Date | Actual Completion Date |
| Stonebridge & Trapp LS - D3557 – Begin Construction | 09/01/2014 | 10/06/2014 |
| Bellemeade & Ginette LS - D3558 – Begin Construction | 10/01/2014 | 12/01/2014 |
| Cutty Sark & Titanic LS - D2530 – Bid | 10/01/2014 | Not Complete |
| Cooper & Wilbur LS – Bid | 11/01/2014 | Not Complete |
| Cooper & Wilbur LS – Begin Construction | 02/01/2015 | Not Complete |
| Harvey WWTP Rehabilitation Program | | |
| Harvey Trickling Filter (new 2 nd train) – Bid (1 st Round) | 10/01/2014 | 12/11/2014 |

Each failure to submit a certification of non-compliance with a scheduled event to the Enforcement Division within fifteen (15) days of the projected due date is a violation of **COMPLIANCE ORDER WE-C-14-00001**, La. R.S. 30:2076 (A)(3), and LAC 33:IX.501.A.

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 LPDES permit LA0042081 and the Water Quality Regulations including, but not limited to, ceasing all unauthorized discharges, properly operating and maintaining all facilities and systems of treatment and control, reporting all unauthorized discharges, and submitting certifications of non-compliance with scheduled events to the Department within fifteen (15) days of the projected due dates.

II.

The Respondent shall accomplish the following tasks and comply with the following schedule of activities or any amendment of that schedule approved in writing by the Department:

| Harvey Pump Station Rehabilitation Program | | | |
|---|-------------|---------------------------|-------------------------|
| Project Name | Bid | Begin Construction | Project Complete |
| Stonebridge & Trapp LS - D3557 | Complete | Complete | 05/01/2015 |
| Bellemeade & Ginette LS - D3558 | Complete | Complete | 09/15/2015 |
| Cutty Sark & Titanic LS - D2530 | 05/15/2015 | 08/01/2015 | 04/01/2016 |
| Cooper & Wilbur LS | 04/14/2015 | 07/14/2015 | 03/01/2016 |
| Harvey WWTP Rehabilitation Program | | | |
| Harvey Trickling Filter (new 2 nd train) | *06/05/2015 | 09/05/2015 | 02/26/2017 |

**Second round of bidding.*

The Respondent shall submit quarterly construction progress reports until completion of the proposed improvements. The Respondent shall submit each progress report within fifteen (15) days following the end of the calendar quarter. The next progress report is due July 15, 2015. If an activity cannot be completed by the due date specified in the schedule, the Respondent shall submit a certification of non-compliance to the Department within fifteen (15) days after the scheduled due date. If the Respondent reports non-compliance with a scheduled 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. Upon completion of all scheduled events, the Respondent shall submit a final certification stating that all activities have been achieved.

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: Bernie Boyett
Enforcement Tracking No. WE-C-15-00402
Agency Interest 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-15-00402
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 8 day of May, 2015.



D. Chance McNeely
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: Bernie Boyett

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

May 14, 2015

CERTIFIED MAIL (7004 2510 0006 3854 0511)
RETURN RECEIPT REQUESTED

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

RE: COMPLIANCE ORDER
ENFORCEMENT TRACKING NO. WE-C-14-00651
AGENCY INTEREST NO. 2918

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **COMPLIANCE ORDER** is hereby served on the **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 Bernie Boyett at (225) 219-0783.

Sincerely,

Celenia J. Cage
Administrator
Enforcement Division

CJC/BKB/bkb
Alt ID No. LA0042048
Attachment

c: e-copy-DHH/Office of Public Health



STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY

OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF

JEFFERSON PARISH GOVERNMENT
JEFFERSON PARISH
ALT ID NO. LA0042048

PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT,
La. R.S. 30:2001, ET SEQ.

*
*
* ENFORCEMENT TRACKING NO.
* WE-C-14-00651
*
* AGENCY INTEREST NO.
*
* 2918
*
*

COMPLIANCE ORDER

The following **COMPLIANCE ORDER** is issued to the **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 a Publicly Owned Treatment Works (POTW) which serves the City of Marrero. The facility is located at 6250 Lapalco Boulevard in Marrero, Jefferson Parish, Louisiana. The Respondent was issued LPDES permit LA0042048 on March 10, 2010, with an effective date of April 1, 2010, and an expiration date of March 31, 2015. The Respondent submitted a renewal application to the Department on September 8, 2014, and LPDES permit LA0042048 was administratively continued. Under the terms and conditions of LPDES permit LA0042048, the Respondent is authorized to discharge treated sanitary wastewater into the Mississippi River, waters of the state.

II.

The Respondent was issued **COMPLIANCE ORDER WE-C-10-01413** on November 18, 2010. 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.

The Respondent was issued **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-13-01371** on February 28, 2014. On or about April 1, 2014, the Department received a request for an Adjudicatory Hearing from the Respondent for **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-13-01371**. The Department and the Respondent entered into a Dispute Resolution Agreement on or about April 16, 2014. The Department received a written response to the Order dated June 6, 2014.

IV.

A file review conducted by the Department on or about May 5, 2015, revealed that the Respondent exceeded effluent limitations. These effluent exceedances, as reported by the Respondent on the monthly Discharge Monitoring Reports (DMRs) and Non-Compliance Reports (NCRs) are summarized below:

| Date | Outfall | Parameter | Permit Limit | Sample Value |
|---------|---------|------------------------------------|--------------|--------------|
| 01/2014 | 001A | BOD ₅ , Weekly Average* | 45 mg/L | 47 mg/L |
| | | TSS, Weekly Average* | 45 mg/L | 46 mg/L |
| | | TSS, Weekly Average* | 45 mg/L | 46 mg/L |
| 02/2014 | 001A | BOD ₅ , Monthly Average | 2815 lb/d | 7407 lb/d |
| | | BOD ₅ , Monthly Average | 30 mg/L | 61 mg/L |
| | | BOD ₅ , Weekly Average | 45 mg/L | 49 mg/L |
| | | BOD ₅ , Weekly Average* | 45 mg/L | 47 mg/L |
| | | TSS, Monthly Average | 2815 lb/d | 3838 lb/d |
| | | TSS, Monthly Average | 30 mg/L | 44 mg/L |
| | | TSS, Weekly Average | 45 mg/L | 57 mg/L |
| 03/2014 | 001A | BOD ₅ , Monthly Average | 2815 lb/d | 3880 lb/d |

| Date | Outfall | Parameter | Permit Limit | Sample Value |
|---------|---------|------------------------------------|--------------|--------------|
| 03/2014 | 001A | BOD ₅ , Monthly Average | 30 mg/L | 36 mg/L |
| | | BOD ₅ , Weekly Average | 45 mg/L | 103 mg/L |
| | | TSS, Monthly Average | 2815 lb/d | 3508 lb/d |
| | | TSS, Monthly Average | 30 mg/L | 32 mg/L |
| 04/2014 | 001A | BOD ₅ , Monthly Average | 2815 lb/d | 3020 lb/d |
| | | BOD ₅ , Monthly Average | 30 mg/L | 33 mg/L |
| 05/2014 | 001A | BOD ₅ , Monthly Average | 30 mg/L | 31 mg/L |
| | | TSS, Monthly Average | 2815 lb/d | 2918 lb/d |
| | | TSS, Monthly Average | 30 mg/L | 31 mg/L |
| 07/2014 | 001A | BOD ₅ , Monthly Average | 30 mg/L | 32 mg/L |
| | | BOD ₅ , Weekly Average | 45 mg/L | 47 mg/L |
| 08/2014 | 001A | BOD ₅ , Monthly Average | 30 mg/L | 38 mg/L |
| 09/2014 | 001A | BOD ₅ , Monthly Average | 30 mg/L | 33 mg/L |
| 10/2014 | 001A | BOD ₅ , Monthly Average | 30 mg/L | 39 mg/L |
| | | BOD ₅ , Weekly Average | 45 mg/L | 54 mg/L |
| 11/2014 | 001A | BOD ₅ , Monthly Average | 30 mg/L | 48 mg/L |
| | | BOD ₅ , Weekly Average | 45 mg/L | 59 mg/L |
| | | BOD ₅ , Weekly Average* | 45 mg/L | 55 mg/L |
| | | TSS, Monthly Average | 30 mg/L | 31 mg/L |
| 12/2014 | 001A | BOD ₅ , Monthly Average | 2815 lb/d | 3656 lb/d |
| | | BOD ₅ , Monthly Average | 30 mg/L | 64 mg/L |
| | | BOD ₅ , Weekly Average | 45 mg/L | 76 mg/L |
| | | BOD ₅ , Weekly Average* | 45 mg/L | 59 mg/L |
| | | BOD ₅ , Weekly Average* | 45 mg/L | 70 mg/L |
| | | BOD ₅ , Weekly Average* | 45 mg/L | 56 mg/L |
| | | TSS, Monthly Average | 2815 lb/d | 2852 lb/d |
| | | TSS, Monthly Average | 30 mg/L | 46 mg/L |
| | | TSS, Weekly Average | 45 mg/L | 75 mg/L |
| 01/2015 | 001A | BOD ₅ , Monthly Average | 2815 lb/d | 3937 lb/d |
| | | BOD ₅ , Monthly Average | 30 mg/L | 48 mg/L |
| | | BOD ₅ , Weekly Average | 45 mg/L | 65 mg/L |
| | | BOD ₅ , Weekly Average* | 45 mg/L | 46 mg/L |
| | | BOD ₅ , Weekly Average* | 45 mg/L | 55 mg/L |
| | | BOD ₅ , Weekly Average* | 45 mg/L | 50 mg/L |

| Date | Outfall | Parameter | Permit Limit | Sample Value |
|---------|---------|------------------------------------|--------------|--------------|
| 01/2015 | 001A | TSS, Monthly Average | 2815 lb/d | 3348 lb/d |
| | | TSS, Monthly Average | 30 mg/L | 37 mg/L |
| | | TSS, Weekly Average | 45 mg/L | 57 mg/L |
| 02/2015 | 001A | BOD ₅ , Monthly Average | 30 mg/L | 46 mg/L |
| | | BOD ₅ , Weekly Average | 45 mg/L | 60 mg/L |
| | | BOD ₅ , Weekly Average* | 45 mg/L | 51 mg/L |
| 03/2015 | 001A | BOD ₅ , Monthly Average | 2815 lb/d | 4772 lb/d |
| | | BOD ₅ , Monthly Average | 30 mg/L | 60 mg/L |
| | | BOD ₅ , Weekly Average | 45 mg/L | 70 mg/L |
| | | BOD ₅ , Weekly Average* | 45 mg/L | 60 mg/L |
| | | BOD ₅ , Weekly Average* | 45 mg/L | 48 mg/L |
| | | BOD ₅ , Weekly Average* | 45 mg/L | 60 mg/L |
| | | TSS, Monthly Average | 2815 lb/d | 4192 lb/d |
| | | TSS, Monthly Average | 30 mg/L | 51 mg/L |
| | | TSS, Weekly Average | 45 mg/L | 73 mg/L |
| | | TSS, Weekly Average* | 45 mg/L | 69 mg/L |

* Reported on NCRs.

Each effluent exceedance is a violation of **COMPLIANCE ORDER WE-C-10-01413, CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-13-01371**, 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.

V.

An inspection conducted by the Department on or about February 24, 2014, and a subsequent file review conducted by the Department on or about May 5, 2015, 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 LA0042048, and failed to properly operate and maintain all facilities and systems of treatment and control, which resulted in sanitary sewer overflows (SSOs). Specifically, thirty-six (36) SSOs, from December 2013 through March 2015, were 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-10-01413, CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-13-01371**, 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 **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-13-01371**, LPDES permit LA0042048 (Part III, Section A.2 and B.3.a), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.E.

VI.

An inspection conducted by the Department on or about February 24, 2014, revealed that the Respondent had the following operation and maintenance deficiencies:

- A. The skimmer arms on both primary clarifiers had been broken since December 2013;
- B. The distribution arm on trickling filter # 3 had been broken since May 2013;
- C. The primary digester and the third digester had air leaks that prevented the diffusers from providing air though the entire water column;
- D. The thermometer in the sampling refrigerator was encased in ice and could not be read to check for the proper temperature; and
- E. Parshall flume # 1, used to measure effluent flow, had a percent error of -11.58.

The failure to properly operate and maintain systems of treatment and control is a violation of **COMPLIANCE ORDER WE-C-10-01413, CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-13-01371**, 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 May 5, 2015, revealed that the Respondent failed to submit certifications of non-compliance with scheduled events to the Enforcement Division within fifteen (15) days of the projected due dates of the following activities:

| Marrero Pump Station Rehabilitation Program | | |
|--|----------------------------------|-------------------------------|
| Project Name | Projected Completion Date | Actual Completion Date |
| Alexis LS - D2529 – Bid | 08/01/2014 | 03/20/2015 |
| Alexis LS - D2529 – Begin Construction | 11/01/2014 | Not Complete |
| Patriot & Ave B LS – Bid | 02/01/2015 | Not Complete |
| Robinson LS - D2527 – Bid | 12/01/2014 | Not Complete |
| Robinson LS - D2527 – Begin Construction | 03/01/2015 | Not Complete |
| Marrero WWTP Rehabilitation Program | | |
| Marrero Auxiliary Power – Project Complete | 06/28/2014 | 12/10/2014 |
| Marrero Trickling Filter Rehabilitation – Begin Construction | 05/01/2014 | 09/01/2014 |

Each failure to submit a certification of non-compliance with a scheduled event to the Enforcement Division within fifteen (15) days of the projected due date is a violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-13-01371**, La. R.S. 30:2076 (A)(3), and LAC 33:IX.501.A.

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 LPDES permit LA0042048 and the Water Quality Regulations including, but not limited to, complying with all effluent limitations, ceasing all unauthorized discharges, properly operating and maintaining equipment, and submitting certifications of non-compliance with scheduled events to the Enforcement Division within fifteen (15) days of the projected due dates.

II.

The Respondent shall accomplish the following tasks and comply with the following schedule of activities or any amendment of that schedule approved in writing by the Department:

| Marrero Pump Station Rehabilitation Program | | | |
|--|------------|---------------------------|-------------------------|
| Project Name | Bid | Begin Construction | Project Complete |
| Alexis LS - D2529 | Complete | 06/01/2015 | 02/01/2016 |
| Patriot & Ave B LS | 12/01/2015 | 02/01/2016 | 08/01/2016 |
| Robinson LS - D2527 | 05/01/2016 | 10/01/2016 | 12/31/2017 |
| Marrero WWTP Rehabilitation Program | | | |
| Marrero Auxiliary Power | Complete | Complete | Complete |
| Marrero Trickling Filter Rehabilitation | Complete | Complete | 09/30/2015 |
| Marrero Solids Handling Rehab | Complete | Complete | 03/01/2016 |
| Marrero Trickling Filter Pump Station | 06/01/2015 | 09/01/2015 | 07/01/2016 |

The Respondent shall submit quarterly construction progress reports until completion of the proposed improvements. The Respondent shall submit each progress report within fifteen (15) days following the end of the calendar quarter. The next progress report is due July 15, 2015. If an activity cannot be completed by the due date specified in the schedule, the Respondent shall submit a certification of non-compliance to the Department within fifteen (15) days after the scheduled due date. If the Respondent reports non-compliance with a scheduled 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. Upon completion of all scheduled events, the Respondent shall submit a final certification stating that all activities have been achieved.

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: Bernie Boyett
Enforcement Tracking No. WE-C-14-00651
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-C-14-00651
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 that 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 14 day of May, 2015.



D. Chance McNeely
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: Bernie Boyett



BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

July 28, 2015

Ms. Linda Daly
c/o Jefferson Parish Government
1221 Elmwood Park, Suite 803
Jefferson, LA 70123

**RE: JEFFERSON PARISH DEPT OF SEWERAGE - HARVEY STP
WARNING LETTER
ENFORCEMENT TRACKING NO. WE-L-15-00904
Activity Tracking No. ENF20150003
AI No. 4668**

Dear Madam:

On or about April 30, 2015, an inspection of the above referenced facility was conducted to determine compliance with the Louisiana Environmental Quality Act and supporting regulations. The inspection report, noting areas of concern, has been forwarded to the Enforcement Division. All violations at your facility will be taken into consideration in determining what further actions this office will take.

We strongly encourage you to review the findings of our most recent inspection and immediately take any and all steps to ensure compliance with all environmental regulations at your facility. We request that you review the area(s) of concern noted and submit a written response within **30 days** of receipt of this letter to Ms. Bernie Boyett at the address below. In your response, please include any action(s) you have taken to correct the area(s) of concern at your facility.

If you have any questions regarding this potential civil enforcement matter, please contact Ms. Bernie Boyett at (225) 219-0783.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division



CJC/BB/mdo
Alt ID.:LA0042081

JOHN BEL EDWARDS
GOVERNOR



CHUCK CARR BROWN, Ph.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

April 20, 2016

Ms. Linda Daly
c/o Marrero Wastewater Treatment Plant
1221 Elmwood Park Blvd.
Jefferson, LA 70123

**RE: JEFFERSON PARISH DEPT OF SEWERAGE - MARRERO WWTP
WARNING LETTER
ENFORCEMENT TRACKING NO. WE-L-16-00321
Activity Tracking No. ENF20160001
AI No. 2918**

Dear Madam:

On or about December 14, 2015, an inspection of the above referenced facility was conducted to determine compliance with the Louisiana Environmental Quality Act and supporting regulations. The inspection report, noting areas of concern, has been forwarded to the Enforcement Division. All violations at your facility will be taken into consideration in determining what further actions this office will take.

We strongly encourage you to review the findings of our most recent inspection and immediately take any and all steps to ensure compliance with all environmental regulations at your facility. We request that you review the area(s) of concern noted and submit a written response within **30 days** of receipt of this letter to Ms. Bernie Boyett at the address below. In your response, please include any action(s) you have taken to correct the area(s) of concern at your facility.

If you have any questions regarding this potential civil enforcement matter, please contact Ms. Bernie Boyett at (225) 219-0783.

Sincerely,

Angela Marse
Manager
Water Enforcement Section

AM/BB/bb
Alt ID.:LA0042048

