

Date	Outfall	Parameter	Permit Limit	Sample Value
05/2002	001	BOD Weekly Average	15 mg/L	21.7 mg/L
05/2002	001	TSS Monthly Average	15 mg/L	292 mg/L
05/2002	001	TSS Weekly Average	23 mg/L	292 mg/L
06/2002	001	BOD Monthly Average	10 mg/L	54 mg/L
06/2002	001	BOD Weekly Average	15 mg/L	54 mg/L
06/2002	001	TSS Monthly Average	15 mg/L	68 mg/L
06/2002	001	TSS Weekly Average	23 mg/L	68 mg/L
07/2002	001	BOD Monthly Average	10 mg/L	35 mg/L
07/2002	001	BOD Weekly Average	15 mg/L	35 mg/L
07/2002	001	TSS Monthly Average	15 mg/L	46 mg/L
07/2002	001	TSS Weekly Average	23 mg/L	46 mg/L
07/2002	001	Fecal Coliform Monthly Average	200 col/100 ml	6000 col/100 ml
07/2002	001	Fecal Coliform Weekly Average	400 col/100 ml	6000 col/100 ml
08/2002	001	BOD Monthly Average	10 mg/L	72 mg/L
08/2002	001	BOD Weekly Average	15 mg/L	72 mg/L
08/2002	001	TSS Monthly Average	15 mg/L	52 mg/L
08/2002	001	TSS Weekly Average	23 mg/L	52 mg/L
09/2002	001	BOD Monthly Average	10 mg/L	103 mg/L
09/2002	001	BOD Weekly Average	15 mg/L	103 mg/L
09/2002	001	TSS Monthly Average	15 mg/L	156 mg/L
09/2002	001	TSS Weekly Average	23 mg/L	156 mg/L
09/2002	001	Fecal Coliform Monthly Average	200 col/100 ml	6000 col/100 ml
09/2002	001	Fecal Coliform Weekly Average	400 col/100 ml	6000 col/100 ml

Each excursion of the permit constitutes a violation of LPDES permit LAG570096 (Part I, Section B, and Part III, Section A.2), La. R.S. 30:2076 (A) (1), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A.

XXXI

The Respondent, Wastewater Treatment - Utilities, Inc., owns and/or operates the Quail Creek wastewater treatment plant (AI# 43878) located off of La. Highway 933 in Galvez, Ascension Parish, Louisiana. The Respondent was granted coverage under Louisiana Pollutant Discharge Elimination System (LPDES) General Permit LAG570000 on March 31, 1998, and specifically was assigned Permit Number LAG570133. The permit expired on October 1, 2002, and has been administratively continued by the Department. LPDES Permit LAG570133 authorizes the Respondent to discharge treated sanitary wastewater to Muddy Creek, waters of the state.

- A. An inspection conducted by the Department on or about December 3, 2002, revealed the following violations:
1. The Respondent was not properly operating and maintaining the plant. Specifically, one of the treatment units was not operating properly. The blower motor was not functioning, and the discharge pipe was disconnected from the drain line to the creek, allowing effluent to discharge along the side of the plant. The Respondent's failure to properly operate and maintain equipment is in violation of LPDES permit LAG570133 (Part III, Section A.2 and B.3.a), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2355.A, and LAC 33:IX.2355.E.
 2. There was evidence that the Respondent allowed the discharge of solids into the creek. Photos taken by the inspector reveal a build up of solids in the creek. The Respondent's unauthorized discharge of floating solids is in violation of LPDES permit LAG570133 (Part I, Section B, and Part III, Section A.2), La. R.S. 30:2075, La. R.S. 30:2076 (A)(1)(b), La. R.S. 30:2076 (A)(3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A.
 3. The Respondent failed to meet permit limitations. Analyses of a sample collected from the discharge during the inspection revealed BOD and TSS values of 97 mg/L and 104 mg/L, respectively. These effluent exceedences constitute violations of LPDES permit LAG570133 (Part I, Section B, and Part III, Section A.2), La. R.S. 30:2076 (A) (1), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A.
- B. File reviews conducted by the Department on or about October 1, 2, and 28, 2003, revealed the following monitoring violations:
1. The Respondent failed to submit DMRs from the issuance date of the permit, March 31, 1998, through February 2002, April 2002, October through December 2002, and January through September 2003, in violation of LPDES permit LAG570133 (Part I, Section C.6, and Part III, Section A.2), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2355.A, and LAC 33:IX.2355.L.4.a.
 2. The Respondent submitted the DMRs for March 2002, May 2002, and June 2002, on or about October 22, 2002. The Respondent's late submittal of DMRs is in violation of LPDES permit LAG570133 (Part I, Section C.6, and Part III, Sections A.2 and D.4), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, and LAC 33:IX.2355.A.

- C. Further file review by the Department on or about October 1, 2003, revealed the following permit excursions, as reported by the Respondent on DMRs:

Date	Outfall	Parameter	Permit Limit	Sample Value
03/2002	001	BOD Monthly Average	10 mg/L	100 mg/L
03/2002	001	BOD Weekly Average	15 mg/L	100 mg/L
03/2002	001	TSS Monthly Average	15 mg/L	106 mg/L
03/2002	001	TSS Weekly Average	23 mg/L	106 mg/L
05/2002	001	TSS Monthly Average	15 mg/L	98 mg/L
05/2002	001	TSS Weekly Average	23 mg/L	98 mg/L
06/2002	001	BOD Monthly Average	10 mg/L	57 mg/L
06/2002	001	BOD Weekly Average	15 mg/L	57 mg/L
06/2002	001	TSS Monthly Average	15 mg/L	60 mg/L
06/2002	001	TSS Weekly Average	23 mg/L	60 mg/L
07/2002	001	BOD Monthly Average	10 mg/L	46 mg/L
07/2002	001	BOD Weekly Average	15 mg/L	46 mg/L
07/2002	001	TSS Monthly Average	15 mg/L	43 mg/L
07/2002	001	TSS Weekly Average	23 mg/L	43 mg/L
08/2002	001	BOD Monthly Average	10 mg/L	10.3 mg/L
09/2002	001	BOD Monthly Average	10 mg/L	22 mg/L
09/2002	001	BOD Weekly Average	15 mg/L	22 mg/L

Each excursion of the permit constitutes a violation of LPDES permit LAG570133 (Part I, Section B, and Part III, Section A.2), La. R.S. 30:2076 (A) (1), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A.

XXXII.

The Respondent, Wastewater Treatment - Utilities, Inc., owns and/or operates the River Highlands Subdivision wastewater treatment plant (AI# 43870) located at the intersection of La. Highway 22 and the Amite River Diversion Canal in French Settlement, Livingston Parish, Louisiana. The Respondent was granted coverage under Louisiana Pollutant Discharge Elimination System (LPDES) General Permit LAG570000 on May 11, 1998, and specifically was assigned Permit Number LAG570135. The permit expired on October 1, 2002, and has been administratively continued by the Department. LPDES Permit LAG570135 authorizes the Respondent to discharge treated sanitary wastewater to Bayou Pierre, waters of the state.

A. An inspection conducted by the Department on or about November 20, 2002, revealed the following violations:

1. The Respondent was not properly operating and maintaining the plant. Specifically, the inspector noted that there were solids and grease balls in the weirs of the clarifier. The Respondent's failure to properly operate and maintain equipment is in violation of LPDES permit LAG570135 (Part III, Section A.2 and B.3.a), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2355.A, and LAC 33:IX.2355.E.
2. There was evidence that the Respondent allowed the discharge of solids into the creek. Photos taken by the inspector revealed grease balls and other debris at the end of the discharge. The Respondent's unauthorized discharge of floating solids is in violation of LPDES permit LAG570135 (Part I, Section B, and Part III, Section A.2), La. R.S. 30:2075, La. R.S. 30:2076 (A)(1)(b), La. R.S. 30:2076 (A)(3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A.
3. The Respondent failed to meet permit limitations. Analyses of a sample collected from the discharge during the inspection revealed BOD and TSS values of 126 mg/L and 214 mg/L, respectively. These effluent exceedences constitute violations of LPDES permit LAG570135 (Part I, Section B, and Part III, Section A.2), La. R.S. 30:2076 (A) (1), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A.

B. A file review conducted by the Department on or about October 2 and 28, 2003, revealed the following monitoring violations:

1. The Respondent failed to submit DMRs from the issuance date of the permit, May 11, 1998, through December 2000, January 2001, April through December 2001, and January through March and July through September 2003, in violation of LPDES permit LAG570135 (Part I, Section C.6, and Part III, Section A.2), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2355.A, and LAC 33:IX.2355.L.4.a.
2. The Respondent submitted the DMRs for January through June 2002, on or about October 22, 2002. The Respondent's late submittal of DMRs is in violation of LPDES permit LAG570135 (Part I, Section C.6, and Part III, Sections A.2 and D.4), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, and LAC 33:IX.2355.A.
3. The Respondent failed to sign and date DMRs submitted for February and March 2001, in violation of LPDES permit LAG570135 (Part I, Section C, and Part III, Section A.2), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2333.B, LAC 33:IX.2355.A, and LAC 33:IX.2355.K.1.

4. The Respondent failed to report BOD results on the DMR for February 2002, in violation of LPDES permit LAG570135 (Part I, Section C, and Part III, Section A.2), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, and LAC 33:IX.2355.A.

C. Further file review by the Department on or about October 2, 2003, revealed the following permit excursions, as reported by the Respondent on DMRs:

Date	Outfall	Parameter	Permit Limit	Sample Value
02/2001	001	TSS Monthly Average	15 mg/L	61 mg/L
02/2001	001	TSS Weekly Average	23 mg/L	61 mg/L
02/2001	001	Fecal Coliform Monthly Average	200 col/100 ml	TNTC
02/2001	001	Fecal Coliform Weekly Average	400 col/100 ml	TNTC
03/2001	001	TSS Monthly Average	15 mg/L	25 mg/L
03/2001	001	TSS Weekly Average	23 mg/L	25 mg/L
01/2002	001	TSS Monthly Average	15 mg/L	17 mg/L
01/2002	001	Fecal Coliform Monthly Average	200 col/100 ml	600 col/100 ml
01/2002	001	Fecal Coliform Weekly Average	400 col/100 ml	600 col/100 ml
02/2002	001	TSS Monthly Average	15 mg/L	124 mg/L
02/2002	001	TSS Weekly Average	23 mg/L	124 mg/L
02/2002	001	Fecal Coliform Monthly Average	200 col/100 ml	6000 col/100 ml
02/2002	001	Fecal Coliform Weekly Average	400 col/100 ml	6000 col/100 ml
03/2002	001	BOD Monthly Average	10 mg/L	16.8 mg/L
03/2002	001	BOD Weekly Average	15 mg/L	16.8 mg/L
03/2002	001	TSS Monthly Average	15 mg/L	45 mg/L
03/2002	001	TSS Weekly Average	23 mg/L	45 mg/L
03/2002	001	Fecal Coliform Monthly Average	200 col/100 ml	6000 col/100 ml
03/2002	001	Fecal Coliform Weekly Average	400 col/100 ml	6000 col/100 ml
04/2002	001	BOD Monthly Average	10 mg/L	20.3 mg/L
04/2002	001	BOD Weekly Average	15 mg/L	20.3 mg/L
04/2002	001	TSS Monthly Average	15 mg/L	122 mg/L
04/2002	001	TSS Weekly Average	23 mg/L	122 mg/L
05/2002	001	TSS Monthly Average	15 mg/L	376 mg/L
05/2002	001	TSS Weekly Average	23 mg/L	376 mg/L
05/2002	001	Fecal Coliform Monthly Average	200 col/100 ml	1000 col/100 ml
05/2002	001	Fecal Coliform Weekly Average	400 col/100 ml	1000 col/100 ml
06/2002	001	TSS Monthly Average	15 mg/L	74 mg/L
06/2002	001	TSS Weekly Average	23 mg/L	74 mg/L
06/2002	001	Fecal Coliform Monthly Average	200 col/100 ml	500 col/100 ml
06/2002	001	Fecal Coliform Weekly Average	400 col/100 ml	500 col/100 ml
07/2002	001	BOD Monthly Average	10 mg/L	11.3 mg/L
07/2002	001	TSS Monthly Average	15 mg/L	103 mg/L
07/2002	001	TSS Weekly Average	23 mg/L	103 mg/L
08/2002	001	BOD Monthly Average	10 mg/L	44 mg/L
08/2002	001	BOD Weekly Average	15 mg/L	44 mg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
08/2002	001	TSS Monthly Average	15 mg/L	81 mg/L
08/2002	001	TSS Weekly Average	23 mg/L	81 mg/L
09/2002	001	Fecal Coliform Monthly Average	200 col/100 ml	400 col/100 ml
10/2002	001	TSS Monthly Average	15 mg/L	28 mg/L
10/2002	001	TSS Weekly Average	23 mg/L	28 mg/L
10/2002	001	Fecal Coliform Monthly Average	200 col/100 ml	6000 col/100 ml
10/2002	001	Fecal Coliform Weekly Average	400 col/100 ml	6000 col/100 ml
11/2002	001	TSS Monthly Average	15 mg/L	77 mg/L
11/2002	001	TSS Weekly Average	23 mg/L	77 mg/L
12/2002	001	TSS Monthly Average	15 mg/L	67 mg/L
12/2002	001	TSS Weekly Average	23 mg/L	67 mg/L
04/2003	001	TSS Monthly Average	15 mg/L	43 mg/L
04/2003	001	TSS Weekly Average	23 mg/L	43 mg/L

Each excursion of the permit constitutes a violation of LPDES permit LAG570135 (Part I, Section B, and Part III, Section A.2), La. R.S. 30:2076 (A) (1), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A.

XXXIII.

The Respondent, Wastewater Treatment - Utilities, Inc., owns and/or operates the River Highlands Subdivision, 2nd, 3rd, and 4th Filings, wastewater treatment plant (AI# 43871) located at the intersection of La. Highway 22 and the Amite River Diversion Canal in French Settlement, Livingston Parish, Louisiana. The Respondent was granted coverage under Louisiana Pollutant Discharge Elimination System (LPDES) General Permit LAG570000 on June 9, 1998, and specifically was assigned Permit Number LAG570136. The permit expired on October 1, 2002, and has been administratively continued by the Department. LPDES Permit LAG570136 authorizes the Respondent to discharge treated sanitary wastewater to Bayou Pierre, waters of the state.

- A. An inspection conducted by the Department on or about November 20, 2002, revealed that the Respondent failed to meet permit limitations. Analysis of a sample collected from the discharge during the inspection revealed a TSS value of 146 mg/L. This effluent exceedence constitutes a violation of LPDES permit LAG570136 (Part I, Section B, and Part III, Section A.2), La. R.S. 30:2076 (A) (1), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A.

B. A file review conducted by the Department on or about October 2 and 28, 2003, revealed the following monitoring violations:

1. The Respondent failed to submit DMRs from the issuance date of the permit, June 9, 1998, through March 2002, and January through March and July through September 2003, in violation of LPDES permit LAG570136 (Part I, Section C.6, and Part III, Section A.2), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2355.A, and LAC 33:IX.2355.L.4.a.
2. The Respondent submitted the DMRs for April through June 2002, on or about October 22, 2002. The Respondent's late submittal of DMRs is in violation of LPDES permit LAG570136 (Part I, Section C.6, and Part III, Sections A.2 and D.4), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, and LAC 33:IX.2355.A.

C. Further file review by the Department on or about October 2, 2003, revealed the following permit excursions, as reported by the Respondent on DMRs:

Date	Outfall	Parameter	Permit Limit	Sample Value
05/2002	001	TSS Monthly Average	15 mg/L	31 mg/L
05/2002	001	TSS Weekly Average	23 mg/L	31 mg/L
06/2002	001	TSS Monthly Average	15 mg/L	59 mg/L
06/2002	001	TSS Weekly Average	23 mg/L	59 mg/L
07/2002	001	TSS Monthly Average	15 mg/L	20 mg/L
08/2002	001	TSS Monthly Average	15 mg/L	38 mg/L
08/2002	001	TSS Weekly Average	23 mg/L	38 mg/L
09/2002	001	Fecal Coliform Monthly Average	200 col/100 ml	1000 col/100 ml
09/2002	001	Fecal Coliform Weekly Average	400 col/100 ml	1000 col/100 ml
10/2002	001	TSS Monthly Average	15 mg/L	27 mg/L
10/2002	001	TSS Weekly Average	23 mg/L	27 mg/L
10/2002	001	Fecal Coliform Monthly Average	200 col/100 ml	600 col/100 ml
10/2002	001	Fecal Coliform Weekly Average	400 col/100 ml	600 col/100 ml
11/2002	001	TSS Monthly Average	15 mg/L	138 mg/L
11/2002	001	TSS Weekly Average	23 mg/L	138 mg/L
12/2002	001	TSS Monthly Average	15 mg/L	59 mg/L
12/2002	001	TSS Weekly Average	23 mg/L	59 mg/L
04/2003	001	TSS Monthly Average	15 mg/L	20 mg/L
06/2003	001	TSS Monthly Average	15 mg/L	16 mg/L
06/2003	001	Fecal Coliform Monthly Average	200 col/100 ml	360 col/100 ml

Each excursion of the permit constitutes a violation of LPDES permit LAG570136 (Part I, Section B, and Part III, Section A.2), La. R.S. 30:2076 (A) (1), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A.

XXXIV.

The Respondent, Ascension Wastewater Treatment, Inc., owns and/or operates the Rhonda Place Subdivision wastewater treatment plant (AI# 19008) located off of La. Highway 42 in Prairieville, Ascension Parish, Louisiana. The Respondent was granted coverage under Louisiana Pollutant Discharge Elimination System (LPDES) General Permit LAG570000 on January 15, 1998, and specifically was assigned Permit Number LAG570078. The permit expired on October 1, 2002, and has been administratively continued by the Department. LPDES Permit LAG570078 authorizes the Respondent to discharge treated sanitary wastewater to Black Bayou, waters of the state.

- A. An inspection conducted by the Department on or about November 26, 2002, revealed the following violations:
1. The Respondent failed to meet permit limitations. Analyses of a sample collected from the discharge during the inspection revealed BOD and TSS values of 47 mg/L and 77.1 mg/L, respectively. These effluent exceedences constitute violations of LPDES permit LAG570078 (Part I, Section B, and Part III, Section A.2), La. R.S. 30:2076 (A) (1), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A.
 2. The Respondent was not properly operating and maintaining the plant. Specifically, some of the aeration drops used to deliver air to the aeration chamber were not working. Grease balls and other debris were also observed in the chlorine contact chamber. The Respondent's failure to properly operate and maintain equipment is in violation of LPDES permit LAG570078 (Part III, Section A.2 and B.3.a), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2355.A, and LAC 33:IX.2355.E.
- B. A file review conducted by the Department on or about October 2 and 28, 2003, revealed the following monitoring violations:
1. The Respondent failed to report the flow on DMRs for October through December 1999, in violation of LPDES permit LAG570078 (Part I, Section C, and Part III, Section A.2), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, and LAC 33:IX.2355.A.
 2. The Respondent failed to properly report pH minimum and maximum values on DMRs for April through December 1998, all of 1999, and January through

March 2000, in violation of LPDES permit LAG570078 (Part I, Section C, and Part III, Section A.2), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, and LAC 33:IX.2355.A.

3. The Respondent failed to report the weekly averages for BOD, TSS, and Fecal Coliform for all of 1998, all of 1999, and January through March 2000, in violation of LPDES permit LAG570078 (Part I, Section C, and Part III, Section A.2), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, and LAC 33:IX.2355.A.
4. The Respondent failed to submit DMRs for all of 2001, January through September 2002, and January through March and July through September 2003, in violation of LPDES permit LAG570078 (Part I, Section C.6, and Part III, Section A.2), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2355.A, and LAC 33:IX.2355.L.4.a.
5. The Respondent failed to sign and date DMRs submitted for October through December 2000, in violation of LPDES permit LAG570078 (Part I, Section C, and Part III, Section A.2), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2333.B, LAC 33:IX.2355.A, and LAC 33:IX.2355.K.1.
6. The Respondent submitted the DMRs for October through December 2000, on or about July 19, 2002. The Respondent's late submittal of DMRs is in violation of LPDES permit LAG570079 (Part I, Section C.6, and Part III, Sections A.2 and D.4), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, and LAC 33:IX.2355.A.

C. Further file review by the Department on or about October 2, 2003, revealed the following permit excursions, as reported by the Respondent on DMRs:

Date	Outfall	Parameter	Permit Limit	Sample Value
11/1998	001	BOD Monthly Average	10 mg/L	11 mg/L
04/1999	001	TSS Monthly Average	15 mg/L	16 mg/L
05/1999	001	BOD Monthly Average	10 mg/L	14 mg/L
05/1999	001	TSS Monthly Average	15 mg/L	19 mg/L
01/2000	001	BOD Monthly Average	10 mg/L	15 mg/L
10/2002	001	BOD Monthly Average	10 mg/L	11.8 mg/L
10/2002	001	TSS Monthly Average	15 mg/L	25 mg/L
10/2002	001	TSS Weekly Average	23 mg/L	25 mg/L
11/2002	001	BOD Monthly Average	10 mg/L	19.5 mg/L
11/2002	001	BOD Weekly Average	15 mg/L	19.5 mg/L
11/2002	001	TSS Monthly Average	15 mg/L	50 mg/L
11/2002	001	TSS Weekly Average	23 mg/L	50 mg/L
11/2002	001	Fecal Coliform Monthly Average	200 col/100 ml	6000 col/100 ml
11/2002	001	Fecal Coliform Weekly Average	400 col/100 ml	6000 col/100 ml
12/2002	001	BOD Monthly Average	10 mg/L	24 mg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
12/2002	001	BOD Weekly Average	15 mg/L	24 mg/L
04/2003	001	BOD Monthly Average	10 mg/L	10.2 mg/L

Each excursion of the permit constitutes a violation of LPDES permit LAG570078 (Part I, Section B, and Part III, Section A.2), La. R.S. 30:2076 (A) (1), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A.

XXXV.

The Respondent, Wastewater Treatment - Utilities, Inc., owns and/or operates the following subdivision wastewater treatment plants that are discharging without a permit. On or about the following dates, the wastewater treatment plants, listed below, were inspected and found to be discharging wastewater to waters of the state without an LPDES permit or any other authorization to discharge:

Inspection Date(s)	Site Name	AI #	Parish	Location	Receiving Stream
11/20/2002	Ascension Wastewater Treatment, Inc.	68571	Ascension	37454 Comerview, Geismar	New River
11/20/2002	Audubon Place	93790	Ascension	Stringer Bridge Rd., Prairieville	Black Bayou
11/21/2002	Autumn Woods (Autumn Woods LLC)	84946	Ascension	Moody Dixon Road, Galvez	Roddy Canal
10/08/2002	Bayou Estates Subdivision	85930	Ascension	La. Hwy. 431, St. Amant	Black Bayou
11/20/2002	Bluff Oaks Plantation Subdivision	86995	Ascension	La. Hwys. 928 & 427, Prairieville	Bluff Swamp
11/20/2002	The Bluffs	90596	Ascension	La. Hwy. 928 & Bluff Rd, Prairieville	Bluff Swamp
11/26/2002	Cobblestone Parc	93814	Ascension	La. Hwy. 73, Prairieville	Johnson Bayou
11/21/2002	The Cove	93880	Livingston	La. Hwys. 16 & 42, French Settlement	Amite River
11/26/2002	Cypress Gold	93791	Ascension	La. Hwy. 934, Prairieville	New River
11/26/2002	Deer Run	93816	Ascension	S. St. Landry at La. Hwy. 30, Prairieville	New River
11/20/2002	Fountain Hill	93886	Ascension	La. Hwy. 928 & Perkins Rd, Prairieville	Bluff Swamp
11/21/2002	Francois Point	93817	Ascension	11180 Naquin Rd., Gonzales	Bayou Francois

Inspection Date(s)	Site Name	AI #	Parish	Location	Receiving Stream
11/20/2002	Golden Meadow	93818	Ascension	S. St. Landry, Gonzales	Bayou Boyle
9/17/2002 & 11/21/2002	Henderson Bayou Estates	90559	Ascension	N. Henderson Rd., Galvez	Henderson Bayou
11/22/2002	Hidden Point Subdivision	85129	Ascension	I-10 & La. Hwy. 429 (Lakeview Dr.), Gonzales	New River
11/22/2002	Highlands at Dutchtown	93819	Ascension	La. Hwy. 74, Prairieville	New River
11/19/2002	Jefferson Crossing	86645	Ascension	La. Hwy. 73 E, Prairieville	Muddy Creek
11/21/2002	Kendalwood Subdivision	93820	Ascension	La. Hwy. 929, Gonzales	Black Bayou
12/02/2002	Lakes at Ascension	93821	Ascension	I-10 at La. Hwy. 73, Prairieville	Johnson Bayou
3/16/2001 & 11/21/2002	Les Chenier	93789	Ascension	La. Hwy. 42, Prairieville	Muddy Creek
11/27/2002	Longwood Subdivision	90807	Ascension	La. Hwy. 73, Prairieville	Bluff Swamp
11/26/2002	Manchac Harbor	93884	Ascension	La. Hwy. 42, Prairieville	Muddy Creek
11/20/2002	Manchac Place (1st, 2nd, & 3rd filings)	93885	Ascension	La. Hwys. 928 & 427, Prairieville	Bluff Swamp
4/13/2000 & 11/26/2002	Meadow Ridge	93823	Ascension	McCroy Rd at La. Hwy. 42, Prairieville	Muddy Creek
11/26/2002	Old Mill Subdivision	94272	Ascension	La. Hwys. 73 & 74, Geismar	New River
11/26/2002	Ole Paces Point	93825	Ascension	La. Hwy. 621, Prairieville	Bayou Grand Goudine
11/19/2003	The Parks of Dutchtown	110713	Ascension	La. Hwy. 429, Geismar	Bayou Goudine
12/03/2002	Pelican Crossing	93881	Ascension	La. Hwys. 44 & 22, Gonzales	Panama Canal
1/15/2003	Seven Oaks Subdivision 6	106196	Ascension	La. Hwy. 929, Prairieville	Bayou Grand Goudine
11/20/2002	Spanish Oaks	93827	Ascension	Swamp Rd. & U.S. Hwy. 61, Prairieville	Bluff Swamp
11/20/2002	Twelve Oaks	93828	Ascension	La. Hwy. 42 N, Prairieville	Bayou Manchac
11/20/2002	Village at Willow Lake	93873	Ascension	Ronald Rd., Prairieville	Muddy Creek
1/14/2003	Waterfront West	86491	Livingston	La. Hwy. 22 & Diversion Canal, French Settlement	Amite River Diversion Canal

All unauthorized discharges of wastewater to waters of the state are in violation of La. R.S. 30:2075, La. R.S. 30:2076 (A) (1) (a), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.C, LAC 33:IX.501.D, and LAC 33:IX.2311.A.1.

XXXVI.

The Respondent, Ascension Wastewater Treatment, Inc., owns and/or operates the following subdivision wastewater treatment plants that are discharging without a permit. On or about the following dates, the wastewater treatment plants, listed below, were inspected and found to be discharging wastewater to waters of the state without an LPDES permit or any other authorization to discharge:

Inspection Date(s)	Site Name	AI #	Parish	Location	Receiving Stream
11/20/2002	Bradbury Trace/Madison Place	93813	Ascension	La. Hwy. 929, Prairieville	Black Bayou
12/02/2002 & 11/19/2003	Lakeview Estates	93822	Ascension	La. Hwy. 929, Prairieville	Black Bayou
12/11/2002	Pelican Point Golf Community	51838	Ascension	La. Hwy. 44, Burnside	Panama Canal

All unauthorized discharges of wastewater to waters of the state are in violation of La. R.S. 30:2075, La. R.S. 30:2076 (A) (1) (a), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.C, LAC 33:IX.501.D, and LAC 33:IX.2311.A.1.

XXXVII.

The Respondent, Wastewater Treatment - Utilities, Inc., owns and/or operates the following wastewater treatment plants that were inspected on the following dates, and were not discharging at the time of the inspection. The Department has reason to believe however that the Respondent intends to discharge from these facilities, as evidenced by permit applications submitted for these facilities:

Inspection Date(s)	Site Name	AI #	Parish	Location	Receiving Stream
10/29/2003	Cloverhill Subdivision	100324	East Baton Rouge	Barringer - Foreman at Airline, Baton Rouge	Ward Creek Diversion Canal
11/26/2002	Cypress Point	93815	Ascension	La. Hwy. 16, French Settlement	Amite River
11/19/2003	Lake Beau Pre' Townhomes	90272	East Baton Rouge	River Road, Baton Rouge	Mississippi River
11/26/2002	Old Mill Settlement	93883	Livingston	La. Hwy. 16, Port Vincent	Amite River
1/14/2003	Three Rivers Island	93829	Livingston	Amite River Diversion Canal, French Settlement	Amite River Diversion Canal
11/19/2003	Waterford Lake Subdivision	106910	Ascension	La. Hwy 73, Prairieville	Bayou Grand Goudine

Any discharges from these facilities are in violation of La. R.S. 30:2075, La. R.S. 30:2076 (A) (1) (a), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.C, LAC 33:IX.501.D, and LAC 33:IX.2311.A.1.

XXXVIII

The Respondent, Wastewater Treatment - Utilities, Inc., owns and/or operates the Fox Run Subdivision wastewater treatment plant (AI# 118001) located on La. Highway 44 between La. Highways 929 and 921 in Prairieville, Ascension Parish, Louisiana. An inspection conducted by the Department on or about November 19, 2003, revealed that the plant was in operation, but was not discharging at the time of the inspection. The Respondent has not submitted a permit application to the Department for this facility, however the Department has reason to believe that the Respondent intends to discharge from this facility, as evidenced by a letter of "no objection" from the Louisiana Department of Health and Hospitals for the plans and specifications of the plant. Any discharge from this facility is in violation of La. R.S. 30:2075, La. R.S. 30:2076 (A) (1) (a), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.C, LAC 33:IX.501.D, and LAC 33:IX.2311.A.1.

XXXIX.

For the facilities listed in Paragraphs XXXV, XXXVI, and XXXVII, the Respondent submitted incomplete applications to the Department on or about October 15, 2001, with the exceptions of: Henderson Bayou Estates, submitted on or about November 8, 2000; Hidden Point Subdivision, submitted on or about May 1, 2000; Pelican Point Golf Community, submitted on or about July 9, 1998; Waterfront West, submitted on or about December 15, 2000; Cloverhill Subdivision, submitted on or about October 23, 2002; Lake Beau Pre Townhomes, submitted on or about March 17, 2003; and Waterford Lake and The Parks of Dutchtown subdivisions, submitted on or about April 17, 2003. The Respondent failed to correct the deficiencies or finalize these applications by providing the financial security. Each failure to submit a complete application, correct the deficiencies in the application, and/or provide financial security to the Department is in violation of La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.1309.C, LAC 33:IX.2331.E.1, LAC 33:IX.2405.D, and LAC 33:IX.2767.A.3.

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 facilities to waters of the state, and to take any and all steps necessary to meet and maintain compliance 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 permits LA0103276, LAG530602, LAG540779, LAG541098, LAG540275, LAG540008, LAG540830, LAG540833, LAG540819, LAG540780, LAG541136, LAG541117, LAG540820, LAG540832, LAG540781, LAG540829, LAG540818, LAG570195, LAG570079, LAG570097, LAG570096, LAG570133, LAG570135, LAG570136, and LAG570078.

III.

For those facilities that are currently unpermitted, as set forth in Paragraphs II, III, IV, V, XXII, XXIII, XXIV, XXV, XXVI, XXXV, XXXVI, XXXVII, and XXXVIII to protect water quality, the Respondent is required to comply with the following:

- A) If the Respondent chooses to discharge to waters of the state, a completed LPDES notice of intent or appropriate LPDES permit application must be submitted to the Department within thirty (30) days after receipt of this COMPLIANCE ORDER for each facility that the Respondent has not already submitted an LPDES permit application. The completed LPDES notice of intent or permit application must address all outfalls at the facility and must follow all procedures and guidelines set forth in LAC 33:IX, Chapter 23. If a completed LPDES notice of intent or permit application is not submitted within thirty (30) days after receipt of this COMPLIANCE ORDER for any particular facility, the following discharge authorization will be terminated for that facility.

If the Respondent chooses to discharge to waters of the state, the following interim limitations and monitoring requirements shall apply for each facility:

The point of discharge for each facility is hereby designated as Outfall 001 for treated sanitary wastewater. The discharge(s) from these facilities' operations shall be monitored at the point(s) of discharge prior to entering waters of the state of Louisiana. The Respondent shall monitor and report all discharges from its facilities under the following interim limitations and monitoring requirements until final LPDES permits are issued by the Department or until Respondent is otherwise notified in writing by the Department.

OUTFALL 001— TREATED SANITARY WASTEWATER

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	-----	Report	1/week	Estimate
BOD ₅ *	10 mg/L	15 mg/L	1/week	Grab
TSS *	15 mg/L	23 mg/L	1/week	Grab
Fecal Coliform Colonies /100 ml *	200	400	1/week	Grab
pH - Allowable Range (Standard Units) *	6.0 (minimum)	9.0 (maximum)	1/week	Grab

* If the value of any of these effluent characteristics exceeds the Daily Maximum limit in any sample, the Monitoring Frequency shall increase to twice a week. This increased frequency shall continue until a sample demonstrates a value less than or equal to the Daily Maximum. If the pH value is below 6.0 standard units or above 9.0 standard units, the monitoring frequency shall increase to twice a week. This increased frequency shall continue until a sample exhibits a value between 6.0 and 9.0 standard units. The results of the increased frequency shall be included in the calculation and reporting of the data submitted in the DMR.

There shall be no discharge of floating solids or visible foam in other than trace amounts, or of free oil or other oily materials, or of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge, nor shall there be any accumulation of solids in the receiving stream which has the potential to negatively impact aquatic life or hinder natural drainage.

The Respondent shall comply with the General Criteria for water quality standards listed in LAC 33:IX.1113.B.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge point prior to mixing with other waters.

Samples and measurements shall be representative of the volume and nature of the discharge and collected and analyzed according to the requirements of LAC 33:IX.2355.J. Monitoring results from all sample analyses shall be forwarded to this Office, on separate Discharge Monitoring Reports (DMRs) (EPA Form 3320-1) for each facility no later than the twenty-eighth (28th) day of the month following the monitoring period. The first report is due on the 28th day of the first full month following issuance of COMPLIANCE ORDER WE-CN-03-0066. The Respondent shall continue the submission of DMRs by the twenty-eighth (28th) day of each month until otherwise notified in writing by this Department.

The Respondent shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Respondent to achieve compliance with the conditions of these interim limitations and monitoring requirements. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up auxiliary facilities or similar systems, which are installed by a facility only when the operation is necessary to achieve compliance with the conditions of these interim limitations and monitoring requirements.

These interim limitations and monitoring requirements do not convey any property rights of any sort.

If the Daily Maximum limitation on any parameter is exceeded, the Respondent shall report said excursion(s) in writing to this Office within five (5) working days after becoming aware of the violations.

Please be advised that according to La. R.S. 48:385 any discharge to a highway ditch, cross ditch, or right-of-way shall require approval from the Louisiana Department of Transportation and Development, Post Office Box 94245, Baton Rouge, Louisiana 70804-9245, (225) 379-1301 and from the Department of Health and Hospitals, Office of Public Health, 6867 Bluebonnet Road, Box 7, Baton Rouge, Louisiana 70810, (225) 765-5044.

For sanitary treatment plants, the plans and specifications must be approved by the Louisiana Department of Health and Hospitals, Office of Public Health, 6867 Bluebonnet Road, Box 7, Baton Rouge, Louisiana 70810, (225) 765-5044.

- B) If the Respondent does not choose to discharge to waters of the state, the Respondent shall, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, provide written documentation to the Department that no activities exist at the Respondent's facility resulting in any unauthorized discharges to waters of the state.

IV.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, properly completed and/or corrected Discharge Monitoring Reports (DMRs) for the monitoring periods mentioned in Paragraphs II.F, II.G, III.C, IV.E, V.D, VI.B, VII.B, VIII.B, IX.C, X.E, XI.B, XII.C, XIII.B, XIV.B, XV.B, XVI.B, XVII.D, XVII.F, XVIII.C, XIX.B, XX.C, XXI.B, XXII.C, XXIII.G, XXIV.D, XXV.C, XXVI.B, XXVII.B, XXVIII.D, XXIX.C, XXX.B, XXXI.B, XXXII.B, XXXIII.B, and XXXIV.B of the Findings of Fact. If no

sampling or monitoring was conducted during a monitoring period, the Respondent should indicate this in the space provided for "Comment and Explanation of Any Violations."

V.

To submit to the Enforcement Division, within thirty (30) days upon receipt of this **COMPLIANCE ORDER**, for each unpermitted facility, a report detailing the periods of noncompliance, including the purchase date of the plant if already in operation, or the construction and installation dates if the plant is new. This report shall be signed and certified according to LAC 33:IX.2333.B and LAC 33:IX.2333.D. The Respondent shall also provide documentation for each unpermitted facility, including but not limited to copies of contracts or purchase agreements and utility bills.

VI.

To submit to the Enforcement Division, within thirty (30) days upon receipt of this **COMPLIANCE ORDER**, all sampling results, chains of custody, pH logs, and flow data for the years 2000, 2001, 2002, and 2003, for each facility listed in Paragraphs II through XXXIV of the Findings of Fact.

VII.

To submit to the Enforcement Division, within thirty (30) days upon receipt of this **COMPLIANCE ORDER**, a report detailing any other treatment systems owned and/or operated by the Respondent that are not covered under this Order. This report shall be signed and certified according to LAC 33:IX.2333.B and LAC 33:IX.2333.D.

VIII.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a comprehensive plan for each facility for the expeditious

elimination and prevention of such noncomplying discharges. Such plan shall provide for specific corrective actions taken, including but not limited to the collection system, lift stations, and all related operations and maintenance of each plant, and shall include a critical path schedule for the achievement of compliance within the shortest time possible.

IX.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a list detailing the certified operators responsible for the operations and maintenance at each facility for the last five (5) years. A copy of each operator's certification shall be included with the list.

X.

To submit to the Enforcement Division, within thirty (30) days upon 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**.

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-03-0066
Agency Interest No. 18804

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. 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 Kelli Smith McNulty at (225) 219-3811 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 9th day of December, 2003.

R. Bruce Hammatt
R. Bruce Hammatt
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: Celena J. Cage

- c: Mr. Charles Faultry
U.S. Environmental Protection Agency, Region 6
- Mr. Gus Cretini
Regional Engineer Manager
Department of Health and Hospitals
- Mr. Brian Mistich
Regional Engineer Manager
Department of Health and Hospitals
- Mr. Stan Perkins
Audit Manager
Louisiana Public Service Commission
- Mr. R.E. Dillon, Jr.
Chief Engineer
Department of Transportation and Development