

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

CITY OF SHREVEPORT

AI # 19267, 8848

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

\* Settlement Tracking No.  
\* SA-WE-20-0032  
\*  
\* Enforcement Tracking Nos.  
\* WE-CN-16-00124A  
\* WE-PP-16-01034  
\*  
\*  
\* Docket No. 2017-5534-EQ  
\*

SETTLEMENT

The following Settlement is hereby agreed to between City of Shreveport (“Respondent”) and the Department of Environmental Quality (“DEQ” or “the Department”), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. (“the Act”).

I

Respondent is a governmental entity that owns and/or operates facilities located in Shreveport, Caddo Parish, Louisiana (“the Facilities”).

II

On September 22, 2016, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. WE-CN-16-00124A (Exhibit 1).

On April 20, 2017, the Department issued to Respondent a Notice of Potential Penalty, Enforcement No. WE-PP-16-01034 (Exhibit 2).

III

In response to the Amended Consolidated Compliance Order & Notice of Potential Penalty, Respondent made a timely request for a hearing.

IV

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties.

V

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of NINE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$9,400.00), of which Three Thousand Eight Hundred Seventy-Seven and 82/100 Dollars (\$3,877.82) represents the Department's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

VI

Respondent further agrees that the Department may consider the inspection report(s), the Amended Consolidated Compliance Order & Notice of Potential Penalty, the Notice of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

VII

This agreement shall be considered a final order of the Secretary for all purposes, including, but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may

be required for interpretation of this agreement in any action by the Department to enforce this agreement.

### VIII

This settlement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and settlement, the Department considered the factors for issuing civil penalties set forth in La. R. S. 30:2025(E) of the Act.

### IX

As required by law, the Department has submitted this Settlement Agreement to the Louisiana Attorney General for approval or rejection. The Attorney General's concurrence is appended to this Settlement Agreement.

### X

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Caddo Parish, Louisiana. The advertisement, in form and wording approved by the Department, announced the availability of this settlement for public view and comment and the opportunity for a public hearing. Respondent has submitted an original proof-of-publication affidavit and an original public notice to the Department and, as of the date this Settlement is executed on behalf of the Department, more than forty-five (45) days have elapsed since publication of the notice.

### XI

Payment is to be made within ten (10) days from notice of the Secretary's signature. If payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed

or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit A).


## XII

In consideration of the above, any claims for penalties are hereby compromised and settled in accordance with the terms of this Settlement.

## XIII

Each undersigned representative of the parties certifies that he or she is fully authorized to execute this Settlement Agreement on behalf of his or her respective party, and to legally bind such party to its terms and conditions.

CITY OF SHREVEPORT

BY:   
(Signature)

Adrian Perkins  
(Printed)

TITLE: Mayor

THUS DONE AND SIGNED in duplicate original before me this 31<sup>st</sup> day of December, 20 20, at Shreveport, Louisiana.

  
NOTARY PUBLIC (ID # 5719)



MALCOLM F. STADLANDER  
NOTARY ID # 5719  
CADDO PARISH, LOUISIANA  
MY COMMISSION IS FOR LIFE

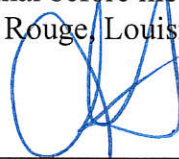
(stamped or printed)

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chuck Carr Brown, Ph.D., Secretary

BY:   
Lourdes Iturralde, Assistant Secretary  
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 25<sup>th</sup> day of March, 20 21, at Baton Rouge, Louisiana.

  
NOTARY PUBLIC (ID # 92503)



AMBER G. LITCHFIELD  
Notary Public  
State of Louisiana  
Notary ID # 92503  
East Baton Rouge Parish

(stamped or printed)

Approved:   
Lourdes Iturralde, Assistant Secretary





Enforcement Tracking No.	WE-CN-16-00124A	Certified Mail No.	7004 2510 0006 3853 6743
Agency Interest (AI) No.	19267	Contact Name	Andréa M. Huval
Alternate ID No.	LA0042188	Contact Phone No.	(225)-219-3090
Respondent:	City of Shreveport	Facility Name:	North Regional WWTP
	c/o Ollie S. Tyler, Mayor	Physical Location:	2303 North Regional Road
	Agent for Service of Process		
	505 Travis Street	City, State, Zip:	Shreveport, LA 71107
	Shreveport, LA 71101	Parish:	Caddo

This AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY is issued 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). This AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY replaces CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-16-00124 issued on May 2, 2016 in its entirety.

#### FINDINGS OF FACT

An authorized representative of the Department inspected the abovementioned facility or conducted a file review of the facility to determine the degree of compliance with regulations promulgated in the Louisiana Administrative Code, Title 33. The State regulatory citations for the violation(s) identified during the inspection and/or file review are indicated below.

I.	The Respondent owns and/or operates a wastewater treatment system located at 2303 North Regional Road, Shreveport, Caddo Parish, Louisiana. The Respondent was reissued Louisiana Pollutant Discharge Elimination System (LPDES) Permit LA0042188 with an effective date of December 1, 2007, and an expiration date of November 30, 2012; permit coverage was administratively continued until the permit can be reissued. Under the terms and conditions of LPDES Permit LA0042188, the Respondent is permitted to discharge treated sanitary wastewater into the Red River and Twelve Mile Bayou, all waters of the state.	
	Date of Violation	Description of Violation
II.	Inspection(s) 12/22/2015	The Respondent caused and/or allowed the discharge of wastewater from a source or location not authorized by the permit. Specifically, the facility experienced a sewer line break resulting in a release of raw sewage to Bickham Bayou and resulting in the destruction of wildlife. Approximately 200 fish were found dead in the bayou. (Unauthorized discharge: La. R.S. 30:2076(A)(1)(a); and LAC 33:IX.501.D. Destruction of Fish and Wildlife: La. R.S. 30:2076(A)(3) and LAC 33:IX.501.A)
III.	Inspection(s) 12/22/2015	The Respondent failed to comply with LPDES permit LA0042188. Specifically, the permit requires the Respondent to notify the Department immediately, but in no case less than one hour, after discovery of an unauthorized discharge to waters of the state which results in emergency conditions. Facility representatives became aware of the sewer line break on December 19, 2015, but the spill was not reported until December 22, 2015. A written report detailing the incident was submitted to the Department on or about December 28, 2015. (LA0042188 (Part III, Sections A.2 and D.6.a); La. R.S. 30:2076(A)(3); and LAC 33:IX.501.A.1.)

#### ORDER

Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below:

I.	To take, immediately upon receipt of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain compliance with the Water Quality Regulations. This shall include, but not be limited to; correcting <u>all</u> of the violations described in the "Findings of Fact" portion.
II.	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 violation(s) 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 the Department at the address specified in this document.
III.	To immediately cease, upon receipt of this COMPLIANCE ORDER, any unauthorized discharges from the Respondent's facility to waters of the state.

#### RIGHT TO APPEAL

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 address specified in this document.
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.). 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 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 Andréa M. Huval at (225) 219-3090 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.


**CONTACTS AND SUBMITTAL OF INFORMATION**

<b>Enforcement Division:</b> Louisiana Department of Environmental Quality Office of Environmental Compliance Water Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Andréa M. Huval	<b>Hearing Requests:</b> 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-16-00124A Agency Interest No. 19267
<b>Permit Division (if necessary):</b> Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Attn: Water Permits Division	<b>Physical Address (if hand delivered):</b> Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802

**HOW TO REQUEST CLOSURE OF THIS AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

- To appeal the AMENDED CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY, the Respondent must follow the guidelines set forth in the "Right to Appeal" portion of this AMENDED CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY.
- To request closure of the COMPLIANCE ORDER portion, the Respondent must demonstrate compliance with the "Order" portion of this AMENDED COMPLIANCE ORDER by completing the attached "AMENDED CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE" form and returning it to the address specified.
  - The COMPLIANCE ORDER portion will not be closed if the Respondent owes outstanding fees or penalties to the Department. Please contact the Financial Services Division at 225-219-3865 or email them at [\\_DEQ-WWWFinancialServices@la.gov](mailto:_DEQ-WWWFinancialServices@la.gov) to determine if you owe outstanding fees.
- To expedite closure of the NOTICE OF POTENTIAL PENALTY portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein.
  - The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7.
  - The Respondent may offer a settlement amount but the Department is under no obligation to enter into settlement negotiations. It is decided upon on a discretionary basis.
  - The settlement offer amount may be entered on the attached "AMENDED CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE" form. The Respondent must include a justification of the offer.
  - DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.
  - The NOTICE OF POTENTIAL PENALTY will not be closed if the Respondent owes outstanding fees to the Department. Please contact the Financial Services Division at 225-219-3865 or email them at [\\_DEQ-WWWFinancialServices@la.gov](mailto:_DEQ-WWWFinancialServices@la.gov) to determine if you owe outstanding fees.

If you have questions or need more information, you may contact Andréa M. Huval at (225) 219-3090 or [andrea.huval@la.gov](mailto:andrea.huval@la.gov).

  
 Lourdes Iturralde  
 Assistant Secretary  
 Office of Environmental Compliance

Date: 9-22-16

Attachment(s)  
 - Request to Close





Enforcement Tracking No.	WE-CN-16-00124A	Contact Name	Andréa M. Huval
Agency Interest (AI) No.	19267	Contact Phone No.	(225) 219-3090
Alternate ID No.	LA0042188		
Respondent:	City of Shreveport	Facility Name:	North Regional WWTP
	c/o Ollie S. Tyler, Mayor	Physical Location:	2303 North Regional Road
	Agent for Service of Process		
	505 Travis Street	City, State, Zip:	Shreveport, LA 71107
	Shreveport, LA 71101	Parish:	Caddo

**STATEMENT OF COMPLIANCE**

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph II of the "Order" portion of the AMENDED COMPLIANCE ORDER.		
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:		

**SETTLEMENT OFFER (OPTIONAL)**

*(check the applicable option)*

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (WE-CN-16-00124A), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (WE-CN-16-00124A), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional)= \$ _____</li> <li>• <b>DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.</b></li> </ul>
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (WE-CN-16-00124A) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

**CERTIFICATION STATEMENT**

*I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.*

Respondent's Signature	Respondent's Printed Name	Respondent's Title
Respondent's Physical Address	Respondent's Phone #	Date

**MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:**

Louisiana Department of Environmental Quality  
 Office of Environmental Compliance  
 Enforcement Division  
 Post Office Box 4312  
 Baton Rouge, LA 70821  
 Attn: Andréa M. Huval

If you have questions or need more information, you may contact Andréa M. Huval at (225) 219-3090 or andrea.huval@la.gov.



NOTICE OF POTENTIAL PENALTY



Enforcement Tracking No.	WE-PP-16-01034	Certified Mail No.	7004 2510 0006 3853 6880
Agency Interest (AI) No.	8848	Contact Name	Andréa M. Huval
Alternate ID No.	LA0041394	Contact Phone No.	(225) 219-3090
Respondent:	City of Shreveport	Facility Name:	Lucas Wastewater Treatment Plant
	c/o Honorable Ollie S. Tyler, Mayor	Physical Location:	1301 East Kings Highway
	505 Travis Street	City, State, Zip:	Shreveport, LA 71105
	Shreveport, LA 71101-3042	Parish:	Caddo

This NOTICE OF POTENTIAL PENALTY is issued 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 30:2050.3(B).

**FINDINGS OF FACT**

An authorized representative of the Department inspected the abovementioned facility or conducted a file review of the facility to determine the degree of compliance with regulations promulgated in the Louisiana Administrative Code, Title 33. The State regulatory citations for the violation(s) identified during the inspection and/or file review are indicated below.

I.	The Respondent owns and/or operates a wastewater treatment plant located at 1301 East Kings Highway, Shreveport, Caddo Parish, Louisiana. The Respondent was reissued Louisiana Pollutant Discharge Elimination System (LPDES) Permit LA0041394 on April 13, 2009, with an effective date of May 1, 2009, and an expiration date of April 30, 2014. The Respondent submitted an application to renew coverage on October 15, 2013; coverage was administratively continued. Under the terms and conditions of LPDES Permit LA0041394, the Respondent is permitted to discharge treated sanitary wastewater into the Red River, all waters of the state.	
	<b>Date of Violation</b>	<b>Description of Violation</b>
II.	Inspection(s) 12/29/2016	The Respondent caused and/or allowed the discharge of wastewater from a source or location not authorized by the permit. Specifically, a lift station was down for repairs and the gravity main had become surcharged from a previous heavy rainfall, resulting in the discharge of an unknown volume of sewage directly into Gilmer Bayou, thence into Boggy Bayou and resulting in the destruction of wildlife. Approximately 300 fish of various species were reported dead during the first two days of response. (Unauthorized discharge: La. R.S. 30:2076(A)(1)(a); and LAC 33:IX.501.D. Destruction of Fish and Wildlife: La. R.S. 30:2076(A)(3) and LAC 33:IX.501.A) Responses dated January 2, 2017, and January 6, 2017, indicated that sewer impacted water pools were pumped out and returned to treatment, water quality was monitored through fecal coliform sampling until conditions returned to below permitted limitations, and that the Respondent was in design phase of plans to replace and relocate the gravity main, which is projected to be complete by the end of 2017. Pumping of impacted waters ceased on or about January 11, 2017. Interim precautionary measures have been put in place.
III.	Inspection(s) 7/16/2016 7/18/2016 7/20/2016	The Respondent caused and/or allowed the discharge of wastewater from a source or location not authorized by the permit. Specifically, a total of approximately 400,000 gallons of raw sewage was released from a ruptured force main on July 16, 2016, and from additional ruptures on July 17, 2016 when lift stations were brought back online; the releases entered waters of the state. (La. R.S. 30:2076(A)(1)(a) and LAC 33:IX.501.D) A Response to Warning Letter WE-L-16-01034 dated November 28, 2016, was received by the Department on December 6, 2016. The releases were vacuumed up on both days and returned to the system for treatment. The force main line was replaced and repaired, with work completed by the morning of July 18, 2016, and the affected areas were disinfected with lime and flushed with fresh water until sample results were consistently below 400 colonies/100 ml. A project to replace the line segment is currently out for bids, and work on the project is expected to begin in late spring or early summer of 2017. Installation of a temporary parallel 30 inch main was completed on December 15, 2016, and will remain in place as a preventative measure until the project can be completed.

**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 Andréa M. Huval at (225) 219-3090 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. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.
IV.	For each violation described herein, the Department reserves the right to seek civil penalties and the right to seek compliance with its rules and regulations in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties and compliance.
V.	To reduce document handling, please refer to the Enforcement Tracking Number and Agency Interest Number on the front of this document on all correspondence in response to this action.

**CONTACTS AND SUBMITTAL OF INFORMATION**


<b>Enforcement Division:</b> Louisiana Department of Environmental Quality Office of Environmental Compliance Water Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: <b>Andréa M. Huval</b>	<b>Physical Address (if hand delivered):</b> Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802
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**HOW TO REQUEST CLOSURE OF THIS NOTICE OF POTENTIAL PENALTY**

To expedite closure of the **NOTICE OF POTENTIAL PENALTY**, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein.

- The Department assesses civil penalties based on LAC 33:1.Subpart1.Chapter7.
- The Respondent may offer a settlement amount but the Department is under no obligation to enter into settlement negotiations. It is decided upon on a discretionary basis.
- The settlement offer amount may be entered on the attached "**NOTICE OF POTENTIAL PENALTY REQUEST TO SETTLE**" form. The Respondent must include a justification of the offer.
- **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.
- The **NOTICE OF POTENTIAL PENALTY** will not be closed if the Respondent owes outstanding fees to the Department. Please contact the Financial Services Division at 225-219-3865 or email them at [\\_DEQ-WWWFinancialServices@la.gov](mailto:_DEQ-WWWFinancialServices@la.gov) to determine if you owe outstanding fees.

If you have questions or need more information, you may contact **Andréa M. Huval** at (225) 219-3090 or [andrea.huval@la.gov](mailto:andrea.huval@la.gov).



\_\_\_\_\_  
**Lourdes Iturralde**  
Assistant Secretary  
Office of Environmental Compliance

Date: 4-20-17

Attachment(s)  
- Request to Settle

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

OFFICE OF ENVIRONMENTAL COMPLIANCE

ENFORCEMENT DIVISION

POST OFFICE BOX 4312

BATON ROUGE, LOUISIANA 70821-4312

NOTICE OF POTENTIAL PENALTY  
REQUEST TO SETTLE (OPTIONAL)



Enforcement Tracking No.	WE-PP-16-01034	Contact Name	Andréa M. Huval
Agency Interest (AI) No.	8848	Contact Phone No.	(225) 219-3090
Alternate ID No.	LA0041394		
Respondent:	City of Shreveport	Facility Name:	Lucas Wastewater Treatment Plant
	c/o Honorable Ollie S. Tyler, Mayor	Physical Location:	1301 East Kings Highway
	505 Travis Street	City, State, Zip:	Shreveport, LA 71105
	Shreveport, LA 71101-3042	Parish:	Caddo

**SETTLEMENT OFFER (OPTIONAL)**

(check the applicable option)

The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.

In order to resolve any claim for civil penalties for the violations in **NOTICE OF POTENTIAL PENALTY** (WE-PP-16-01034), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.

In order to resolve any claim for civil penalties for the violations in **NOTICE OF POTENTIAL PENALTY** (WE-PP-16-01034), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ \_\_\_\_\_ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance.

- Monetary component = \$ \_\_\_\_\_
- Beneficial Environmental Project (BEP) component (optional)= \$ \_\_\_\_\_
- **DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.**

The Respondent has reviewed the violations noted in **NOTICE OF POTENTIAL PENALTY** (WE-PP-16-01034) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

**CERTIFICATION STATEMENT**

*I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.*

Respondent's Signature	Respondent's Printed Name	Respondent's Title
Respondent's Physical Address	Respondent's Phone #	Date

**MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:**

Louisiana Department of Environmental Quality  
Office of Environmental Compliance  
Enforcement Division  
Post Office Box 4312  
Baton Rouge, LA 70821  
Attn: Andréa M. Huval

If you have questions or need more information, you may contact Andréa M. Huval at (225) 219-3090 or andrea.huval@la.gov.