STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:	*	**Settlement Tracking No.**
	*	**SA-MM-17-0059**
CAROL CALLAHAN	*	
	*	**Enforcement Tracking No.**
AI # 104795	*	**MM-CN-12-01414**
	*	**WE-CN-13-00954**
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	
ENVIRONMENTAL QUALITY ACT	*	
LA. R.S. 30:2001, ET SEQ.	*	

SETTLEMENT

The following Settlement is hereby agreed to between Carol Callahan ("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 an individual that owns and/or operates a facility located in Oakdale, Allen Parish, Louisiana ("the Facility").

II

On May 28, 2013, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. MM-CN-12-01414, which was based upon the following findings of fact:

"The Respondent owns and/or operates a food flavoring manufacturing facility known to the Department as Natural Advantage. The facility (the Site) is located at 1050 Cypress Creek Road in Oakdale, Allen Parish, Louisiana. The Respondent does not have a permit and/or other authority from the Department to operate a solid waste disposal site. The Department issued Louisiana

Pollutant Discharge Elimination System (LPDES) Permit LA0118672 to the Respondent with an effective date of February 1, 2005, and an expiration date of January 31, 2010. The Department received a permit renewal application from the Respondent for reissuance of LPDES Permit LA0118672 on or about August 5, 2009, and LPDES Permit LA0118672 was administratively continued. LPDES Permit LA0118672 was reissued with an effective date of September 1, 2010, and will expire on August 31, 2015. The Department received a permit modification application from the Respondent requesting the addition of another outfall to LPDES Permit LA0118672 on or about January 3, 2013. To date, the Department has not granted the permit modification. Under terms and conditions of LPDES Permit LA0118672, the Respondent is authorized to discharge lab and production wastewater from Outfall 001 into local drainage, thence into Morris Brach, thence into Beaver Creek, waters of the state.

The Respondent was issued **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-CN-03-0079** on or about January 28, 2004. The relevant violations noted in the Findings of Fact were unauthorized discharges, failure to apply for a permit, and failure to make a hazardous waste determination. The relevant requirements of the **COMPLIANCE ORDER** were to take any and all steps necessary to meet and maintain compliance with the Water Quality Regulations, the Air Quality Regulations, and the Hazardous Waste and Hazardous Materials Regulations, to comply with the interim limits contained in the Compliance Order and submit a Notice of Intent (if the Respondent chose to discharge to waters of the State) or provide documentation that all unauthorized discharges had ceased, to perform a hazardous waste determination, to properly dispose of waste, to submit an inventory of potential to emit, and to submit a written report of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance. The Respondent submitted a written response dated October 26,

2004. **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-CN-03-0079** is a final action of the Department and not subject to further review.

On or about May 31, 2012, and October 18, 2012, inspections were conducted at the Respondent's facility. During the inspections, the following violation was noted:

> The Respondent caused and/or allowed the deposition of solid waste without a permit and/or other authority from the Department, in violation of La. R. S. 30:2155 and LAC 33:VII.315.C. Specifically, the Respondent was land applying sludge produced by the treatment of process waste water on site and not properly disposing of the sludge in a permitted solid waste disposal facility.

An inspection conducted by the Department on or about October 7, 2004, and a subsequent file review conducted by the Department on or about March 25, 2013, revealed the following exceedences of interim limitations as reported by the Respondent on Discharge Monitoring Reports (DMRs):

Date	Outfall	Parameter	Permit Limit	Sample Value
02/29/2004	001	BOD Daily Maximum	45 mg/L	81.6 mg/L
		COD Monthly Average	200 mg/L	683 mg/L
		COD Daily Maximum	300 mg/L	683 mg/L
		Fecal Coliform Monthly Average	200 col/100ml	6000 col/100ml
		Fecal Coliform Daily Maximum	400 col/100ml	6000 col/100ml
04/30/2004	001	BOD Daily Maximum	45 mg/L	4000 mg/L
		COD Monthly Average	200 mg/L	7270 mg/L
		COD Daily Maximum	300 mg/L	7270 mg/L
		Fecal Coliform Monthly Average	200 col/100ml	8600 col/100ml
		Fecal Coliform Daily Maximum	400 col/100ml	8600 col/100ml
05/31/2004	001	BOD Daily Maximum	45 mg/L	64.4 mg/L
		pH Minimum	6.0 S.U.	5.32 S.U.
07/31/2004	001	BOD Daily Maximum	45 mg/L	5410 mg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
		COD Monthly Average	200 mg/L	12600 mg/L
		COD Daily Maximum	300 mg/L	12600 mg/L
10/31/2004	001	BOD Daily Maximum	45 mg/L	743 mg/L
		COD Monthly Average	200 mg/L	4190 mg/L
		COD Daily Maximum	300 mg/L	4190 mg/L
		pH Minimum	6.0 S.U.	2.01 S.U.
11/30/2004	001	BOD Daily Maximum	45 mg/L	140 mg/L
		COD Monthly Average	200 mg/L	315 mg/L
		COD Daily Maximum	300 mg/L	315 mg/L
		pH Maximum	9.0 S.U.	9.14 S.U.
12/31/2004	001	BOD Daily Maximum	45 mg/L	1400 mg/L
		COD Monthly Average	200 mg/L	41600 mg/L
		COD Daily Maximum	300 mg/L	41600 mg/L
		TSS Daily Maximum	45 mg/L	248 mg/L
01/31/2005	001	BOD Daily Maximum	45 mg/L	720 mg/L
		COD Monthly Average	200 mg/L	2397 mg/L
		COD Daily Maximum	300 mg/L	4100 mg/L
		pH Minimum	6.0 S.U.	5.52 S.U.
		TSS Daily Maximum	45 mg/L	190 mg/L

Each exceedence of an interim limitation is a violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-CN-03-0079**, La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

An inspection conducted by the Department on or about October 7, 2004, revealed that the Respondent failed to increase monitoring frequency after a test failure. Specifically, the Respondent failed to increase monitoring frequency when a daily maximum was exceeded as required by the interim limit schedule in **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-CN-03-0079**. Each failure to increase frequency is a violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-**

CN-03-0079 (paragraph I.A of the order section), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

Inspections conducted on May 22, 2007, May 31, 2012, and October 18, 2012, and a subsequent file review conducted by the Department on or about March 25, 2013, revealed the following exceedences of permitted discharge limitations, as reported by the Respondent on Discharge Monitoring Reports (DMRs) or Non-Compliance Reports (NCRs):

Date	Outfall	Parameter	Permit Limit	Sample Value
02/28/2005	001	BOD Daily Maximum	45 mg/L	140 mg/L
		COD Monthly Average	200 mg/L	841 mg/L
		COD Daily Maximum	300 mg/L	3060 mg/L
		Toluene Daily Max	100 µg/L	228 µg/L
03/31/2005	001	BOD Daily Maximum	45 mg/L	800 mg/L
		COD Monthly Average	200 mg/L	2000 mg/L
		COD Daily Maximum	300 mg/L	3460 mg/L
03/31/2005	001	pH Minimum	6.0 S.U.	4.18 S.U.
		pH Maximum	9.0 S.U.	10.60 S.U.
		TSS Daily Maximum	45 mg/L	292 mg/L
		Toluene Daily Max	100 µg/L	8760 µg/L
04/30/2005	001	BOD Daily Maximum	45 mg/L	240 mg/L
		COD Monthly Average	200 mg/L	3606 mg/L
		COD Daily Maximum	300 mg/L	10190 mg/L
		pH Maximum	9.0 S.U.	9.11 S.U.
		pH Maximum	9.0 S.U.	12.00 S.U.
		TSS Daily Maximum	45 mg/L	66 mg/L
		Toluene Daily Max	100 µg/L	3230 µg/L
05/31/2005	001	BOD Daily Maximum	45 mg/L	380 mg/L
		COD Monthly Average	200 mg/L	813 mg/L
		COD Daily Maximum	300 mg/L	1420 mg/L
		pH Maximum	9.0 S.U.	10.38 S.U.
		Toluene Daily Max	100 µg/L	38600 µg/L
06/30/2005	001	BOD Daily Maximum	45 mg/L	340 mg/L
		COD Monthly Average	200 mg/L	907 mg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
		COD Daily Maximum	300 mg/L	1330 mg/L
		TSS Daily Maximum	45 mg/L	106 mg/L
		Toluene Daily Max	100 µg/L	59800 µg/L
07/31/2005	001	BOD Daily Maximum	45 mg/L	360 mg/L
		COD Monthly Average	200 mg/L	837 mg/L
		COD Daily Maximum	300 mg/L	1780 mg/L
		pH Maximum	9.0 S.U.	9.13 S.U.
		TSS Daily Maximum	45 mg/L	47 mg/L
		Toluene Daily Max	100 µg/L	42500 µg/L
09/30/2005	001	BOD Daily Maximum	45 mg/L	500 mg/L
		COD Monthly Average	200 mg/L	4314 mg/L
		COD Daily Maximum	300 mg/L	16130 mg/L
		pH Maximum	9.0 S.U.	11.62 S.U.
		TSS Daily Maximum	45 mg/L	217 mg/L
		Toluene Daily Max	100 µg/L	59300 µg/L
10/31/2005	001	BOD Daily Maximum	45 mg/L	87 mg/L
10/31/2005	001	Toluene Daily Max	100 µg/L	9870 µg/L
11/30/2005	001	BOD Daily Maximum	45 mg/L	670 mg/L
		COD Monthly Average	200 mg/L	2146 mg/L
		COD Daily Maximum	300 mg/L	7460 mg/L
		pH Maximum	9.0 S.U.	9.85 S.U.
		Toluene Daily Max	100 µg/L	7670 µg/L
12/31/2005	001	BOD Daily Maximum	45 mg/L	770 mg/L
		COD Monthly Average	200 mg/L	5180 mg/L
		COD Daily Maximum	300 mg/L	9190 mg/L
12/31/2005	001	pH Maximum	9.0 S.U.	9.40 S.U.
		TSS Daily Maximum	45 mg/L	112 mg/L
		Toluene Daily Max	100 µg/L	31000 µg/L
01/31/2006	001	BOD Daily Maximum	45 mg/L	350 mg/L
		COD Monthly Average	200 mg/L	1509 mg/L
		COD Daily Maximum	300 mg/L	3990 mg/L
		Toluene Daily Max	100 µg/L	8900 µg/L
02/28/2006	001	BOD Daily Maximum	45 mg/L	560 mg/L
		COD Monthly Average	200 mg/L	6077 mg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
		COD Daily Maximum	300 mg/L	9300 mg/L
		Toluene Daily Max	100 µg/L	5740 µg/L
03/31/2006	001	BOD Daily Maximum	45 mg/L	830 mg/L
		COD Monthly Average	200 mg/L	1610 mg/L
		COD Daily Maximum	300 mg/L	4320 mg/L
		pH Maximum	9.0 S.U.	9.10 S.U.
		TSS Daily Maximum	45 mg/L	236 mg/L
		Toluene Daily Max	100 µg/L	94700 µg/L
04/30/2006	001	BOD Daily Maximum	45 mg/L	180 mg/L
		COD Monthly Average	200 mg/L	384 mg/L
		COD Daily Maximum	300 mg/L	611 mg/L
		TSS Daily Maximum	45 mg/L	493 mg/L
		Toluene Daily Max	100 µg/L	17900 µg/L
05/31/2006	001	BOD Daily Maximum	45 mg/L	190 mg/L
		COD Monthly Average	200 mg/L	224 mg/L
		COD Daily Maximum	300 mg/L	320 mg/L
05/31/206	001	TSS Daily Maximum	45 mg/L	62 mg/L
		Toluene Daily Max	100 µg/L	7140 µg/L
06/30/2006	001	BOD Daily Maximum	45 mg/L	260 mg/L
		COD Monthly Average	200 mg/L	414 mg/L
		COD Daily Maximum	300 mg/L	868 mg/L
		Toluene Daily Max	100 µg/L	52100 µg/L
07/31/2006	001	BOD Daily Maximum	45 mg/L	1200 mg/L
		COD Monthly Average	200 mg/L	2894 mg/L
		COD Daily Maximum	300 mg/L	6910 mg/L
07/31/2006	001	pH Minimum	6.0 S.U.	5.20 S.U.
		TSS Daily Maximum	45 mg/L	144 mg/L
		Toluene Daily Max	100 µg/L	24200 µg/L
08/31/2006	001	BOD Daily Maximum	45 mg/L	5800 mg/L
		COD Monthly Average	200 mg/L	8350 mg/L
		COD Daily Maximum	300 mg/L	20240 mg/L
		pH Minimum	6.0 S.U.	5.30 S.U.
		TSS Daily Maximum	45 mg/L	688 mg/L
		Toluene Daily Max	100 µg/L	6640 µg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
09/30/2006	001	BOD Daily Maximum	45 mg/L	6900 mg/L
		COD Monthly Average	200 mg/L	24230 mg/L
		COD Daily Maximum	300 mg/L	51290 mg/L
		TSS Daily Maximum	45 mg/L	460 mg/L
		Toluene Daily Max	100 µg/L	17200 µg/L
10/31/2006	001	BOD Daily Maximum	45 mg/L	6000 mg/L
		COD Monthly Average	200 mg/L	12004 mg/L
		COD Daily Maximum	300 mg/L	18990 mg/L
		TSS Daily Maximum	45 mg/L	385 mg/L
		Toluene Daily Max	100 µg/L	3670 µg/L
11/30/2006	001	BOD Daily Maximum	45 mg/L	4600 mg/L
		COD Monthly Average	200 mg/L	8060 mg/L
		COD Daily Maximum	300 mg/L	14820 mg/L
		TSS Daily Maximum	45 mg/L	296 mg/L
		Toluene Daily Max	100 µg/L	2530 µg/L
12/31/2006	001	BOD Daily Maximum	45 mg/L	6300 mg/L
12/31/2006	001	COD Monthly Average	200 mg/L	15320 mg/L
		COD Daily Maximum	300 mg/L	21300 mg/L
		TSS Daily Maximum	45 mg/L	587 mg/L
		Toluene Daily Max	100 µg/L	4130 µg/L
01/31/2007	001	BOD Daily Maximum	45 mg/L	240 mg/L
		COD Monthly Average	200 mg/L	232 mg/L
		COD Daily Maximum	300 mg/L	519 mg/L
		Toluene Daily Max	100 µg/L	110 µg/L
02/28/2007	001	BOD Daily Maximum	45 mg/L	1800 mg/L
		COD Monthly Average	200 mg/L	3970 mg/L
		COD Daily Maximum	300 mg/L	14470 mg/L
		TSS Daily Maximum	45 mg/L	94 mg/L
		Toluene Daily Max	100 µg/L	1210 µg/L
03/31/2007	001	BOD Daily Maximum	45 mg/L	2300 mg/L
		COD Monthly Average	200 mg/L	4603 mg/L
		COD Daily Maximum	300 mg/L	8920 mg/L
		TSS Daily Maximum	45 mg/L	275 mg/L
		Toluene Daily Max	100 µg/L	1670 µg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
04/30/2007	001	BOD Daily Maximum	45 mg/L	1200 mg/L
		COD Monthly Average	200 mg/L	4217 mg/L
		COD Daily Maximum	300 mg/L	11150 mg/L
		TSS Daily Maximum	45 mg/L	224 mg/L
		Toluene Daily Max	100 µg/L	681 µg/L
05/31/2007	001	BOD Daily Maximum	45 mg/L	730 mg/L
		BOD Daily Maximum	45 mg/L	140 mg/L*
		COD Monthly Average	200 mg/L	1572 mg/L
		COD Daily Maximum	300 mg/L	3390 mg/L
		TSS Daily Maximum	45 mg/L	185 mg/L
		TSS Daily Maximum	45 mg/L	66 mg/L*
		Toluene Daily Max	100 µg/L	1090 µg/L
06/30/2007	001	BOD Daily Maximum	45 mg/L	760 mg/L
		COD Monthly Average	200 mg/L	1514 mg/L
		COD Daily Maximum	300 mg/L	3670 mg/L
		Toluene Daily Max	100 µg/L	3500 µg/L
11/30/2007	001	TSS Daily Maximum	45 mg/L	67 mg/L
02/29/2008	001	BOD Daily Maximum	45 mg/L	350 mg/L
		COD Monthly Average	200 mg/L	394 mg/L
		COD Daily Maximum	300 mg/L	1540 mg/L
		TSS Daily Maximum	45 mg/L	52 mg/L
03/31/2008	001	BOD Daily Maximum	45 mg/L	1900 mg/L
		BOD Daily Maximum	45 mg/L	190 mg/L*
		COD Monthly Average	200 mg/L	6680 mg/L
		COD Daily Maximum	300 mg/L	25240 mg/L
		COD Daily Maximum	300 mg/L	1460 mg/L*
		TSS Daily Maximum	45 mg/L	132 mg/L
04/30/2008	001	BOD Daily Maximum	45 mg/L	820 mg/L
		BOD Daily Maximum	45 mg/L	170 mg/L*
		BOD Daily Maximum	46 mg/L	220 mg/L*
		COD Monthly Average	200 mg/L	344 mg/L
		COD Daily Maximum	300 mg/L	961 mg/L
		COD Daily Maximum	300 mg/L	338 mg/L*
		COD Daily Maximum	300 mg/L	961 mg/L*

Date	Outfall	Parameter	Permit Limit	Sample Value
		Toluene Daily Max	100 µg/L	169 µg/L
		Toluene Daily Max	100 µg/L	119 µg/L*
05/31/2008	001	BOD Daily Maximum	45 mg/L	100 mg/L
		COD Monthly Average	200 mg/L	241 mg/L
		COD Daily Maximum	300 mg/L	933 mg/L
		Toluene Daily Max	100 µg/L	4100 µg/L
09/30/2008	001	BOD Daily Maximum	45 mg/L	380 mg/L
		TSS Daily Maximum	45 mg/L	110 mg/L
12/31/2008	001	BOD Daily Maximum	45 mg/L	220 mg/L
		COD Monthly Average	200 mg/L	573 mg/L
		COD Daily Maximum	300 mg/L	4080 mg/L
		Toluene Daily Max	100 µg/L	103 µg/L
09/30/2009	001	BOD Daily Maximum	45 mg/L	100 mg/L
		COD Daily Maximum	300 mg/L	379 mg/L
10/31/2009	001	BOD Daily Maximum	45 mg/L	127 mg/L
		COD Monthly Average	200 mg/L	246 mg/L
10/31/2009	001	COD Daily Maximum	300 mg/L	478 mg/L
		TSS Daily Maximum	45 mg/L	118 mg/L
01/31/2010	001	COD Daily Maximum	300 mg/L	598 mg/L
02/28/2010	001	BOD Daily Maximum	45 mg/L	205 mg/L
		BOD Daily Maximum	45 mg/L	145 mg/L*
		COD Monthly Average	200 mg/L	243 mg/L
		COD Daily Maximum	300 mg/L	487 mg/L
		COD Daily Maximum	300 mg/L	452 mg/L*
03/31/2010	001	BOD Daily Maximum	45 mg/L	229 mg/L
		BOD Daily Maximum	45 mg/L	62 mg/L*
		COD Monthly Average	200 mg/L	203 mg/L
		COD Daily Maximum	300 mg/L	556 mg/L
04/30/2010	001	BOD Daily Maximum	45 mg/L	242 mg/L
		BOD Daily Maximum	45 mg/L	183 mg/L*
		COD Monthly Average	200 mg/L	236 mg/L
		COD Daily Maximum	300 mg/L	699 mg/L
		COD Daily Maximum	300 mg/L	484 mg/L*
09/30/2010	001	BOD Daily Maximum	45 mg/L	120 mg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
11/30/2010	001	BOD Daily Maximum	45 mg/L	47 mg/L
12/31/2010	001	BOD Daily Maximum	45 mg/L	82 mg/L
04/30/2011	001	BOD Daily Maximum	45 mg/L	197 mg/L
		BOD Daily Maximum	45 mg/L	101 mg/L*
		BOD Daily Maximum	45 mg/L	396 mg/L*
		COD Monthly Average	200 mg/L	981 mg/L
		COD Daily Maximum	300 mg/L	1160 mg/L
		COD Daily Maximum	300 mg/L	702 mg/L*
		COD Daily Maximum	300 mg/L	1080 mg/L*
05/31/2011	001	BOD Daily Maximum	45 mg/L	121 mg/L*
		BOD Daily Maximum	45 mg/L	123 mg/L*
		COD Monthly Average	200 mg/L	1088 mg/L
		COD Daily Maximum	300 mg/L	1390 mg/L
		COD Daily Maximum	300 mg/L	881 mg/L*
		COD Daily Maximum	300 mg/L	993 mg/L*
07/31/2011	001	BOD Daily Maximum	45 mg/L	83 mg/L
07/31/2011	001	COD Monthly Average	200 mg/L	460 mg/L
		COD Daily Maximum	300 mg/L	599 mg/L
		COD Daily Maximum	300 mg/L	565 mg/L*
		COD Daily Maximum	300 mg/L	370 mg/L*
		COD Daily Maximum	300 mg/L	306 mg/L*
08/31/2011	001	COD Monthly Average	200 mg/L	554 mg/L
		COD Daily Maximum	300 mg/L	1600 mg/L
		COD Daily Maximum	300 mg/L	318 mg/L*
		COD Daily Maximum	300 mg/L	652 mg/L*
09/30/2011	001	TSS Daily Maximum	45 mg/L	50 mg/L
10/31/2011	001	COD Monthly Average	200 mg/L	303 mg/L
		COD Daily Maximum	300 mg/L	535 mg/L
		COD Daily Maximum	300 mg/L	312 mg/L*
		COD Daily Maximum	300 mg/L	391 mg/L*
11/30/2011	001	COD Daily Maximum	300 mg/L	370 mg/L
12/31/2011	001	BOD Daily Maximum	45 mg/L	102 mg/L
01/31/2012	001	BOD Daily Maximum	45 mg/L	>173 mg/L
		BOD Daily Maximum	45 mg/L	149 mg/L*

Date	Outfall	Parameter	Permit Limit	Sample Value
		BOD Daily Maximum	45 mg/L	151 mg/L*
		BOD Daily Maximum	45 mg/L	120 mg/L*
		COD Monthly Average	200 mg/L	386 mg/L
		COD Daily Maximum	300 mg/L	654 mg/L
		COD Daily Maximum	300 mg/L	360 mg/L*
		COD Daily Maximum	300 mg/L	490 mg/L*
		Toluene Daily Max	100 µg/L	110 µg/L
02/29/2012	001	BOD Daily Maximum	45 mg/L	51 mg/L
		BOD Daily Maximum	45 mg/L	47 mg/L*
		Toluene Daily Max	100 µg/L	294 µg/L
		Toluene Daily Max	100 µg/L	147 µg/L*
03/31/2012	001	BOD Daily Maximum	45 mg/L	168 mg/L
		BOD Daily Maximum	45 mg/L	139 mg/L*
		Toluene Daily Max	100 µg/L	434 µg/L
		Toluene Daily Max	100 µg/L	128 µg/L*
04/30/2012	001	BOD Daily Maximum	45 mg/L	80 mg/L
04/30/2012	001	COD Monthly Average	200 mg/L	237 mg/L
		COD Daily Maximum	300 mg/L	350 mg/L
		TSS Daily Maximum	45 mg/L	121 mg/L
05/31/2012	001	BOD Daily Maximum	45 mg/L	166 mg/L
		BOD Daily Maximum	45 mg/L	147 mg/L*
		COD Monthly Average	200 mg/L	307 mg/L
		COD Daily Maximum	300 mg/L	550 mg/L
07/31/2012	001	BOD Daily Maximum	45 mg/L	67 mg/L
08/31/2012	001	COD Monthly Average	200 mg/L	248.75 mg/L
		COD Daily Maximum	300 mg/L	310 mg/L
09/30/2012	001	COD Daily Maximum	300 mg/L	415 mg/L
		COD Daily Maximum	300 mg/L	400 mg/L*
10/31/2012	001	BOD Daily Maximum	45 mg/L	89 mg/L
		BOD Daily Maximum	45 mg/L	46 mg/L*
11/30/2012	001	BOD Daily Maximum	45 mg/L	62 mg/L
		BOD Daily Maximum	45 mg/L	48 mg/L*
		COD Daily Maximum	300 mg/L	325 mg/L
12/31/2012	001	BOD Daily Maximum	45 mg/L	52 mg/L

** Value submitted on a noncompliance report*

Each effluent exceedence prior to September 1, 2010, is a violation of LPDES permit LA0118672 (Requirements, page 1 and 2 of 4 and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A. Each effluent exceedence on or after September 1, 2010, is a violation of LPDES permit LA0118672 (Limitations and Monitoring, pages 1 and 2 of 2 and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

An inspection conducted by the Department on or about May 22, 2007, and a subsequent file review conducted by the Department on or about March 25, 2013, revealed that the Respondent failed to sign DMRs submitted to the Department. Specifically, the Respondent failed to sign the February 2005, April 2005, May 2005, October 2005, November 2005, April 2006, May 2006, July 2006, October 2006, November 2006, January 2007, and February 2007 DMRs. Each failure to sign a DMR is a violation of LPDES Permit LA0118672 (Requirements, page 2 of 4 and Part III, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.K.1.

A file review conducted by the Department on or about March 25, 2013, revealed that the Respondent failed to submit DMRs to the Department. Specifically, the Respondent failed to submit DMRs to the Department for January 2011, February 2011, and March 2011. Each failure to submit a DMR is a violation of LPDES Permit LA0118672 (Narrative Requirements, page 2 of 2, and Part III, Sections A.2 and D.4), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.L.4.a.

A file review conducted by the Department on or about March 25, 2013, revealed that the Respondent failed to report all values required on DMRs to the Department. Specifically, the Respondent failed to report the daily maximums for BOD, TSS and/or Toluene on the March 2010 through December 2010 and the April 2011 through June 2011 monthly DMRs. Each failure to report a DMR value is a violation of LPDES Permit LA0118672 (Sections A.2 and D.4), La. R.S.

30:2076(A)(3), and LAC 33:IX.2701.L.4.a.

A file review conducted by the Department on or about March 25, 2013, revealed that the Respondent failed to notify the Department of Toluene daily maximum exceedences within twenty-four (24) hours of becoming aware of the violation followed by a written report in five (5) days. Specifically, the Respondent violated the Toluene daily maximum on the January 2012, February 2012 and March 2012 DMRs and notified the Department of the exceedences through NCRs received by the Department on or about April 20, 2012. Each failure to notify the Department within twenty-four (24) hours of becoming aware of a daily maximum exceedence followed by a written report is a violation of LPDES Permit LA0118672 (Narrative Requirements, page 1 of 2, and Part III, Sections A.2 and D.4.e), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.L.6.b.iii.

Inspections conducted by the Department on or about May 31, 2012 and October 18, 2012, revealed that the Respondent did cause and/or allow the unauthorized discharge of sanitary wastewater to waters of the state. Specifically, the Respondent did cause and/or allow sanitary wastewater to discharge from a leach field to a ditch, thence to waters of the state. Each unauthorized discharge of sanitary wastewater is a violation of La. R.S. 30:2076 (A)(1)(a) and LAC 33:IX.501.D.

A file review conducted by the Department on or about March 25, 2013, revealed that the Respondent failed to submit a complete permit modification application. Specifically, the Department received a permit modification application from the Respondent requesting the addition of Outfall 002 to LPDES Permit LA0118672 on or about January 3, 2013. The application failed to include a U.S.G.S. map or equivalent, a site diagram, and an original signature. Each failure to submit a complete application is a violation of La. R.S. 30:2076 (A)(3) and LAC 33:IX.2501.A."

On June 16, 2016, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. WE-CN-13-00954, which was based upon the

following findings of fact:

"The Respondent owns and/or operates a food flavoring manufacturing facility known to the Department as Natural Advantage. The facility (the Site) is located at 1050 Cypress Creek Road in Oakdale, Allen Parish, Louisiana. The Department issued Louisiana Pollutant Discharge Elimination System (LPDES) Permit LA0118672 to the Respondent with an effective date of February 1, 2005, and an expiration date of January 31, 2010. The Department received a permit renewal application from the Respondent for reissuance of LPDES Permit LA0118672 on or about August 5, 2009, and LPDES Permit LA0118672 was administratively continued. LPDES Permit LA0118672 was reissued with an effective date of September 1, 2010, and an expiration date of August 31, 2015. The Department received a permit modification application dated November 28, 2012, from the Respondent requesting the addition of another outfall to LPDES Permit LA0118672 on or about January 3, 2013. LPDES Permit LA0118672 was administratively continued. Based on information obtained by the Department in regard to a change of the name of the legal applicant, LPDES Permit LA0118672 was re-issued to Natural Advantage, LLC on February 17, 2016, with an effective date of April 1, 2016, and an expiration date of March 31, 2021. Under the terms and conditions of LPDES Permit LA0118672, the Respondent is authorized to discharge lab and production wastewater and treated sanitary wastewater to Morris Branch, thence into Beaver Creek, waters of the state.

The Respondent was issued **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (CONOPP) MM-CN-03-0079** on or about January 28, 2004. The Respondent submitted a written response dated October 26, 2004. **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-CN-03-0079** is a final action of the Department and not subject to further review.

The Respondent was issued **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-CN-12-01414** on or about May 28, 2013. In addition to other violations, **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-CN-12-01414** cited the Respondent for causing and/or allowing the unauthorized discharge of sanitary wastewater to waters of the state based on inspections conducted on or about May 31, 2012, and October 18, 2012, and established interim effluent limitations and monitoring requirements with the point of discharge designated as Outfall 002. The Respondent submitted written responses dated June 25, 2013, and December 26, 2013. **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-CN-12-01414** is a final action of the Department and not subject to further review.

An inspection conducted by the Department on or about May 31, 2013, in response to a citizen's complaint and a subsequent file review conducted by the Department on or about February 22, 2016, revealed the following exceedances of permitted discharge limitations, as reported by the Respondent on Discharge Monitoring Reports (DMRs) or Non-Compliance Reports (NCRs):

Date	Outfall	Parameter	Permit Limit	Sample Value
05/31/2010***	001	BOD Daily Maximum	45 mg/L	300 mg/L
		COD Monthly Average	200 mg/L	3700 mg/L
		COD Daily Maximum	300 mg/L	1480 mg/L
05/31/2010***	001	TSS Daily Maximum	45 mg/L	184 mg/L
6/30/2010***	001	BOD Daily Maximum	45 mg/L	49 mg/L
8/31/2010***	001	Toluene Daily Max	100 µg/L	188 µg/L
1/31/2011***	001	BOD Daily Maximum	45 mg/L	75 mg/L
		COD Monthly Average	200 mg/L	1937 mg/L
		COD Daily Maximum	300 mg/L	3290 mg/L
		TSS Daily Maximum	45 mg/L	64 mg/L
		Toluene Daily Max	100 µg/L	144 µg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
2/28/2011***	001	BOD Daily Maximum	45 mg/L	188 mg/L
		COD Monthly Average	200 mg/L	2455 mg/L
		COD Daily Maximum	300 mg/L	3040 mg/L
		TSS Daily Maximum	45 mg/L	109 mg/L
		Toluene Daily Max	100 µg/L	1310 µg/L
3/31/2011***	001	BOD Daily Maximum	45 mg/L	1160 mg/L
		COD Monthly Average	200 mg/L	2454 mg/L
		COD Daily Maximum	300 mg/L	4680 mg/L
		TSS Daily Maximum	45 mg/L	78 mg/L
		Toluene Daily Max	100 µg/L	5500 µg/L
6/30/2011***	001	COD Monthly Average	200 mg/L	323 mg/L
		COD Daily Maximum	300 mg/L	970 mg/L
		TSS Daily Maximum	45 mg/L	106 mg/L
1/31/2013	001	BOD Daily Maximum	45 mg/L	146 mg/L
		COD Monthly Average	200 mg/L	263.75 mg/L
		COD Daily Maximum	300 mg/L	405 mg/L
		COD Daily Maximum	300 mg/L	350 mg/L*
3/31/2013	001	BOD Daily Maximum	45 mg/L	81 mg/L
		BOD Daily Maximum	45 mg/L	76 mg/L*
		BOD Daily Maximum	45 mg/L	48 mg/L*
		BOD Daily Maximum	45 mg/L	47 mg/L*
4/30/2013	001	BOD Daily Maximum	45 mg/L	76 mg/L
		COD Monthly Average	200 mg/L	232 mg/L
		COD Daily Maximum	300 mg/L	375 mg/L
		BOD Daily Maximum	45 mg/L	47 mg/L*
		BOD Daily Maximum	45 mg/L	46 mg/L*
5/31/2013	001	COD Daily Maximum	300 mg/L	465 mg/L
		COD Monthly Average	200 mg/L	345 mg/L
		COD Daily Maximum	300 mg/L	410 mg/L*
7/31/2013	001	COD Daily Maximum	300 mg/L	330 mg/L
		TSS Daily Maximum	45 mg/L	46 mg/L
9/30/2013	001	COD Daily Maximum	300 mg/L	355 mg/L
		TSS Daily Maximum	45 mg/L	47 mg/L
		BOD Daily Maximum	45 mg/L	>285 mg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
		BOD Daily Maximum	45 mg/L	77 mg/L*
		BOD Daily Maximum	45 mg/L	65 mg/L*
		BOD Daily Maximum	45 mg/L	60 mg/L*
10/31/2013	001	BOD Daily Maximum	45 mg/L	99 mg/L
		BOD Daily Maximum	45 mg/L	81 mg/L*
		BOD Daily Maximum	45 mg/L	58 mg/L*
		COD Daily Maximum	300 mg/L	380 mg/L
1/1/2014 – 6/30/2014**	002	BOD Monthly Average	30 mg/L	64 mg/L
		BOD Weekly Average	45 mg/L	64 mg/L
		TSS Monthly Average	30 mg/L	188 mg/L
		TSS Weekly Average	45 mg/L	200 mg/L
		Fecal Coliform Monthly Average	200 col./100 ml	>200 col./100 ml
		Fecal Coliform Weekly Average	400 col./100 ml	>400 col./100 ml
6/30/2014	001	BOD Daily Maximum	45 mg/L	63 mg/L
		COD Daily Maximum	300 mg/L	304 mg/L
7/31/2014	001	BOD Daily Maximum	45 mg/L	56 mg/L
		COD Monthly Average	200 mg/L	260.25 mg/L
		COD Daily Maximum	300 mg/L	484 mg/L
9/30/2014	001	Toluene Daily Maximum	100 µg/L	216 µg/L
		BOD Daily Maximum	45 mg/L	167 mg/L
		COD Monthly Average	200 mg/L	424.8 mg/L
9/30/2014	001	COD Daily Maximum	300 mg/L	699 mg/L
7/1/2014 – 12/31/2014**	002	BOD Monthly Average	30 mg/L	52 mg/L
		BOD Weekly Average	45 mg/L	52 mg/L
		TSS Monthly Average	30 mg/L	383 mg/L
7/1/2014 – 12/31/2014**	002	TSS Weekly Average	45 mg/L	383 mg/L
		Fecal Coliform Monthly Average	200 col./100 ml	>200 col./100 ml
		Fecal Coliform Weekly Average	400 col./100 ml	>400 col./100 ml
1/31/2015	001	BOD Daily Maximum	45 mg/L	54 mg/L
2/28/2015	001	BOD Daily Maximum	45 mg/L	63 mg/L
3/31/2015	001	BOD Daily Maximum	45 mg/L	265 mg/L
		COD Monthly Average	200 mg/L	244 mg/L
		COD Daily Maximum	300 mg/L	469 mg/L
		TSS Weekly Average	45 mg/L	63 mg/L

Date	Outfall	Parameter	Permit Limit	Sample Value
7/31/2015	001	COD Daily Maximum	300 mg/L	334 mg/L
8/31/2015	001	BOD Daily Maximum	45 mg/L	77 mg/L
		COD Daily Maximum	300 mg/L	422 mg/L
9/30/2015	001	BOD Daily Maximum	45 mg/L	91 mg/L
		BOD Daily Maximum	45 mg/L	55 mg/L*
		COD Daily Maximum	300 mg/L	351 mg/L
		TSS Daily Maximum	45 mg/L	47 mg/L
12/31/2015	001	BOD Daily Maximum	45 mg/L	200 mg/L
		BOD Daily Maximum	45 mg/L	156 mg/L*
		BOD Daily Maximum	45 mg/L	131 mg/L*
		COD Daily Maximum	300 mg/L	621 mg/L
		COD Daily Maximum	300 mg/L	523 mg/L*
		COD Daily Maximum	300 mg/L	350 mg/L*
		COD Monthly Average	200 mg/L	380.75 mg/L
		pH Instantaneous Minimum	6 S.U.	3.65 S.U.

** Value submitted on a noncompliance report*
*** Interim effluent limitations for Outfall 002 established in CONOPP MM-CN-12-01414*
****Value(s) reported on a DMR submitted as a requirement of paragraph VI of the Order portion of CONOPP MM-CN-12-01414*

Each exceedance of a permit effluent limitation for Outfall 001 prior to September 1, 2010, is a violation of LPDES permit LA0118672 (Requirements, pages 1 and 2 of 4 and Part III, Section A.2), La. R.S. 30:2076(A)(1), and LAC 33:IX.501.A. Each exceedance of a permit effluent limitation on or after September 1, 2010, is a violation of LPDES permit LA0118672 (Limitations and Monitoring Requirements, pages 1 and 2 of 2; Narrative Requirements, Condition No. T-2; and Part III, Section A.2), La. R.S. 30:2076(A)(1), and LAC 33:IX.501.A. Each exceedance of an interim effluent limitation for Outfall 002 is a violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-CN-12-01414**, La. R.S. 30:2076(A)(3); and LAC 33:IX.501.A.

An inspection conducted by the Department on or about May 31, 2013, revealed that the

Respondent caused and/or allowed the discharge of treated water that resulted in a green color of, and odors emanating from, waters of the state. Specifically, water in the local drainage was green in color and had an odor emanating from it. This water was observed from the outfall to drainage off site as evidenced by photographs taken at the time of the inspection. Discharges from the Respondent's facility that caused a green color of, and odors emanating from, waters of the state is a violation of La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, and LAC 33:IX.1113.B.1.

An inspection conducted by the Department on or about May 31, 2013, revealed that the Respondent failed to develop and implement a Storm Water Pollution Prevention Plan (SWP_3). Specifically, the Respondent is automatically covered under Louisiana Pollutant Discharge Elimination System (LPDES) permit LAR200000 for construction activities greater than one acre, but less than five acres. LPDES permit LAR200000 states that a SWP_3 shall be completed prior to initiating construction activities. The inspection revealed that the Respondent had already begun construction at the approximately 1.377 acre site, did not have any Best Management Practices in place, and had failed to develop and implement a SWP_3. The failure to develop and implement a SWP_3 is a violation of LPDES General Permit LAR200000 (Part III, Section A.1 and Part V, Section A.1), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

An inspection conducted by the Department on or about May 31, 2013, revealed that the Respondent failed to provide records. Specifically, records were requested at the time of the inspection, but the Respondent could not provide a copy of LPDES General Permit LAR200000 to the inspector. The failure to provide records is a violation of LPDES General Permit LAR200000 (Part IV, Section B and Part V, Sections A.1 and E), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

A file review conducted by the Department on or about February 22, 2016, revealed that the Respondent failed to submit semiannual DMRs for the first and second six-month periods of 2015

for Outfall 002 as required by paragraph IV.A of the Order portion of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-CN-12-01414**. Each failure to submit DMRs is a violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-CN-12-01414**, La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

A file review conducted by the Department on or about February 22, 2016, revealed that the Respondent failed to comply with LPDES permit LA0118672. Specifically, flow measurements were not conducted as required and indicated on the DMRs for the monthly monitoring periods of July 2013, August 2013, December 2014, January 2015, February 2015, March 2015, April 2015, May 2015, June 2015, July 2015, October 2015, November 2015, and December 2015 for Outfall 001. Additionally, the flow measurement was not conducted as required and indicated on the DMR for Outfall 002 for the six-month monitoring period of July 2014 through December 2014. Each failure to measure flow for Outfall 001 is a violation of LPDES permit LA0118672 (Effluent Limitations and Monitoring Requirements, page 1 of 2 and Part III, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A. The failure to measure flow for Outfall 002 is a violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY MM-CN-12-01414**, La. R.S. 30:2076(A)(3) and LAC 33:IX.501.A.

A file review conducted by the Department on or about February 22, 2016, revealed that the Respondent failed to notify the Department of Toluene daily maximum exceedances within twenty-four (24) hours of becoming aware of the violation followed by a written report in five (5) days. Specifically, the Respondent reported that it exceeded the Toluene daily maximum on the January 2011, February 2011, March 2011, April 2011, and September 2014 DMRs. The Department was notified of the Toluene violations that occurred in January 2011, February 2011, March 2011, and

April 2011 through DMRs received by the Department on July 11, 2013. The Department was notified of the Toluene violation that occurred in September 2014 through the DMR received by the Department on October 28, 2014. Each failure to notify the Department within twenty-four (24) hours of becoming aware of a daily maximum exceedance followed by a written report is a violation of LPDES Permit LA0118672 (Narrative Requirements, page 1 of 2, and Part III, Sections A.2 and D.6.e), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.L.6.b.iii."

III

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

IV

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 THIRTY-FIVE THOUSAND AND NO/100 DOLLARS ($35,000.00), of which One Thousand Eight Hundred Twenty-Two and 79/100 Dollars ($1,822.79) 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).

V

Respondent further agrees that the Department may consider the inspection report(s), permit record(s), the Consolidated Compliance Orders & Notices 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.

VI

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.

VII

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.

VIII

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.

IX

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Allen 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.

X

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).

XI

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

XII

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.

CAROL CALLAHAN

BY: _____
(Signature)

_____
(Printed)

TITLE: _____

THUS DONE AND SIGNED in duplicate original before me this _____ day of _____, 20 _____, at _____.

_____
NOTARY PUBLIC (ID #_____)

_____
(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 _____ day of _____, 20_____, at Baton Rouge, Louisiana.

_____
NOTARY PUBLIC (ID # _____)

_____
(stamped or printed)

Approved: _____
Lourdes Iturralde, Assistant Secretary