STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:	*	**Settlement Tracking No. SA-WE-19-0048**
TOTAL ENVIRONMENTAL SOLUTIONS, INC.	*	
AI # 42031, 135247, 19949, 124057, 126816, 19832, 113866, 137752, 128670, 139246, 42293, 41762, 103849, 22148, 128702, 158605, 43003, 33050, 84826, 122537, 122560, 113893, 139481	*	**Enforcement Tracking No. WE-CN-10-01311**
PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT LA. R.S. 30:2001, ET SEQ.	*	**Docket No. 2013-3571-EQ**

SETTLEMENT

The following Settlement is hereby agreed to between Total Environmental Solutions, Inc. ("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 corporation that owns and/or operates facilities located in Lafourche Parish, Vermilion Parish, Lafayette Parish, Assumption Parish, Ascension Parish, Calcasieu Parish, and Terrebonne Parish, Louisiana ("the Facilities").

II

On December 7, 2011, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. WE-CN-10-01311 (Exhibit 1).

III

In response to the 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 FIFTY-SEVEN THOUSAND AND NO/100 DOLLARS ($57,000.00), of which Four Thousand Eight Hundred Five and 30/100 Dollars ($4,805.30) 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), permit record(s), the Consolidated Compliance Order & 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

In addition to the violations cited in Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. WE-CN-10-01311, this settlement resolves any potential violations or noncompliance disclosed to the Department in writing or otherwise known to the Department up to and including August 16, 2018, for the facilities listed in the agreement.

VIII

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.

IX

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.

X

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.

XI

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Lafourche Parish, Vermilion Parish, Lafayette Parish, Assumption Parish, Ascension Parish, Calcasieu Parish, and Terrebonne 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.

XII

Payment is to be made over a period of two (2) years in twenty-four (24) equal monthly installments. The first installment of Two Thousand Three Hundred Seventy-Five and No/100 Dollars ($2,375.00) is due 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).

XIII

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

XIV

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 legally to bind such party to its terms and conditions.

TOTAL ENVIRONMENTAL SOLUTIONS, INC.

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

BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

EDMS
Kilren
Dawn
Maureen

State of Louisiana

DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

December 7, 2011

CERTIFIED MAIL NUMBER: 7003 2260 0000 5825 2420
RETURN RECEIPT REQUESTED

TOTAL ENVIRONMENTAL SOLUTIONS MANAGEMENT COMPANY OF LOUISIANA, INC.
c/o Michael J. Guidry
Agent for Service of Process
2028 Coteau Road
Houma, Louisiana 70364

RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO.: WE-CN-10-01311
AGENCY INTEREST NOS.: 42031, 135247, 19949, 124057, 126816, 19832, 113866, 137752, 128670, 139246, 42293, 41762, 103849, 84826, 22148, 128702, 158605, 43003, 33050, 122537, 122560, 113893, 139481

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **TOTAL ENVIRONMENTAL SOLUTIONS MANAGEMENT COMPANY OF LOUISIANA, INC. (RESPONDENT)** for the violations described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions. Any questions concerning this action should be directed to Mr. J. Kilren Vidrine at (225) 219-3507.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

EXHIBIT
tabbies
1

CJC/JKV/jkv
Alt ID Nos. LAG560175, LAG532083, LAG540172, LAG541357, LAG560244, LAG540939, LAG541182, LA0122254, LA0122017, LAG541444, LAG570171, LAG570483, LAG570237, LAG5600203, LA0081981, LAG570354, LAG541668, LAG540112, LAG560065, LAG570347, LAG560245, LA0122343, and LAG541129

Attachment

c: Total Environmental Solutions, Inc.
c/o Ted Zelasko, Compliance Manager
1824 Ryder Drive
Baton Rouge, Louisiana 70808

ec: Mr. George Robichaux, Administrator
Sewage Program
Louisiana Department of Health & Hospitals

Ms. Carol Peters-Wagnon
U.S. Environmental Protection Agency, Region 6

Mr. Jerry Saunders
U.S. Environmental Protection Agency, Region 6

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY

OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF	*	
	*	
TOTAL ENVIRONMENTAL SOLUTIONS MANAGEMENT COMPANY OF LOUISIANA, INC.	*	ENFORCEMENT TRACKING NO.: WE-CN-10-01311
	*	
MULTI-PARISH	*	AGENCY INTEREST NOS.: 42031, 135247, 19949, 124057, 126816, 19832, 113866, 137752, 128670, 139246, 42293, 41762, 103849, 22148, 128702, 158605, 43003, 33050, 84826, 122537, 122560, 113893, and 139481
	*	
ALT ID NOS.: LAG560175, LAG532083, LAG540172, LAG541357, LAG560244, LAG540939, LAG541182, LA0122254, LA0122017, LAG541444, LAG570171, LAG570483, LAG570237, LA0081981, LAG570354, LAG541668, LAG540112, LAG560065, LAG560203, LAG570347, LAG560245, LAG541129, and LA0122343	*	
	*	
PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, ET SEQ.	*	

CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **TOTAL ENVIRONMENTAL SOLUTIONS, INC. (RESPONDENT)** by the Louisiana Department of Environmental Quality (the Department), under the authority granted by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001, et seq., and particularly by La. R.S. 30:2025(C), 30:2050.2 and 30:2050.3(B).

FINDINGS OF FACT

I.

The Respondent owns and/or operates sewage treatment facilities that serve the subdivisions as listed in the Table that follows:

Name of Subdivision	Agency Interest Number	Parish	Physical Location
Acadian Villa	42031	Lafourche	311 Gloria Street, Thibodaux
Aux Chene	135247	Vermilion	Minville Blvd. at LA Hwy. 92, Maurice
Bayou Bend	19949	Lafourche	End of East 28th Street, Cut Off
Blue Ridge Point	124057	Lafourche	Off of LA Hwy. 316, off of Blue Ridge Point Street, Gray
Centurion Place	126816	Lafayette	Centurion Drive, Duson
Country Pines Mobile Estates	19832	Lafayette	329 Lebesque Road, Lafayette
Cypress Village	113866	Assumption	Off of Andras Street, off of Aristle Street, off of LA Hwy. 662, Amelia
Del Mar Estates – West	137752	Lafayette	400 Chevalier Boulevard, Lafayette
Del Mar Estates – South	128670	Lafayette	400 Chevalier Boulevard, Lafayette
Eloi Plantation	139246	Lafayette	NE Quadrant of the intersection of East Broussard Road and the Vermilion River, Duson
Grand Marnier	42293	Lafourche	End of Brandywine Drive, Thibodaux
Highland Lakes	41762	Lafourche	Off.of LA Hwy. 308 at Northlake Drive, Thibodaux
Lakes at Dutchtown	103849	Ascension	Dutchtown Lakes Drive, Dutch Town
Lake Street (Highland Meadows/Trails	22148	Calcasieu	East end of Aberdeen Drive, Lake Charles
Quiet Oaks	128702	Terrebonne	100th Block off of Bayou Blue Bypass Road, Gray
Rebecca Plantation	158605	Terrebonne	Intersection of U.S. Hwy. 90 and LA Hwy. 311, Houma
Seraphim Estates	43003	Assumption	3 miles South of Napoleonville, Napoleonville
St. Agnes	33050	Terrebonne	At the end of St. Agnes Drive, Bourg
The Oaks at Belle River	84826	Assumption	Floyd Drive, Pierre Part
Wellington Ridge	122537	Lafayette	Corner of Ridge Road and Stoneburg Drive, Duson
Westbrook	122560	Lafayette	Golden Grain Road off of LA Hwy. 342, Duson
Willow Creek	113893	Lafayette	Blanco Street, Milton
Windy Meadows	139481	Lafayette	109 Windfern Drive, Lafayette

II.

The Respondent owns and/or operates Acadian Villa's sanitary wastewater treatment facility located at 311 Gloria Street, Thibodaux, Lafourche Parish, Louisiana. On or about March 17, 2004, the Department granted coverage under Louisiana Pollutant Discharge Elimination System (LPDES) General Permit LAG560000 to the Respondent. The Respondent was assigned permit number LAG560175. LPDES General Permit LAG560175 expired on July 10, 2008. On or about October 16, 2009, the Department renewed coverage under LPDES General Permit LAG560175 to the Respondent. LPDES General Permit LAG560175 is scheduled to expire on May 31, 2014. Under the terms and conditions of LPDES General Permit LAG560175, the Respondent is authorized to discharge treated sanitary wastewater into the Terrebonne-Lafourche Drainage Canal, waters of the state.

A. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent exceeded the effluent limitations contained in LPDES General Permit LAG560175. These effluent exceedances, as reported by the Respondent on Discharge Monitoring Reports (DMRs), are summarized below:

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMITATION	REPORTED VALUE
April 2007	001	TSS, Monthly Average	20 mg/L	57 mg/L
	001	TSS, Weekly Average	30 mg/L	57 mg/L
May 2007	001	BOD_5, Monthly Average	20 mg/L	23 mg/L
	001	TSS, Monthly Average	20 mg/L	33 mg/L
	001	TSS, Weekly Average	30 mg/L	33 mg/L
June 2007	001	BOD_5, Monthly Average	20 mg/L	25 mg/L
	001	TSS, Monthly Average	20 mg/L	39 mg/L
	001	TSS, Weekly Average	30 mg/L	39 mg/L
July 2007	001	TSS, Monthly Average	20 mg/L	49 mg/L
	001	TSS, Weekly Average	30 mg/L	49 mg/L
September 2007	001	TSS, Monthly Average	20 mg/L	23 mg/L
October 2007	001	TSS, Monthly Average	20 mg/L	29 mg/L
December 2007	001	TSS, Monthly Average	20 mg/L	29 mg/L
January 2008	001	TSS, Monthly Average	20 mg/L	32 mg/L
	001	TSS, Weekly Average	30 mg/L	32 mg/L
April 2008	001	TSS, Monthly Average	20 mg/L	37 mg/L
	001	TSS, Weekly Average	30 mg/L	37 mg/L
May 2008	001	BOD_5, Monthly Average	20 mg/L	26 mg/L
	001	TSS, Monthly Average	20 mg/L	50 mg/L
	001	TSS, Weekly Average	30 mg/L	50 mg/L

June 2008	001	TSS, Monthly Average	20 mg/L	46 mg/L
	001	TSS, Weekly Average	30 mg/L	46 mg/L
July 2008	001	TSS, Monthly Average	20 mg/L	26 mg/L
August 2008	001	TSS, Monthly Average	20 mg/L	33 mg/L
	001	TSS, Weekly Average	30 mg/L	33 mg/L
September 2008	001	BOD_5, Monthly Average	20 mg/L	21 mg/L
	001	TSS, Monthly Average	20 mg/L	50 mg/L
	001	TSS, Weekly Average	30 mg/L	50 mg/L
October 2008	001	TSS, Monthly Average	20 mg/L	44 mg/L
	001	TSS, Weekly Average	30 mg/L	44 mg/L
November 2008	001	pH, Instantaneous Maximum	9 SU	9.2 SU
	001	TSS, Monthly Average	20 mg/L	53 mg/L
	001	TSS, Weekly Average	30 mg/L	53 mg/L
December 2008	001	BOD_5, Monthly Average	20 mg/L	23 mg/L
	001	TSS, Monthly Average	20 mg/L	72 mg/L
	001	TSS, Weekly Average	30 mg/L	72 mg/L
January 2009	001	TSS, Monthly Average	20 mg/L	33 mg/L
	001	TSS, Weekly Average	30 mg/L	33 mg/L
February 2009	001	TSS, Monthly Average	20 mg/L	22 mg/L
March 2009	001	TSS, Monthly Average	20 mg/L	33 mg/L
	001	TSS, Weekly Average	30 mg/L	33 mg/L
April 2009	001	TSS, Monthly Average	20 mg/L	63 mg/L
	001	TSS, Weekly Average	30 mg/L	63 mg/L
May 2009	001	TSS, Monthly Average	20 mg/L	69 mg/L
	001	TSS, Weekly Average	30 mg/L	69 mg/L
June 2009	001	TSS, Monthly Average	20 mg/L	51 mg/L
	001	TSS, Weekly Average	30 mg/L	51 mg/L
July 2009	001	TSS, Monthly Average	20 mg/L	23 mg/L
August 2009	001	TSS, Monthly Average	20 mg/L	26 mg/L
September 2009	001	TSS, Monthly Average	20 mg/L	26 mg/L
October 2009	001	TSS, Monthly Average	20 mg/L	28 mg/L
November 2009	001	TSS, Monthly Average	20 mg/L	22 mg/L
December 2009	001	TSS, Monthly Average	20 mg/L	30 mg/L
January 2010	001	TSS, Monthly Average	20 mg/L	48 mg/L
	001	TSS, Weekly Average	30 mg/L	48 mg/L
May 2010	001	TSS, Monthly Average	20 mg/L	37 mg/L
	001	TSS, Weekly Average	30 mg/L	37 mg/L
June 2010	001	TSS, Monthly Average	20 mg/L	40 mg/L
	001	TSS, Weekly Average	30 mg/L	40 mg/L
July 2010	001	TSS, Monthly Average	20 mg/L	38 mg/L
	001	TSS, Weekly Average	30 mg/L	38 mg/L
August 2010	001	TSS, Monthly Average	20 mg/L	26 mg/L
September 2010	001	TSS, Monthly Average	20 mg/L	30 mg/L *
October 2010	001	TSS, Monthly Average	20 mg/L	35 mg/L

	001	TSS, Weekly Average	30 mg/L	35 mg/L
November 2010	001	TSS, Monthly Average	20 mg/L	38 mg/L
	001	TSS, Weekly Average	30 mg/L	38 mg/L
December 2010	001	TSS, Monthly Average	20 mg/L	38 mg/L
	001	TSS, Weekly Average	30 mg/L	38 mg/L

*Failure to submit Non-compliance report

Each exceedance of permit effluent limitations indicated in the above table is in violation of LPDES General Permit LAG560175 (Part I, Section B, Schedule A and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

2. The Respondent failed to submit Non-compliance Reports (NCR) in a timely manner. Specifically, for the monitoring period(s) indicated by an asterisk (*) in the above table, the Respondent did not submit a Non-compliance Report at the time the DMRs are required to be submitted. The Respondent's failure to submit Non-compliance Reports is in violation of LPDES General Permit LAG560175 (Part III, Sections A.2 and D.7), La. R.S. 30:2076(A) (3), and LAC 33:IX.2701.L.7.

3. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" was entered for each monitoring periods beginning on or about April of 2007 and ending on or about March of 2011. However, the STORET Code was entered correctly. The Respondent's failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit is in violation of LPDES General Permit LAG560175 (Part I, Section B, Schedule A and Part III, Section D.4), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.L.4.a.

4. The Respondent failed to measure flow in the manner required by LPDES General Permit LAG560175. Specifically, on DMRs submitted by the Respondent, the "Flow Sample Type" was indicated as "Estimate" for each of the monitoring periods beginning on or about April of 2007 and ending on or about March of 2011. The "Flow Sample Type" required by the permit is "Measure". Each of the Respondent's failure to properly measure the flow is in violation of LPDES permit LAG560175 (Part I, Section B, Schedule A and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.A.

5. The Respondent failed to have a duly authorized representative sign the DMRs in accordance with LPDES General Permit LAG560175. Specifically, Mr. Ted Zelasko signed DMRs submitted to the Department for each of the monitoring periods

beginning October of 2009 through September of 2010 instead of a duly authorized representative and Ms. Tammy Prieskop signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2010 through March of 2011 instead of a duly authorized representative. Each of the Respondent's failure to submit DMRs signed by a duly authorized representative is in violation of LPDES General Permit LAG560175 (Part III, Subsection D.10.b (1)), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2503.B.

6. The Respondent's weekly average flow rate exceeded the less than 50,000 gallons per day maximum expected flow rate authorized by LPDES General Permit LAG560175. Specifically, the weekly average flow rates which exceeded the maximum expected flow rate of less than 50,000 gallons per day were reported by the Respondent on the DMR dates indicated in the table below:

MONITORING PERIOD	REPORTED FLOW
March 01, 2007 through March 31, 2007	55,300 gpd Weekly Average
June 01, 2007 through June 30, 2007	75,400 gpd Weekly Average
July 01, 2007 through July 31, 2007	68,400 gpd Weekly Average
August 01, 2007 through August 31, 2007	183,800 gpd Weekly Average
July 01, 2008 through July 31, 2008	51,200 gpd Weekly Average
August 01, 2008 through August 31, 2008	84,200 gpd Weekly Average
September 01, 2008 through September 30, 2008	63,700 gpd Weekly Average
December 01, 2008 through December 31, 2008	62,900 gpd Weekly Average
February 01, 2010 through February 28, 2010	53,400 gpd Weekly Average
March 01, 2010 through March 31, 2010	101,600 gpd Weekly Average
June 01, 2010 through June 30, 2010	66,200 gpd Weekly Average
August 01, 2010 through August 31, 2010	51,800 gpd Weekly Average
November 01, 2010 through November 30, 2010	62,800 gpd Weekly Average
March 01, 2011 through March 31, 2011	52,100 gpd Weekly Average

III.

The Respondent owns and/or operates the Aux Chenes Subdivision's sanitary wastewater treatment facility located at Minville Blvd. at Hwy 92, Maurice, Vermillion Parish, Louisiana. On or about May 25, 2007, the Department received a request for a change of ownership from the Respondent. On or about June 05, 2007, the Department granted the transfer of ownership to the Respondent; with an effective date of the transfer to take place on or about May 08, 2007. On or about February 15, 2008, the Department granted coverage under LPDES General Permit LAG532083 to the Respondent. LPDES General Permit LAG532083 is scheduled to expire on November 30, 2012. Under the terms and

conditions of LPDES permit LAG532083, the Respondent is authorized to discharge treated sanitary wastewater into the parish ditch, thence into the South Road ditch along La Hwy. 92, thence into the Vermilion River, waters of the state.

A. On or about July 15, 2008, a joint inspection was conducted by the Environmental Protection Agency (EPA) and the Department that revealed that the Respondent did not properly operate and maintain the facility. Specifically, the sewage sludge blanket level in the chlorine contact chamber was one foot in depth. Additionally, the chlorine contact chamber had a maximum of two feet in depth; however, half of the chamber was filled with solids which affected adequate detention time and treatment efficiency. The Respondent's failure to properly operate and maintain all systems of treatment of a permitted facility is in violation of LPDES General Permit LAG532083 (Part II, Section N.5 and Part III, Sections A.2 and B.3), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.E.

B. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent failed to submit DMRs according to the schedule required by the permit. Specifically, the Respondent submitted DMRs on an annual basis (1/year) for the period beginning on or about June of 2008 and ending on or about March of 2011. The permit requires the submittal of a DMR on or before July 28th of each year for the sampling period of January-June and another DMR submitted on or before January 28th of each year for the sampling period of July-December of the previous year. The Respondent's failure to submit DMRs according to the schedule required by the permit is a violation of LPDES General Permit LAG532083 (Part II, Section N.8), La, R.S. 30:2076(A) (3), and LAC 33:IX.2701.L.4.d.

2. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" was entered for each of the monitoring periods beginning on or about April of 2007 and ending on or about March of 2011. However, the STORET Code was entered correctly. The Respondent's failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit is in violation of LPDES General Permit LAG532083 (Part I, Section B, Schedule B and Part III, Section D.4), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.L.4.a.

3. The Respondent failed to have a duly authorized representative sign the DMRs in accordance with LPDES General Permit LAG532083. Specifically, Mr. Ted Zelasko signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2009 through September of 2010 instead of a duly authorized representative and Ms. Tammy Prieskop signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2010 through March of 2011 instead of a duly authorized representative. Each of the Respondent's failure to submit DMRs signed by a duly authorized representative is in violation of LPDES General Permit LAG532083 (Part III, Subsection D.10.b (1)), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2503.B.

IV.

The Respondent owns and/or operates Bayou Bend Subdivision's sanitary wastewater treatment facility located at 401 East 28th Street, Cut Off, Lafourche Parish, Louisiana. On or about July 14, 2006, LPDES permit LAG540172 was issued to Total Environmental Solutions, Inc, with an expiration date of February 29, 2008. On or about August 29, 2008, the Department renewed coverage under LPDES General Permit LAG540172 to the Respondent. LPDES General Permit LAG540172 is scheduled to expire on June 30, 2013. Under the terms and conditions of LPDES General Permit LAG540172, the Respondent is authorized to discharge treated sanitary wastewater into local drainage, thence into Bayou Barataria, thence into the Bayou Rigolets, waters of the state.

A. On or about June 26, 2008, a joint inspection was conducted by EPA and the Department that revealed that the Respondent did not properly operate and maintain the facility. Specifically, the pond had trees between 10' to 12' in height growing on the levees. The trees should not have been allowed to grow to such a height. The Respondent's failure to properly operate and maintain all systems of treatment of a permitted facility is in violation of LPDES General Permit LAG540172 (Part III, Section B.3), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.E.

B. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent exceeded the effluent limitations contained in LPDES General Permit LAG540172. These effluent exceedances, as reported by the Respondent on DMRs, are summarized below:

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMITATION	REPORTED VALUE
July-September 2007	001	Fecal Coliform Monthly Average	200 col/100mL	>1,160 col/100mL
	001	Fecal Coliform Weekly Average	400 col/100mL	>1,160 col/100mL
October-December 2008	001	Fecal Coliform Monthly Average	200 col/100mL	600 col/100mL
	001	Fecal Coliform Weekly Average	400 col/100mL	600 col/100mL
July-September 2009	001	Fecal Coliform Monthly Average	200 col/100mL	6000 col/100mL
	001	Fecal Coliform Weekly Average	400 col/100mL	6000 col/100mL

Each exceedance of permit effluent limitations indicated in the above table is in violation of LPDES General Permit LAG540172 (Part I, Section B, Schedule A), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

2. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, the "TSS" permit limits were incorrectly entered for each of the monitoring periods beginning on or about April of 2007 and ending on or about March of 2010. The Respondent entered "TSS" permit limits that are required for facilities other than oxidation ponds. Additionally, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" was entered for each of the monitoring periods beginning on or about April of 2007 and ending on or about March of 2011. However, the STORET Code was entered correctly. The Respondent's failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit is in violation of LPDES General Permit LAG540172 (Part I, Section B, Schedule A and Part III, Section D.4), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.L.4.a.

3. The Respondent failed to measure flow in the manner required by LPDES General Permit LAG540172. Specifically, on DMRs submitted by the Respondent, the "Flow Sample Type" was indicated as "Grab" for each of the monitoring periods beginning on or about April of 2007 and ending on or about March of 2011. The "Flow Sample Type" required by the permit is "Measure". Each of the Respondent's failure to properly

measure the flow is in violation of LPDES permit LAG540172 (Part I, Section B, Schedule A and Part III, Section A.2), La. R.S. 30:2076 (A)(3), and LAC 33:IX.2701.A.

4. The Respondent failed to have a duly authorized representative sign the DMRs in accordance with LPDES General Permit LAG540172. Specifically, Mr. Ted Zelasko signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2009 through September of 2010 instead of a duly authorized representative and Ms. Tammy Prieskop signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2010 through March of 2011 instead of a duly authorized representative. Each of the Respondent's failure to submit DMRs signed by a duly authorized representative is in violation of LPDES General Permit LAG540172 (Part III, Subsection D.10.b (1)), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2503.B.

5. The Respondent's weekly average flow rate exceeded the less than 25,000 gallons per day maximum expected flow rate authorized by LPDES General Permit LAG540172. Specifically, the weekly average flow rates which exceeded the maximum expected flow rate of less than 25,000 gallons per day were reported by the Respondent on the DMR dates indicated in the table below:

MONITORING PERIOD	REPORTED FLOW
January 01, 2007 through March 31, 2007	28,500 gpd Weekly Average
July 01, 2007 through September 30, 2007	97,400 gpd Weekly Average
October 01, 2007 through December 31, 2007	51,500 gpd Weekly Average
July 01, 2008 through September 30, 2008	76,900 gpd Weekly Average

V.

The Respondent owns and/or operates the Blue Ridge Point Subdivision sanitary wastewater treatment facility located off of LA Hwy. 316 off of Blue Ridge Point Street, Gray, Lafourche Parish, Louisiana. On or about August 19, 2005, the Respondent submitted an NOI for an LPDES General Permit LAG540000 to the Department and was granted coverage on or about December 22, 2005. The Respondent was specifically issued permit LAG541357. LAG541357 expired on February 29, 2008. On or about July 01, 2008, the Respondent submitted an LPDES Permit application for a modification to LAG541357 to the Department due to an increase in the discharge flow of the facility. On or about August 03, 2009, the Department terminated coverage under LAG541357 and issued coverage under LPDES General Permit LAG560000 to the Respondent. The Respondent was specifically assigned permit number LAG560275 which is scheduled to expire on May 31, 2014. Under the terms and

conditions of LPDES General Permit LAG560275, the Respondent is authorized to discharge treated sanitary wastewater into an unnamed ditch, thence into the Hollywood Canal, thence into Company Canal, waters of the state.

A. On or about June 26, 2008, a joint inspection was conducted by EPA and the Department that revealed the Respondent's weekly average flow rate exceeded the less than 25,000 gallons per day maximum expected flow rate authorized by LPDES General Permit LAG541357. Specifically, a review of the facility's discharge data for the period beginning on or about January of 2007 through on or about June of 2008 indicated that during this period, the facility discharged greater than 25,000 gallons per day. Additionally, in 2008, the design capacity of the facility was upgraded from 20,000 gallons per day to 45,000 gallons per day. However, on or about July 01, 2008, the Respondent submitted an LPDES Permit application for a modification to LAG541357 to the Department due to an increase in the discharge flow of the facility. On or about August 03, 2009, the Department terminated coverage under LAG541357 and issued coverage under LPDES General Permit LAG560000 to the Respondent. The Respondent was specifically assigned permit number LAG560275.

B. On or about June 26, 2008, a joint inspection was conducted by EPA and the Department that revealed that the Respondent did not properly operate and maintain the facility. Specifically, the sewage sludge handling/disposal and operation and maintenance of the facility were "unsatisfactory". The clarifiers and chlorine contact basins were so packed with solids that the sludge judge had to be pushed downward to reach the bottom of the basins. One of the sludge air lift pumps was not working and there were a moderate number of Chironomid sludge worms in the south clarifier and weir trough. The south clarifier and weir trough were full of sludge, as well as the final chlorine contact chamber. The north clarifier and chlorine contact chamber were also overloaded with solids. Additionally, the daily plant operators had serviced the plant (cleaned and added chlorine) on the morning of the inspection; but, had not noticed how overloaded the plant was with solids and that the air lift solids pump was not working. The operators run insufficient process control. The Respondent's failure to properly operate and maintain all systems of treatment of a permitted facility is in violation of LPDES General Permit LAG560275 (Part II, Section N.5 and Part III, Sections A.2 and B.3), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.E.

C. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent exceeded the effluent limitations contained in LPDES General Permit LAG560275. These effluent exceedances, as reported by the Respondent on DMRs, are summarized below:

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMITATION	REPORTED VALUE
January 2010	001	Fecal Coliform, Weekly Average	400 col/100ml	450 col/100ml
	001	Fecal Coliform Monthly Average	200 col/100ml	450 col/100ml
March 2010	001	Fecal Coliform Monthly Average	200 col/100ml	240 col/100ml

Each exceedance of permit effluent limitations indicated in the above table is in violation of LPDES General Permit LAG560275 (Part I, Section B, Schedule A and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

2. The Respondent failed to submit complete and accurate DMRs. Specifically, on the DMRs submitted by the Respondent, "Flow" was not reported for the monitoring periods of January 2009 through March 2009 and values for pH were not reported for the monitoring period of August and September 2009. Additionally, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" was entered during each of the monitoring periods beginning on or about April of 2007 and ending on or about March of 2011. However, the STORET Code was entered correctly. The Respondent's failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit prior to August 03, 2009 is in violation of LPDES General Permit LAG541357 (Part I, Section B. Effluent Limitations and Part III, Section D.4), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.L.4.a. The Respondent's failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit on and after August 03, 2009 is in violation of LPDES General Permit LAG560275 (Part I, Section B, Schedule A and Part III, Sections A.2 and D.4), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.L.4.a.

3. The Respondent failed to submit Non-compliance Reports to the Department. Specifically, NCRs were not submitted for the period of January through March of 2009

and for the period of August through September of 2009. The Respondent's failure to submit NCRs prior to August 03, 2009 is in violation of LPDES General Permit LAG541357 (Part III, Sections A.2 and D.7), La R.S. 30:2076(A) (3), and LAC 33:IX.2701.L.7. The Respondent's failure to submit NCRs on or after August 03, 2009 is in violation of LPDES General Permit LAG560275 (Part III, Sections A.2 and D.7), La R.S. 30:2076(A) (3), and LAC 33:IX.2701.L.7.

4. The Respondent failed to have a duly authorized representative sign the DMRs in accordance with LPDES General Permit LAG560275. Specifically, Mr. Ted Zelasko signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2009 through September of 2010 instead of a duly authorized representative and Ms. Tammy Prieskop signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2010 through March of 2011 instead of a duly authorized representative. Each of the Respondent's failure to submit DMRs signed by a duly authorized representative is in violation of LPDES General Permit LAG560275 (Part III, Subsection D.10.b (1)), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2503.B.

5. The Respondent's weekly average flow rate exceeded the less than 50,000 gallons per day maximum expected flow rate authorized by LPDES General Permit LAG560275. Specifically, the weekly average flow rates which exceeded the maximum expected flow rate of less than 50,000 gallons per day were reported by the Respondent on the DMR dates indicated in the table below:

MONITORING PERIOD	REPORTED FLOW
May 01, 2010 through May 31, 2010	102,000 gpd Weekly Average
July 01, 2010 through July 31, 2010	50,600 gpd Weekly Average
August 01, 2010 through August 31, 2010	123,400 gpd Weekly Average

VI.

The Respondent owns and/or operates the Centurion Place Subdivision sanitary wastewater treatment facility located on Centurion Drive, Duson, Lafayette Parish, Louisiana. On or about July 01, 2005, the Respondent submitted an NOI for coverage under an LPDES General Permit LAG560000 to the Department. On or about August 23, 2005, the Respondent was granted coverage under LPDES General Permit LAG560000 and was specifically assigned permit LAG560244. On or about July 01, 2008, LPDES General Permit LAG560000 expired; however, the permit was administratively continued. On

or about July 31, 2009, the Department reissued coverage under LPDES General Permit LAG560000 and again specifically assigned permit number LAG560244 to the Respondent. LPDES General Permit LAG560244 is scheduled to expire on May 31, 2014. Under the terms and conditions of LPDES General Permit LAG560244, the Respondent is authorized to discharge treated sanitary wastewater into an unnamed ditch, thence into Indian Bayou, waters of the state.

A. On or about September 09, 2009, a joint inspection was conducted by EPA and the Department that revealed the Respondent did not properly operate and maintain the facility. Specifically, the facility's sludge management is not adequate to maintain the proper operation of treatment units to achieve compliance with the conditions of the permit. The Respondent had no sludge wasting program in place and no records to show sludge removal and proper disposal. The Respondent's failure to properly operate and maintain all systems of treatment of a permitted facility is in violation of LPDES General Permit LAG560244 (Part II, Section B and Part III, Section B.3), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.E.

B. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent exceeded the effluent limitations contained in LPDES General Permit LAG560244. These effluent exceedances, as reported by the Respondent on DMRs, are summarized below:

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMITATION	REPORTED VALUE
May 2007	001	TSS, Monthly Average	20 mg/L	70 mg/L
	001	TSS, Weekly Average	30 mg/L	70 mg/L
February 2008	001	TSS, Monthly Average	20 mg/L	24 mg/L
August 2008	001	TDS, Daily Maximum	260 mg/L	318 mg/L
September 2008	001	TDS, Daily Maximum	260 mg/L	273 mg/L
October 2008	001	TDS, Daily Maximum	260 mg/L	314 mg/L *
November 2008	001	TDS, Daily Maximum	260 mg/L	346 mg/L *
December 2008	001	TDS, Daily Maximum	260 mg/L	319 mg/L *
January 2009	001	TDS, Daily Maximum	260 mg/L	277 mg/L *
February 2009	001	TDS, Daily Maximum	260 mg/L	350 mg/L *
March 2009	001	TDS, Daily Maximum	260 mg/L	324 mg/L *
May 2009	001	TDS, Daily Maximum	260 mg/L	276 mg/L *
June 2009	001	TDS, Daily Maximum	260 mg/L	328 mg/L *
July 2009	001	TDS, Daily Maximum	260 mg/L	268 mg/L
August 2009	001	TDS, Daily Maximum	260 mg/L	310 mg/L
September 2009	001	TDS, Daily Maximum	260 mg/L	274 mg/L
December 2009	001	TDS, Daily Maximum	260 mg/L	274 mg/L

January 2010	001	TDS, Daily Maximum	260 mg/L	274 mg/L
February 2010	001	TDS, Daily Maximum	260 mg/L	336 mg/L
April 2010	001	TDS, Daily Maximum	260 mg/L	372 mg/L
May 2010	001	TDS, Daily Maximum	260 mg/L	328 mg/L
September 2010	001	TDS, Daily Maximum	260 mg/L	330 mg/L
October 2010	001	TDS, Daily Maximum	260 mg/L	334 mg/L *

*Failure to submit Non-compliance report

Each exceedance of permit effluent limitations indicated in the above table prior to August 23, 2008 is in violation of LPDES General Permit LAG560244 (Part I, Section B, Schedule A), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A. Each exceedance of permit effluent limitations indicated in the above Table on or after August 23, 2008 is in violation of LPDES General Permit LAG560244 (Part I, Section B, Schedule A and of the "Final Limitations" of Schedules H and I), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

2. The Respondent failed to submit Non-compliance Reports (NCR). Specifically, for the monitoring period(s) indicated by an asterisk (*) in the above table, the Respondent did not submit a Non-compliance Report at the time the DMRs are required to be submitted. The Respondent's failure to submit Non-compliance Reports is in violation of LPDES General Permit LAG560244 (Part III, Section A.2 and D.7), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.L.7.

3. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, "Report" was entered as the permit limit for Total Dissolved Solids (TDS) during each of the monitoring periods beginning on or about October of 2008 through on or about June of 2009. The final permit limit for TDS was 260 mg/L. The final permit limits for TDS became effective on or about August 23, 2008. Additionally, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" was entered for each monitoring period beginning on or about April of 2007 and ending on or about March of 2011. However, the STORET Code was entered correctly. The Respondent's failure to report accurate DMRs in accordance with the monitoring and reporting requirements of the permit prior to July 31, 2009 is in violation of LPDES General Permit LAG560244 (Part I, Section B, Schedules A, H, and I and Part III, Sections A.2 and D.4), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.L.4.a. The Respondent's failure to report accurate DMRs in accordance with

the monitoring requirements of the permit on or after July 31, 2009 is in violation of LPDES General Permit LAG560244 (Part I, Section B, Schedules A, I, and J and Part III, Sections A.2 and D.4), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.L.4.a.

4. The Respondent failed to have a duly authorized representative sign the DMRs in accordance with LPDES General Permit LAG560244. Specifically, Mr. Ted Zelasko signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2009 through September of 2010 instead of a duly authorized representative and Ms. Tammy Prieskop signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2010 through March of 2011 instead of a duly authorized representative. Each of the Respondent's failure to submit DMRs signed by a duly authorized representative is in violation of LPDES General Permit LAG560244 (Part III, Subsection D.10.b (1)), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2503.B.

5. The Respondent's weekly average flow rate exceeded the less than 50,000 gallons per day maximum expected flow rate authorized by LPDES General Permit LAG560244. Specifically, the weekly average flow rates which exceeded the maximum expected flow rate of less than 50,000 gallons per day were reported by the Respondent on the DMR dates indicated in the table below:

MONITORING PERIOD	REPORTED FLOW
February 01, 2010 through February 28, 2010	103,700 gpd Weekly Average
March 01, 2010 through March 31, 2010	229,800 gpd Weekly Average
November 01, 2010 through November 30, 2010	50,500 gpd Weekly Average
March 01, 2011 through March 31, 2011	74,200 gpd Weekly Average

VII.

The Respondent owns and/or operates the Country Pines Mobile Estates sanitary wastewater treatment facility located at 329 Lebesque Road, Lafayette, Lafayette Parish, Louisiana. On or about January 05, 2005, the Department renewed coverage under LPDES General Permit LAG540939 to the Respondent. LPDES General Permit expired on or about February 29, 2008 but was administratively continued. On or about, December 04, 2008, the Department renewed coverage under LPDES General Permit LAG540939 to the Respondent. LPDES General Permit LAG540939 is scheduled to expire on June 30, 2013. Under the terms and conditions of LPDES General Permit LAG540939, the Respondent is

authorized to discharge treated sanitary wastewater into local drainage, thence into Coulee Mine, waters of the state.

A. On or about November 06, 2007, a joint inspection was conducted by EPA and the Department that revealed the following violations:

1. The Respondent failed to properly operate and maintain the facility. Specifically, at the time of the inspection, the levee surrounding the pond system was inaccessible due to high growth of weeds and grass, the trees were observed growing along the embankment of the ponds, the levee appeared to be leaking (The ground along the fence line was saturated and potholes were full of water where no rain had fallen for over a week), one of the oxidation pond cells was covered with duckweed which prevents sunlight from penetrating the water and the transfer of atmospheric oxygen into the water that normally could be attained from wind action, and the chlorine tablets in the tube dispensers were swollen; thus, preventing them from being in contact with the effluent. The Respondent's failure to properly operate and maintain all systems of treatment of a permitted facility is in violation of LPDES General Permit LAG540939 (Part II, Section M.5 and Part III, Sections A.2 and B.3), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.E.

2. The Respondent failed to follow proper sampling and monitoring procedures. Specifically, the Respondent's sampling and testing laboratory was not following the proper sample preservation procedures for fecal coliform. The chain of custody forms showed residual chlorine was present in the samples collected. The chain of custody forms did not show a dechlorinating agent was added to any of the fecal coliform samples collected. Analytical results would be invalid because of the continuation of bactericidal action during transit. Also, the chain of custody forms did not indicate the exact place where the samples were being collected. The chain of custody forms only indicated the facility name. Additionally, the Respondent's laboratory records did not reference the analytical techniques or method utilized for the pH analysis. In addition, no times were recorded for the pH analysis to show if the samples were analyzed within the 15-minute grab sample time frame. Each of the Respondent's failure to follow proper sampling and monitoring procedures is in violation of LPDES Permit LAG540939 (Part II, Sections

M.1, M.4, M.7.a and M.7.e and Part III, Sections A.2 and C.5), La. R. S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2701.A, LAC 33:IX.2701.J.3.a, and LAC 33:IX.2701.J.4.

3. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, the "TSS" permit limits were incorrectly entered during each monitoring period beginning on or about April of 2007 and ending on or about March of 2010. The Respondent entered "TSS" permit limits that are required for facilities other than oxidation ponds. The Respondent's failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit is in violation of LPDES General Permit LAG540939 (Part I, Section B and Part III, Section A.2 and Section D.4), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.L.4.d.

4. Additionally, the permit requires that the Respondent provide an adequate operating staff which is duly qualified to carry out operation, maintenance and other functions necessary to ensure compliance with the conditions of the permit. At the time of the inspection, the Respondent's representative indicated that the district in which the facility was located had a total of ten operators with three of the ten being duly certified operators. The other seven personnel were not yet duly certified operators. There existed a total of 130 facilities in the district in which this facility was located. This required each person to be assigned responsibility for 10 to 12 facilities. The Respondent's representative indicated that each facility was to be visited by an operator no less than once every other day. However, records at the facility did not indicate that the facility was being visited at the required frequency.

B. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent exceeded the effluent limitations contained in LPDES General Permit LAG560244. These effluent exceedances, as reported by the Respondent on DMRs, are summarized below:

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMITATION	REPORTED VALUE
July-September 2007	001	Fecal Coliform, Monthly Average	200 col/100ml	TNTC
	001	Fecal Coliform, Weekly Average	400 col/100ml	TNTC

October-December 2007	001	Fecal Coliform, Monthly Average	200 col/100ml	TNTC
	001	Fecal Coliform, Weekly Average	400 col/100ml	TNTC
July-September 2008	001	Fecal Coliform, Monthly Average	200 col/100ml	>600 col/100ml
	001	Fecal Coliform, Weekly Average	400 col/100ml	>600 col/100ml
October-December 2008	001	pH, Minimum	6 S.U.	5.2 S.U.
April-June 2009	001	Fecal Coliform, Weekly Average	400 col/100ml	500 col/100ml
October-December 2010	001	pH, Instantaneous Maximum	9.0 S.U.	9.3 S.U.

*Failure to submit Non-compliance report

Each exceedance of permit effluent limitations indicated in the above table prior to December 04, 2008 is in violation of the LPDES General Permit LAG540939 (Part I, Section B, Effluent Limitations), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A. and each exceedances of permit effluent limitations indicated in the above table on or after December 04, 2008 is in violation of LPDES General Permit LAG540939 (Part I, Section B, Schedule A and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

2. The Respondent did cause or allow the unauthorized discharge of untreated sanitary wastewater from a location not specified in LPDES General Permit LAG540939. Specifically, on or about July 26, 2007, the Respondent did cause or allow the unauthorized discharge of approximately 100 to 150 gallons of untreated wastewater onto the ground, at the Country Pines Mobile Estates sanitary wastewater treatment facility, thence into a ditch from a vacuum truck whose hose had disconnected. However, after about two minutes after the beginning of the unauthorized discharge the hose was reconnected and the discharge ceased. Additionally, on or about March 10, 2010, the Respondent did cause or allow the unauthorized discharge of approximately 500 gallons of untreated wastewater on the West side of the Country Pines Mobile Home Estates from a broken underground service line. However, on or about March 11, 2010, the underground service line was repaired and the area of the unauthorized discharge was limed. Each of the Respondent's unauthorized discharges of untreated sanitary

wastewater from a location not specified in LPDES General Permit LAG540939 is in violation of La. R.S. 30:2076(A)(1)(a) and LAC 33:IX.501.D.

3. According to an "Unauthorized Discharge Notification Report" submitted to the Department, the Respondent failed to properly operate and maintain its system. Specifically, on or about November 05, 2007, the Respondent did cause or allow an overflow of approximately 125 gallons of untreated wastewater from a manhole at the Country Pines Sanitary Wastewater Treatment Facility as a result of the clogging of the main lines. After about two to two and one-half hours after the overflow began, the line was unclogged and lime was used to disinfect the area. No state waters were affected. The Respondent's failure to prevent the overflow of untreated sanitary wastewater is in violation of LPDES General Permit LAG540939 (Part III, Sections A.2 and B.3.a), La. R.S. 30:2076(A) (3), and LAC 33:IX.2701.E.

4. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" and "Residue, Total Filterable" instead of "Total Dissolved Solids" or "TDS" were entered for each of the monitoring periods beginning on or about April of 2007 and ending on or about March of 2011. However, the STORET Code was entered correctly. The Respondent's failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit is in violation of LPDES General Permit LAG540939 (Part I, Section B, Schedule A and Part III, Section D.4), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.L.4.a.

5. The Respondent failed to have a duly authorized representative sign the DMRs in accordance with LPDES General Permit LAG540939. Specifically, Mr. Ted Zelasko signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2009 through September of 2010 instead of a duly authorized representative and Ms. Tammy Prieskop signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2010 through March of 2011 instead of a duly authorized representative. Each of the Respondent's failure to submit DMRs signed by a duly authorized representative is in violation of LPDES General Permit LAG540939 (Part III, Subsection D.10.b (1)), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2503.B.

6. The Respondent's weekly average flow rate exceeded the less than 25,000 gallons per day maximum expected flow rate authorized by LPDES General Permit LAG540939. Specifically, the weekly average flow rates which exceeded the maximum expected flow rate of less than 25,000 gallons per day were reported by the Respondent on the DMR dates indicated in the table below:

MONITORING PERIOD	REPORTED FLOW
April 01, 2007 through June 30, 2007	72,000 gpd Weekly Average
July 01, 2007 through September 30, 2007	27,000 gpd Weekly Average
January 01, 2008 through March 31, 2008	29,100 gpd Weekly Average
April 01, 2008 through June 30, 2008	44,900 gpd Weekly Average
July 01, 2008 through September 30, 2008	29,700 gpd Weekly Average
January 01, 2009 through March 31, 2009	25,600 gpd Weekly Average
October 01, 2010 through December 31, 2010	46,200 gpd Weekly Average
January 01, 2011 through March 31, 2011	38,800 gpd Weekly Average

VIII.

The Respondent owns and/or operates the Cypress Village sanitary wastewater treatment facility located off of Andras Street, off of Aristle Street, off of LA Hwy. 662 in Amelia, Assumption Parish, Louisiana: On or about May 16, 2003, the Respondent submitted an NOI for an LPDES General Permit LAG540000 to the Department. On or about March 31, 2004, the Department granted coverage under LPDES General Permit LAG541182 to the Respondent. On or about February 29, 2008, LPDES General Permit LAG541182 expired but was administratively continued. On or about December 05, 2008, the Department reissued LPDES General Permit LAG541182 to the Respondent. LPDES General Permit LAG541182 is scheduled to expire on June 30, 2013. Under the terms and conditions of LPDES General Permit LAG541182, the Respondent is authorized to discharge treated sanitary wastewater into a parish drainage canal, thence into Bayou Boeuf, waters of the state.

A. On or about July 14, 2009 through July 16, 2009, a joint inspection was conducted by EPA and the Department that revealed the following violations:

1. The Respondent did not properly operate and maintain the facility. Specifically, at the time of the inspection the facility was hydraulically overloaded. The clarifier launder was submerged allowing some solids to be discharged with the treated effluent. Additionally, one of the plant air drop lines was broken and one of the lift station pumps was missing a safety guard. The Respondent's failure to properly operate and maintain all systems of treatment of a permitted facility is in violation of LPDES General Permit

LAG541182 (Part II, Section N.5 and Part III, Sections A.2 and B.3), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.E.

2. The Respondent failed to sample the facility's effluent at the required frequency specified in the permit. Specifically, according to the Respondent's representative present during the inspection, there was one person who sampled 69 of the Respondent's sanitary wastewater treatment facilities in the Respondent's representative's district. Under the terms and conditions of LPDES General Permit LAG541182, the Respondent is required to sample the effluent once every three months. However, because of the number of plants and the limited amount of time spent at the plant, samples were not always obtained. The Respondent's failure to sample the facility's effluent at the required frequency is in violation of LPDES General Permit LAG541182 (Part I, Section B, Schedule A), La. R.S. 30:2076(A) (3), and LAC 33:IX.2701.J.1. .

3. The Respondent failed to properly dispose of solids and/or sewage sludge. Specifically, sludge was noted on the grounds outside the intruder fencing. According to the Respondent's representative, the sludge spillage was presumed to have flowed over the side of the plant from a small hole next to one of the air drop lines. Additionally, a black sludge like material was observed beneath the cone shaped clarifiers that looked like it was recently swept. The Respondent's representative did not provide any information regarding the source of or who had cleaned up the black sludge like material. The Respondent's failure to properly dispose of solids and/or sewage sludge is in violation of LPDES permit LAG541182 (Part III, Section A.2 and B.6), La. R.S. 30:2076 (A) (3), and LAC 33:IX.7301.G.1.

B. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent exceeded the effluent limitations contained in LPDES General Permit LAG541182. These effluent exceedances, as reported by the Respondent on DMRs, are summarized below:

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMITATION	REPORTED VALUE
January-March 2009	001	Fecal Coliform, Monthly Average	200 col/100ml	>6,000 col/100ml
	001	Fecal Coliform, weekly Average	400 col/100ml	>6,000 col/100ml

April-June 2010	001	Fecal Coliform, weekly Average	400 col/100ml	3,000 col/100ml

Each exceedance of permit effluent limitations indicated in the above table is in violation of LPDES General Permit LAG541182 (Part I, Section B of the LPDES Permit coverage issued on March 31, 2004 and Part I, Section B, Schedule A of the LPDES Permit coverage issued on December 05, 2008 and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

2. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" was entered for each of the monitoring periods beginning on or about April of 2007 and ending on or about the March of 2011. However, the STORET Code was entered correctly. Additionally, Carbonaceous Oxygen Demand (CBOD) was reported instead of Biochemical Oxygen Demand (BOD) and the entry for the "Frequency of Analysis" for flow was improperly entered as 1/7 rather than 1/3 months. The Respondent's failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit is in violation of LPDES General Permit LAG541182 (Part I, Section B, Schedule A and Part III, Section D.4), La. R.S. 30:2076(A) (3) and LAC 33:IX.2701.L.4.a.

3. The Respondent failed to have a duly authorized representative sign the DMRs in accordance with LPDES General Permit LAG541182. Specifically, Mr. Ted Zelasko signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2009 through September of 2010 instead of a duly authorized representative and Ms. Tammy Prieskop signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2010 through March of 2011 instead of a duly authorized representative. Each of the Respondent's failure to submit DMRs signed by a duly authorized representative is in violation of LPDES General Permit LAG541182 (Part III, Subsection D.10.b (1), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2503.B.

4. The Respondent's weekly average flow rate exceeded the less than 25,000 gallons per day maximum expected flow rate authorized by LPDES General Permit LAG541182. Specifically, the weekly average flow rates which exceeded the maximum expected flow

rate of less than 25,000 gallons per day were reported by the Respondent on the DMR dates indicated in the table below:

MONITORING PERIOD	REPORTED FLOW
April 01, 2007 through June 30, 2007	36,000 gpd Weekly Average
July 01, 2007 through September 30, 2007	30,600 gpd Weekly Average
October 01, 2007 through December 31, 2007	38,500 gpd Weekly Average
January 01, 2008 through March 31, 2008	26,600 gpd Weekly Average
April 01, 2008 through June 30, 2008	26,500 gpd Weekly Average
July 01, 2008 through September 30, 2008	26,800 gpd Weekly Average
October 01, 2008 through December 31, 2008	27,200 gpd Weekly Average
January 01, 2010 through March 03, 2010	165,000 gpd Weekly Average
April 01, 2010 through June 06, 2010	117,800 gpd Weekly Average
July 01, 2010 through September 30, 2010	65,900 gpd Weekly Average
October 01, 2010 through December 31, 2010	33,400 gpd Weekly Average

IX.

The Respondent owns and/or operates the Del Mar Estates West sanitary wastewater treatment facility located at 400 Chevalier Boulevard, Lafayette, Lafayette Parish, Louisiana. On or about February 01, 2007, the Department received a joint request from the previous owner and the Respondent for the transfer of ownership and LPDES Permit LA0122254 to the Respondent. The Department granted the transfer on or about November 08, 2007; with an effective date of November 06, 2007. On or about July 22, 2008, the Respondent requested a permit major modification to have the facility combined with Del Mar Estates South under one permit and one outfall. On or about May 13, 2009, the Department granted the major modification request and allowed the combination of the Del Mar Estates West sanitary wastewater treatment facility with the Del Mar Estates South sanitary wastewater treatment facility with one permit and one outfall under the Del Mar Estates South LPDES Permit LA0122017; and, on or about July 28, 2009, the Department terminated Del Mar Estates West sanitary wastewater treatment facility's LPDES Permit LA0122254. Under the terms and conditions of LPDES Permit LA0122254, the Respondent was authorized to discharge treated sanitary wastewater into Arrowhead Coulee, thence into the Vermilion River, waters of the state.

A. On or about March 31, 2011, a file review was conducted by the Department that revealed the Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, the entries for the "Frequency of Analysis" for all of the parameters, except flow, were improperly entered as 2/30 rather than the 1/month required by the permit for the period beginning on or about November 01, 2007 through May 31, 2009. Additionally, on DMRs

submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" was entered for each of the reporting periods beginning on or about November of 2007 through May of 2009. However, the STORET Code was entered correctly. The Respondent's failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit is in violation of LPDES Permit LA0122254 (Part I, Effluent Limitations and Monitoring Requirements, Page 2 of 2 and Part III, Section D.4), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.L.4.a.

X.

The Respondent owns and/or operates the Del Mar Estates South sanitary wastewater treatment facility located at 400 Chevalier Boulevard, Lafayette, Lafayette Parish, Louisiana. On or about February 01, 2007, the Department received a joint request from the previous owner and the Respondent for the transfer of ownership and LPDES Permit LA0122017 to the Respondent. The Department granted the transfer of ownership and LPDES Permit LA0122017 on or about November 08, 2007; with an effective date of November 06, 2006. On or about July 22, 2008, the Respondent requested a permit major modification to have the facility combined with Del Mar Estates West under one permit and one outfall. On or about May 13, 2009, the Department granted the major modification request and allowed the combination of the Del Mar Estates South sanitary wastewater treatment facility with the Del Mar Estates West sanitary wastewater treatment facility with one permit and one outfall under the Del Mar Estates South LPDES Permit LA0122017; and, on or about July 28, 2009, the Department terminated Del Mar Estates West sanitary wastewater treatment facility's LPDES Permit LA0122254. On or about September 01, 2011, the Department reissued LPDES Permit LA0122017 to the Respondent. Under the terms and conditions of the presently effective LPDES Permit LA0122017, the Respondent is authorized to discharge treated sanitary wastewater into Arrowhead Coulee, thence into the Vermilion River, waters of the state.

A. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent exceeded the effluent limitations contained in LPDES General Permit LA0122017. These effluent exceedances, as reported by the Respondent on DMRs, are summarized below:

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMITATION	REPORTED VALUE
October 2007	001	TSS, Monthly Average	15 mg/L	23 mg/L

	001	$CBOD_5$, Monthly Average	10 mg/L	13 mg/L *
November 2007	001	TSS, Monthly Average	15 mg/L	34 mg/L
	001	TSS, Weekly Average	23 mg/L	34 mg/L
	001	Fecal Coliform, Monthly Average	200 col/100mL	TNTC
	001	Fecal Coliform, Weekly Average	400 col/100mL	TNTC
	001	$CBOD_5$, Monthly Average	10 mg/L	15 mg/L *
March 2008	001	Fecal Coliform, Monthly Average	200 col/100mL	TNTC *
	001	Fecal Coliform, Weekly Average	400 col/100mL	TNTC
	001	Ammonia, Monthly Average	10 mg/L	19.8 mg/L
April 2008	001	Dissolved Oxygen, Monthly Average Minimum	5 mg/L	4.21 mg/L
	001	Fecal Coliform, Monthly Average	200 col/100mL	600 col/100mL
	001	Fecal Coliform, Weekly Average	400 col/100mL	600 col/100mL
June 2008	001	Fecal Coliform, Monthly Average	200 col/100mL	244.95 col/100mL
	001	Fecal Coliform, Weekly Average	400 col/100mL	600 col/100mL
	001	Ammonia, Monthly Average	5 mg/L	15.32 mg/L
	001	Ammonia, Weekly Average	10 mg/L	30 mg/L
July 2008	001	$CBOD_5$, Monthly Average	10 mg/L	16 mg/L
	001	$CBOD_5$, Weekly Average	15 mg/L	16 mg/L *
	001	Fecal Coliform, Monthly Average	200 col/100mL	>600 col/100mL
	001	Fecal Coliform, Weekly Average	400 col/100mL	>600 col/100mL
	001	Ammonia, Monthly Average	5 mg/L	28.35 mg/L
	001	Ammonia, Weekly Average	10 mg/L	31.3 mg/L
	001	Ammonia, Weekly Average	10 mg/L	25.4 mg/L
August 2008	001	TSS, Monthly Average	15 mg/L	32 mg/L
	001	TSS, Weekly Average	23 mg/L	32 mg/L
September 2008	001	TSS, Monthly Average	15 mg/L	29 mg/L

	001	TSS, Weekly Average	23 mg/L	29 mg/L
October 2008	001	TSS, Monthly Average	15 mg/L	31 mg/L
	001	TSS, Weekly Average	23 mg/L	47 mg/L
December 2008	001	Fecal Coliform, Monthly Average	200 col/100mL	>600 col/100mL
	001	Fecal Coliform, Weekly Average	400 col/100mL	>600 col/100mL
	001	Fecal Coliform, Weekly Average	400 col/100mL	>600 col/100mL
	001	TSS, Monthly Average	15 mg/L	19.5 mg/L
	001	TSS, Weekly Average	23 mg/L	32 mg/L
January 2009	001	Fecal Coliform, Monthly Average	200 col/100mL	219.27 col/100mL
	001	Fecal Coliform, Weekly Average	400 col/100mL	601 col/100mL
March 2009	001	TSS, Monthly Average	20 mg/L	31.5 mg/L
	001	TSS, Weekly Average	30 mg/L	37 mg/L
April 2009	001	TSS, Monthly Average	20 mg/L	36 mg/L
	001	TSS, Weekly Average	30 mg/L	38 mg/L
	001	TSS, Weekly Average	30 mg/L	34 mg/L
May 2009	001	TSS, Monthly Average	15 mg/L	19 mg/L
	001	TSS, Weekly Average	23 mg/L	27 mg/L
July 2009	001	TSS, Daily Maximum	23 mg/L	123 mg/L
	001	TSS, Monthly Average	15 mg/L	67 mg/L
August 2009	001	TSS, Daily Maximum	23 mg/L	46 mg/L
	001	TSS, Monthly Average	15 mg/L	27.5 mg/L
September 2009	001	TSS, Daily Maximum	23 mg/L	78 mg/L
	001	TSS, Monthly Average	15 mg/L	50 mg/L
October 2009	001	TSS, Daily Maximum	23 mg/L	70 mg/L
	001	TSS, Monthly Average	15 mg/L	42 mg/L
November 2009	001	pH, Instantaneous Maximum	9 SU	9.02 SU
	001	TSS, Daily Maximum	23 mg/L	37 mg/L
	001	TSS, Daily Maximum	23 mg/L	31 mg/L
	001	TSS, Monthly Average	15 mg/L	34 mg/L
December 2009	001	TSS, Daily Maximum	23 mg/L	37 mg/L
	001	TSS, Daily Maximum	23 mg/L	37 mg/L
	001	TSS, Monthly Average	15 mg/L	37 mg/L
January 2010	001	TSS, Daily Maximum	30 mg/L	49 mg/L
	001	TSS, Monthly Average	20 mg/L	34.5 mg/L
February 2010	001	Fecal Coliform, Daily Maximum	400 col/100mL	500 col/100mL
	001	TSS, Daily Maximum	30 mg/L	71 mg/L

	001	TSS, Monthly Average	20 mg/L	43 mg/L
August 2010	001	pH, Instantaneous Minimum	6 SU	5.97 SU
September 2010	001	Fecal Coliform, Daily Maximum	400 col/100mL	>600 col/100mL
	001	Fecal Coliform, Monthly Average	200 col/100mL	>600 col/100mL
October 2010	001	pH, Instantaneous Minimum	6 SU	5.62 SU
November 2010	001	TSS, Daily Maximum	23 mg/L	33 mg/L
	001	TSS, Monthly Average	15 mg/L	28 mg/L
December 2010	001	TSS, Daily Maximum	23 mg/L	31 mg/L
	001	TSS, Monthly Average	15 mg/L	19.5 mg/L

*Failure to submit Non-compliance report

Each exceedance of permit effluent limitations indicated in the above table is in violation of LPDES Permit LA0122017 (Part I, Effluent Limitations and Monitoring Requirements, Page 2 of 2 and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

2. The Respondent failed to submit Non-compliance Reports (NCR) in a timely manner. Specifically, for the monitoring period(s) indicated by an asterisk (*) in the above table, the Respondent did not submit a Non-compliance Report at the time the DMRs are required to be submitted. The Respondent's failure to submit Non-compliance Reports is in violation of LPDES Permit LA0122017 (Part III, Sections A.2 and D.7), La R.S. 30:2076(A) (3), and LAC 33:IX.2701.L.7.

3. The Respondent did cause or allow the overflow of untreated sanitary wastewater from a location not specified in LPDES Permit LA0122017. Specifically, the overflows listed in the following table as reported to the Department in "Unauthorized Discharge Notification/Collection System Overflows Reports" by the Respondent:

Date of Overflow/Incident	**Overflow Location**	**Impacted Stream**	**Amount**
2/3/2009	Del Mar Estates South Sanitary WTF	Ditch	~45 gallons
4/2/2009	Del Mar Estates South Sanitary WTF	Ditch	~400 gallons

The Respondent's failure to prevent the unauthorized discharge of untreated sanitary wastewater is in violation of LPDES Permit LA0122017 (Part III, Sections A.2 and B.3.a), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.E.

4. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" was entered for each of the reporting periods beginning on or about January of 2008 and ending on or about the March of 2011. However, the STORET Code was entered correctly. Additionally, on DMRs submitted by the Respondent, the discharge limitations for Carbonaceous Oxygen Demand ($CBOD_5$) were improperly reported. Specifically, for the periods of October 2007 to January 2008, May 2008 to January 2009, and May 2009, the discharge limitations, for the seasonal period of May through December, were incorrectly entered on the DMRs for $CBOD_5$. The failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit is in violation of LPDES Permit LA0122017 (Part I, Effluent Limitations and Monitoring Requirements, Page 2 of 2 and Section D.4), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.L.4.a.

5. The Respondent failed to have a duly authorized representative sign the DMRs in accordance with LPDES General Permit LA0122017. Specifically, Mr. Ted Zelasko signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2009 through September of 2010 instead of a duly authorized representative and Ms. Tammy Prieskop signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2010 through March of 2011 instead of a duly authorized representative. Each of the Respondent's failure to submit DMRs signed by a duly authorized representative is in violation of LPDES Permit LA0122017 (Part III, Subsection D.10.b (1)), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2503.B.

XI.

The Respondent owns and/or operates the Eloi Plantation sanitary wastewater treatment facility located northeast of the intersection of Mount Hope Ave. and Belle Helene Ct., Lafayette, Lafayette Parish, Louisiana. On or about March 08, 2007, the Department received a joint request from the previous owner and the Respondent for the transfer of ownership and LPDES General Permit LAG541444 to the Respondent. The request indicated a transfer date of December 19, 2006. On or about May 25, 2007, the Department received a second joint request from the previous owner and the Respondent for the transfer of ownership and LPDES General Permit LAG541444 to the Respondent. The second request

indicated a transfer date of May 08, 2007. The Department granted the transfer of ownership and LPDES General Permit LAG541444 on or about June 05, 2007; with an effective date of May 08, 2007. On or about February 29, 2008, LPDES General Permit LAG541444 expired but was administratively continued. On or about October 10, 2008, the Department reissued coverage under the LPDES General Permit LAG541444 to the Respondent. LPDES General Permit LAG541444 is scheduled to expire on June 30, 2013. Under the terms and conditions of LPDES General Permit LAG541444, the Respondent is authorized to discharge treated sanitary wastewater into the Vermilion River, waters of the state.

A. On or about July 15, 2008, a joint inspection was conducted by EPA and the Department that revealed the Respondent failed to properly monitor and report the facility's effluent discharge as required by LPDES General Permit LAG541444. Specifically, although a flow was noted at the time of the inspection from the facility, no record-keeping or sampling was being performed. When the Respondent was asked why record-keeping and sampling was not being performed, the Respondent's opinion was that the facility was not discharging. The Respondent's failure to properly monitor and report the facility's effluent discharge prior to October 10, 2008 is in violation of the requirements of LPDES General Permit LPDES General Permit LAG541444 (Part I, Section B, Schedule A and Part II, Section M), La. R.S. 30:2076 (A) (3), LAC 33:IX.2701.A. and LAC 33:IX.2701.L.4.

B. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" was entered for each monitoring periods beginning on or about of July of 2007 and ending on or about March of 2011. However, the STORET code was entered correctly. The Respondent's failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit is in violation of LPDES General Permit LAG541444 (Part I, Section B, Schedule A and Part III, Section D.4), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.L.4.a.

2. The Respondent failed to have a duly authorized representative sign the DMRs in accordance with LPDES General Permit LAG541444. Specifically, Mr. Ted Zelasko signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2009 through September of 2010 instead of a duly authorized

representative and Ms. Tammy Prieskop signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2010 through March of 2011 instead of a duly authorized representative. Each of the Respondent's failure to submit DMRs signed by a duly authorized representative is in violation of LPDES General Permit LAG541444 (Part III, Subsection D.10.b (1)), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2503.B.

XII.

The Respondent owns and/or operates the Grand Marnier Subdivision sanitary wastewater treatment facility located at the end of Brandywine Drive, Thibodaux, Lafourche Parish, Louisiana. On or about November 04, 2004, the Department renewed coverage under LPDES General Permit LAG570171 to the Respondent. LPDES General Permit LAG570000 expired on March 14, 2009. On or about May 01, 2009, the Department reissued LAG570000 and on or about May 22, 2009, renewed coverage under LAG570171 to the Respondent. LPDES General Permit LAG570171 is scheduled to expire on April 30, 2014. Under the terms and conditions of LPDES General Permit LAG570171, the Respondent is authorized to discharge treated sanitary wastewater into an unnamed canal, thence into Bayou Cut Off, waters of the state.

A. On or about June 25, 2008, a joint inspection was conducted by EPA and the Department that revealed the Respondent did not properly operate and maintain the facility. Specifically, at the time of the inspection, the facility's pond system had large stumps within all three cells and there were 10' tall trees on the pond embankments. Additionally, a bypass hole had been drilled into the PVC header pipe which leads to the dual chlorination units. The Respondent's failure to properly operate and maintain all systems of treatment of a permitted facility is in violation of LPDES General Permit LAG570171 (Part II, Section N.5 and Part III, Sections A.2 and B.3), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.E. On or about December 06, 2010, an inspection conducted by the Department revealed that the facility's pond system was in good condition, the surface water of the pond was free of vegetation, the levee system was found to be free of all extensive tall vegetation that would cause blockage of the sun and wind influence upon the pond, there were no vegetation found that would cause or contribute to a breach in the levee system; and, chlorine tablets were found in the chlorine contact chamber.

B. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent was discharging without a permit from March 15, 2009 until May 22, 2009. LPDES permit LAG570171 expired on March 14, 2009. Discharge Monitoring Reports submitted beginning March of 2009 through May of 2009 revealed the Respondent continued to discharge to waters of the state after the expiration of LPDES permit LAG570171. Operating without a LPDES permit or other authority to discharge wastes and/or other substances into waters of the state is a violation of La. R.S. 30:2075. The Respondent's failure to submit a renewal application prior to the expiration date of the permit is a violation of LPDES permit LAG570171 (Part II, Section C and Part III, Sections A.2 and A.5.b), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.B.

2. The Respondent exceeded the effluent limitations contained in LPDES General Permit LAG570171. These effluent exceedances, as reported by the Respondent on DMRs, are summarized below:

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMITATION	REPORTED VALUE
June 2007	001	pH, Instantaneous Maximum	9 SU	9.8 SU
	001	TSS, Monthly Average	15 mg/L	27 mg/L
	001	TSS, Weekly Average	23 mg/L	27 mg/L
July 2007	001	BOD_5, Monthly Average	10 mg/L	13 mg/L
	001	pH, Instantaneous Maximum	9 SU	10.2 SU
	001	TSS, Monthly Average	15 mg/L	24 mg/L
	001	TSS, Weekly Average	23 mg/L	24 mg/L
September 2007	001	TSS, Monthly Average	15 mg/L	33 mg/L
	001	TSS, Weekly Average	23 mg/L	33 mg/L
December 2007	001	TSS, Monthly Average	15 mg/L	78 mg/L
	001	TSS, Weekly Average	23 mg/L	78 mg/L
March 2008	001	pH, Instantaneous Maximum	9 SU	9.5 SU
July 2008	001	pH, Instantaneous Maximum	9 SU	9.3 SU
February 2009	001	BOD_5, Monthly Average	10 mg/L	11 mg/L
	001	pH, Instantaneous Maximum	9 SU	9.3 SU
June 2009	001	pH, Instantaneous Maximum	9 SU	9.4 SU
	001	TSS, Monthly Average	15 mg/L	26 mg/L
	001	TSS, Weekly Average	23 mg/L	26 mg/L

July 2009	001	TSS, Monthly Average	15 mg/L	37 mg/L
	001	TSS, Weekly Average	23 mg/L	37 mg/L
August 2009	001	pH, Instantaneous Maximum	9 SU	9.6 SU
March 2010	001	TSS, Monthly Average	15 mg/L	18 mg/L
April 2010	001	pH, Instantaneous Maximum	9 SU	9.78 SU
	001	TSS, Monthly Average	15 mg/L	24 mg/L
	001	TSS, Weekly Average	23 mg/L	24 mg/L
May 2010	001	pH, Instantaneous Maximum	9 SU	9.29 SU
	001	TSS, Monthly Average	15 mg/L	20 mg/L
August 2010	001	pH, Instantaneous Maximum	9 SU	9.25 SU
	001	TSS, Monthly Average	15 mg/L	21 mg/L
October 2010	001	BOD_5, Monthly Average	10 mg/L	18 mg/L
	001	BOD_5, Weekly Average	15 mg/L	18 mg/L
December 2010	001	pH, Instantaneous Maximum	9 SU	12 SU

Each exceedance of permit effluent limitations indicated in the above table is in violation of LPDES General Permit LAG570171 (Part I, Section B, Schedule A), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

3. The Respondent failed to properly monitor and report the facility's effluent discharge as required by LPDES General Permit LAG570171. Specifically, on or about September of 2008, December of 2009, July of 2010 and September of 2010, although the Respondent reported a flow value on submitted DMRs to the Department, on Non-compliance Reports submitted by the Respondent to the Department, it was indicated that the facility's effluent had not been monitored. The Respondent's failure to properly monitor and report the facility's effluent discharge is in violation of the requirements of LPDES General Permit LPDES General Permit LAG570171 ((Part I, Section B, Schedule A and Part II, Section N), La. R.S. 30:2076 (A) (3), LAC 33:IX.2701.A., and LAC 33:IX.2701.L.4.

4. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" was entered for each of the monitoring periods beginning on or about April of 2007 and ending on or about February of 2009 and for each of the monitoring periods

beginning on or about June of 2009 and ending on or about March of 2011. However, the STORET code was entered correctly. The Respondent's failure to report accurate DMRs in accordance with the monitoring and reporting requirements of the permit is in violation of LPDES General Permit LAG570171 (Part I, Section B, Schedule A and Part III, Section D.4), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.L.4.a..

5. The Respondent failed to have a duly authorized representative sign the DMRs in accordance with LPDES General Permit LAG570171. Specifically, Mr. Ted Zelasko signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2009 through September of 2010 instead of a duly authorized representative and Ms. Tammy Prieskop signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2010 through February of 2011 instead of a duly authorized representative. Each of the Respondent's failure to submit DMRs signed by a duly authorized representative is in violation of LPDES General Permit LAG570171 (Part III, Subsection D.10.b (1)), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2503.B.

6. The Respondent's weekly average flow rate exceeded the less than 100,000 gallons per day maximum expected flow rate authorized by LPDES General Permit LAG570171. Specifically, the weekly average flow rates which exceeded the maximum expected flow rate of less than 100,000 gallons per day were reported by the Respondent on the DMR dates indicated in the table below:

MONITORING PERIOD	REPORTED FLOW
August 01, 2007 through August 31, 2007	101,200 gpd Weekly Average
January 01, 2008 through January 31, 2008	122,300 gpd Weekly Average
August 08, 2008 through August 08, 2008	109,800 gpd Weekly Average
May 01, 2009 through May 31, 2009	107,100 gpd Weekly Average
June 01, 2010 through June 30, 2010	145,600 gpd Weekly Average
August 01, 2010 through August 31, 2010	182,500 gpd Weekly Average
November 01, 2010 through November 30, 2010	102,900 gpd Weekly Average
January 01, 2011 through January 31, 2011	120,000 gpd Weekly Average

XIII.

The Respondent owns and/or operates the Highland Lakes Subdivision sanitary wastewater treatment facility located at Northlake Drive off of LA Hwy. 308, Thibodaux, Lafourche Parish, Louisiana. On or about June 17, 2003, the Respondent submitted an NOI for renewal of coverage under LPDES General Permit LAG560190 to the Department. On or about September 10, 2004, the Department granted

coverage under LPDES General Permit LAG540000 to the Respondent rather than renew coverage under LPDES General Permit LAG560190 because upon review of the NOI, the Department made a determination that the facility would be more appropriately permitted under LPDES General Permit LAG540000 due to the actual flow of the facility. The Respondent was specifically assigned permit number LAG541212. On or about February 29, 2008, LPDES General Permit LAG540000 expired but the permit was administratively continued. On or about July 01, 2008, the Department reissued LAG540000; and, on or about September 05, 2008, renewed coverage under LPDES General Permit LAG541212 to the Respondent. On or about December 18, 2008, the Department canceled coverage under LPDES General Permit LAG541212 due to increased flow at the facility and granted coverage under LPDES General Permit LAG570000 to the Respondent. The Respondent was specifically assigned permit number LAG570483. LPDES General Permit expired on March 14, 2009. The Department reissued LPDES General Permit LAG570000 on May 01, 2009; and, on or about May 22, 2009 renewed coverage to the Respondent. LPDES General Permit LAG570483 is scheduled to expire on April 30, 2014. Under the terms and conditions of LPDES General Permit LAG570483, the Respondent is authorized to discharge treated sanitary wastewater into an unnamed ditch, thence into Onion Bayou, waters of the state.

A. On or about June 24, 2008, a joint inspection was conducted by EPA and the Department that revealed the following violations:

1. The Respondent's weekly average flow rate exceeded the less than 25,000 gallons per day maximum expected flow rate authorized by LPDES General Permit LAG541357. Specifically, a review of the facility's discharge data for the period beginning on or about January of 2007 through on or about June of 2008 indicated that during five weeks of this period, the facility discharged greater than 25,000 gallons per day. However, on or about December 18, 2008, the Department canceled coverage under LPDES General Permit LAG541212 due to notification of increased flow at the facility and granted coverage under LPDES General Permit LAG570483 to the Respondent.

2. The Respondent did cause or allow the unauthorized disposal of solids and/or sludge. Specifically, on or about June 23 through June 24, 2008, approximately 300 gallons of sludge was discharged from the Highland Lakes Sanitary Wastewater Treatment Facility's headworks due to a hydraulic overload resulting from an adjacent construction activity that funneled significant infiltration through an open manhole following a

previous night's 1 ½" rain event. The failure to properly dispose of removed substances such as solids and/or sludge is in violation of LPDES General Permit LAG541212 (Part III, Section A.2 and B.6), La. R.S. 30:2076 (A) (3) and LAC 33:IX.7301.G.1.

B. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent exceeded the effluent limitations contained in LPDES General Permit LA0122017. These effluent exceedances, as reported by the Respondent on DMRs, are summarized below:

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMITATION	REPORTED VALUE
March 2009	001	TSS, Monthly Average	15 mg/L	16 mg/L
December 2009	001	BOD_5, Monthly Average	10 mg/L	13 mg/L
	001	TSS, Monthly Average	15 mg/L	26 mg/L
	001	TSS, Weekly Average	23 mg/L	26 mg/L
May 2010	001	Fecal Coliform, Monthly Average	200 col/100ml	900 col/100ml
	001	Fecal Coliform, Weekly Average	400 col/100ml	900 col/100ml

Each exceedance of permit effluent limitations indicated in the above table is in violation of the LPDES General Permit LAG570483 (Part I, Section B, Schedule A and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

2. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, the "Flow Sample Type" was inaccurately reported as "Estimate" for each of the monitoring periods beginning on or about April of 2007 and ending on or about March of 2011. The required "Flow Sample Type" is "Measure"; however, the Respondent reported the "Flow Sample Type" as "Estimate". Additionally, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" was entered for each monitoring periods beginning on or about April of 2007 and ending on or about March of 2011. However, the STORET Code was entered correctly. The Respondent's failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit prior to December 18, 2008 is in violation of LPDES General Permit LAG541212 (Part I, Section B and Part III, Section D.4), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.L.4.a. The Respondent's failure to submit accurate DMRs in accordance with the monitoring

and reporting requirements of the permit on or after December 18, 2008 is in violation of LPDES General Permit LAG570483 (Part I, Section B, Schedule A and Part III, Section D.4), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.L.4.a.

3. The Respondent failed to have a duly authorized representative sign the DMRs in accordance with LPDES General Permit LAG570483. Specifically, Mr. Ted Zelasko signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2009 through September of 2010 instead of a duly authorized representative and Ms. Tammy Prieskop signed DMRs submitted to the Department for each of the monitoring periods beginning October of 2010 through February of 2011 instead of a duly authorized representative. Each of the Respondent's failure to submit DMRs signed by a duly authorized representative is in violation of LPDES General Permit LAG570483 (Part III, Subsection D.10.b (1)), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2503.B.

4. The Respondent's weekly average flow rate exceeded the less than 100,000 gallons per day maximum expected flow rate authorized by LPDES General Permit LAG570483. Specifically, the weekly average flow rates which exceeded the maximum expected flow rate of less than 100,000 gallons per day were reported by the Respondent on the DMR dates indicated in the table below:

MONITORING PERIOD	REPORTED FLOW
July 01, 2010 through July 31, 2010	117,300 gpd Weekly Average

XIV.

The Respondent owns and/or operates the Lakes at Dutchtown Subdivision sanitary wastewater treatment facility located at Dutchtown Lakes Drive, Dutch Town, Ascension Parish, Louisiana. On or about May 21, 2004, the Department granted coverage under LPDES General Permit LAG570237 to the Respondent. LPDES General Permit LAG570237 expired on March 14, 2009. On or about May 01, 2009, a reissued LPDES General Permit LAG570000 was made effective. On or about June 01, 2009, the Respondent submitted a renewal application to the Department; and, on or about June 12, 2009, the Department renewed coverage under LPDES General Permit LAG570237. Under the terms and conditions of LPDES General Permit LAG570237, the Respondent is authorized to discharge treated sanitary wastewater into an unnamed ditch, thence into Johnson Bayou.

A. On or about February 21, 2007, the Respondent was issued Compliance Order WE-C-06-0255 for effluent violations. Compliance Order WE-C-06-0255 was not appealed and is considered a final action by the Department. On or about March 16, 2007, a response was received that detailed corrective actions.

B. On or about July 8, 2008 and November 19, 2009, inspections were conducted by the Department and on or about July 15-16, 2009, a joint inspection was conducted by EPA and the Department that revealed the following violations:

1. The Respondent was discharging without a permit from March 15, 2009 until June 12, 2009. LPDES permit LAG570237 expired on March 14, 2009. Discharge Monitoring Reports submitted beginning March of 2009 through June of 2009 revealed the Respondent continued to discharge to waters of the state after the expiration of LPDES permit LAG570237. Operating without a LPDES permit or other authority to discharge wastes and/or other substances into waters of the state is a violation of La. R.S. 30:2075. The Respondent's failure to submit a renewal application prior to the expiration date of the permit is a violation of LPDES permit LAG570237 (Part II, Section C and Part III, Sections A.2 and A.5.b), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.B.

2. The Respondent did cause or allow the unauthorized disposal of solids and/or sludge. Specifically, during the inspection of July 08, 2008, it was noted that solids that had been removed from the aeration basin were left on the walkway on the side of the facility. The Respondent's failure to properly dispose of removed substances such as solids and/or sludge is in violation of LPDES General Permit LAG570237 (Part III, Section A.2 and B.6), La. R.S. 30:2076 (A) (3) and LAC 33:IX.7301.G.1.

3. The Respondent did not properly operate and maintain the facility. Specifically, according to the Respondent's representative present during the inspection of July 15-16, 2009, no sludge had ever been removed and hauled from the facility. Additionally, one of the air drop lines was noted missing during the inspection of July 15-16, 2009 and seepage was occurring around the effluent transfer line leading from the clarifier to the chlorine contact basin during the inspection of July 15-16, 2009. The Respondent's failure to properly operate and maintain all systems of treatment of a permitted facility is in violation of LPDES permit LAG570237 (Part II, Section N.5 and Part III, Sections A.2 and B.3), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.E.

4. The Respondent failed to sample the facility's effluent at the required frequency specified in the permit. Specifically, at the time of the inspection of July 15-16, 2009, it was noted that the discharge pipe was only inches above the receiving ditch that contained water at the time of the inspection. This prevents the necessary sampling of the effluent at the frequency required by the permit. The sampling point viewed at the time of the inspection was found to be inadequate. Also, during the inspection of November 19, 2009 it was noted that DMRs submitted by the Respondent for May of 2008, June of 2008, December of 2008, and January of 2009 stated that no samples were collected because the discharge pipe was under water during sample attempts. Additionally, according to the Respondent's representative present during the inspection of July 15-16, 2009, there was one person who sampled 69 of the Respondent's sanitary wastewater treatment facilities in the Respondent's representative's district. Under the terms and conditions of LPDES General Permit LAG570237, the Respondent is required to sample the effluent 1/month. However, because of the number of plants and the limited amount of time spent at the plant, samples were not always obtained. The Respondent's failure to properly sample the facility's effluent in accordance with the permit requirements is in violation of LPDES permit LAG570237 (Part I, Schedule A and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

C. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent exceeded the effluent limitations contained in LPDES General Permit LAG570237. These effluent exceedances, as reported by the Respondent on DMRs, are summarized below:

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMITATION	REPORTED VALUE
August 2008	001	TSS, Monthly Average	15 mg/L	27.3 mg/L
	001	TSS, Weekly Average	23 mg/L	27.3 mg/L
	001	BOD_5, Monthly Average	10 mg/L	41.5 mg/L
	001	BOD_5, Weekly Average	15 mg/L	41.5 mg/L
July 2010	001	TSS, Monthly Average	15 mg/L	21.70 mg/L
	001	TSS, weekly Average	23 mg/L	37.20 mg/L

Each exceedance of permit effluent limitations indicated in the above table is in violation of LPDES General Permit LAG570237 (Part I, Section B, Schedule A and Part III, Section A.2) La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

2. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids" or "TSS" for each of the monitoring periods beginning on or about April of 2007 and ending on or about the ending March of 2011. However, the STORET Code was entered correctly. The Respondent's failure to submit accurate DMRs in accordance with the monitoring and reporting requirements of the permit is in violation of LPDES General Permit LAG570237 (Part I, Section B, Schedule A and Part III, Section D.4), La. R.S. 30:2076 (A) (3) and LAC 33:IX.2701.L.4.a.

3. The Respondent failed to properly sample the facility's effluent. Specifically, on DMRs submitted by the Respondent for April and May of 2010, no samples were collected because the discharge pipe was under water during sample attempts; however, a flow was reported. The Respondent's failure to properly sample the facility's effluent in accordance with the permit requirements is in violation of LPDES permit LAG570237 (Part I, Schedule A and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

4. The Respondent failed to have a duly authorized representative sign the DMRs in accordance with LPDES General Permit LAG570237. Specifically, Mr. Ted Zelasko signed the DMRs submitted to the Department for each of the monitoring periods beginning October of 2009 through September of 2010 instead of a duly authorized representative and Ms. Tammy Prieskop signed DMRs submitted to the Department for each of the monitoring periods beginning on October of 2010 through March of 2011 instead of a duly authorized representative. Each of the Respondent's failure to submit DMRs signed by a duly authorized representative is in violation of LPDES General Permit LAG570237 (Part III, Subsection D.10.b (1)), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2503.B.

XV.

The Respondent owns and/or operates the Lake Street (Highland Meadows and Trails Subdivision) sanitary wastewater treatment facility located at the end of Aberdeen Drive, Lake Charles, Calcasieu

Parish, Louisiana. On or about July 24, 2007, the Respondent acquired ownership/operatorship of the Lake Street (Highland Meadows and Trails Subdivision) sanitary wastewater treatment facility from the previous owner/operator. On or about July 10, 2008, the Respondent submitted a LPDES Permit modification request to the Department for a change in name/operator/ownership"; and, was granted approval of the request on or about October 08, 2008 by the Department. On or about January 28, 2009, the Department approved the modification to LPDES Permit LA0081981 that combined the two previous treatment plants into one central plant with one outfall. On or about June 23, 2009, the Department received an application for the renewal of LPDES Permit LA0081981; and, the Department granted the renewal on or about May 18, 2010. Under the terms and conditions of LPDES Permit LA0081981, the Respondent is authorized to discharge treated sanitary wastewater into an unnamed coulee, thence into Coulee Hippolite, thence into the Intracoastal Waterway, waters of the state.

A. On or about July 24, 2007, the Respondent was issued Administrative Order WE-AO-07-0030 by the Department. Administrative Order WE-AO-07-0030 was not appealed and is considered a final action by the Department. Administrative Order WE-AO-07-0030 granted the assumption of the operation of the facility to Respondent under the previous owner's LPDES Permit LA0081981 with a specific "Schedule of Compliance" and "Interim Effluent Limits" for repair/upgrade of the facility. On or about July 02, 2008 and November 24, 2008, the Respondent submitted responses that detailed the required corrective actions and compliance with Administrative Order WE-AO-07- 0030.

B. On or about August 25, 2008 and on or about November 19, 2009, inspections were conducted by the Department that revealed the following violations:

1. The Respondent did not properly operate and maintain the facility. Specifically, during the inspection of August 25, 2008, it was noted that the plate and coupler from the clarifier to the chlorination box was severely corroded, floating solids were built up in the chlorine contact chamber and in the clarifier, and pin-floc (foam) was observed in the clarifier. Additionally, during the inspection of November 19, 2009, it was noted that a pump in the oxidation tank was out, pin-floc and floating solids were observed in the system; and a build-up of algae was observed on the clarifier weirs. The Respondent's failure to properly operate and maintain all systems of treatment of a permitted facility is in violation of LPDES Permit LA0081981 (Part III, Section A.2 and Section B.3), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.E.

2. The Respondent did cause or allow the discharge of foam from the facility into waters of the state. Specifically, during the inspection of August 25, 2008, it was noted that pin-floc (foam) was observed in the clarifier and going through the chlorine contact chamber and discharging out of the effluent outfall. The Respondent's failure to prevent the discharge of foam from the facility to waters of the state is in violation of LPDES Permit LA0081981 (Part I, Effluent Limitations and Monitoring Requirements), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

C. On or about March 31, 2011, a file review was conducted by the Department that revealed the following violations:

1. The Respondent exceeded the effluent limitations contained in LPDES Permit LA0081981. These effluent exceedances, as reported by the Respondent on DMRs, are summarized below:

MONITORING PERIOD	OUTFALL	PARAMETER	PERMIT LIMIT	SAMPLE VALUE
January 2008	001	Fecal Coliform, Daily Maximum	600 col/100mL	828 col/100mL
	001	Fecal Coliform, Monthly Average	400 col/100mL	828 col/100mL
	001	TSS, Monthly Average	90 mg/L	190 mg/L
	001	TSS, Daily Maximum	135 mg/L	190 mg/L
February 2008	001	Fecal Coliform, Daily Maximum	600 col/100mL	TNTC
	001	Fecal Coliform, Monthly Average	400 col/100mL	TNTC
March 2008	001	Fecal Coliform, Daily Maximum	600 col/100mL	601 col/100mL
	001	Fecal Coliform, Monthly Average	400 col/100mL	601 col/100mL
April 2008	001	Fecal Coliform, Daily Maximum	600 col/100mL	601 col/100mL
	001	Fecal Coliform, Monthly Average	400 col/100mL	601 col/100mL
May 2008	001	Fecal Coliform, Daily Maximum	600 col/100mL	>600 col/100mL
	001	Fecal Coliform, Monthly Average	400 col/100mL	>600 col/100mL
July 2008	001	Fecal Coliform, Daily Maximum	600 col/100mL	>600 col/100mL

	001	Fecal Coliform, Monthly Average	400 col/100mL	>600 col/100mL
	001	TSS, Monthly Average	90 mg/L	120 mg/L
August 2008	001	Fecal Coliform, Daily Maximum	600 col/100mL	>600 col/100mL
	001	Fecal Coliform, Monthly Average	400 col/100mL	>600 col/100mL
	001	TSS, Monthly Average	90 mg/L	127 mg/L
November 2008	001	Fecal Coliform, Daily Maximum	600 col/100mL	>600 col/100mL
	001	Fecal Coliform, Monthly Average	400 col/100mL	>600 col/100mL
January 2009	001	TSS, Monthly Average	90 mg/L	103 mg/L
June 2009	001	Fecal Coliform, Weekly Average	400 col/100mL	601 col/100mL
	001	Fecal Coliform, Monthly Average	200 col/100mL	601 col/100mL
	001	BOD_5, Monthly Average	10 mg/L	24 mg/L
	001	BOD_5, Daily Maximum	15 mg/L	24 mg/L
	001	TSS, Monthly Average	15 mg/L	53 mg/L
	001	TSS, Daily Maximum	23 mg/L	53 mg/L
July 2009	001	Fecal Coliform, Weekly Average	400 col/100mL	601 col/100mL
	001	Fecal Coliform, Monthly Average	200 col/100mL	601 col/100mL
December 2009	001	Fecal Coliform, Weekly Average	400 col/100mL	420 col/100mL
	001	Fecal Coliform, Monthly Average	200 col/100mL	420 col/100mL
	001	BOD_5, Monthly Average	10 mg/L	23 mg/L
	001	BOD_5, Daily Maximum	15 mg/L	23 mg/L
	001	TSS, Monthly Average	15 mg/L	30 mg/L
	001	TSS, Daily Maximum	23 mg/L	30 mg/L
January 2010	001	Fecal Coliform, Weekly Average	400 col/100mL	601 col/100mL*

	001	Fecal Coliform, Monthly Average	200 col/100mL	601 col/100mL*
	001	BOD_5, Monthly Average	10 mg/L	11 mg/L*
February 2010	001	Fecal Coliform, Monthly Average	200 col/100mL	310 col/100mL *
	001	BOD_5, Monthly Average	10 mg/L	20 mg/ L*
	001	BOD_5, Daily Maximum	15 mg/L	20 mg/L*
	001	TSS, Monthly Average	15 mg/L	46 mg/L*
	001	TSS, Daily Maximum	23 mg/L	46 mg/L*
March 2010	001	Fecal Coliform, Monthly Average Geometric	200 col/100mL	450 col/100mL
	001	Fecal Coliform, Weekly Average	400 col/100mL	450 col/100mL
April 2010	001	Fecal Coliform, Monthly Average	200 col/100mL	601 col/100mL
	001	Fecal Coliform, Weekly Average	400 col/100mL	601 col/100mL
	001	BOD_5, Monthly Average	10 mg/L	24 mg/L
	001	BOD_5, Daily Maximum	15 mg/L	24 mg/L
	001	TSS, Monthly Average	15 mg/L	89 mg/L
	001	TSS, Daily Maximum	23 mg/L	89 mg/L
June 2010	001	Fecal Coliform, Daily Maximum	400 col/100mL	601 col/100mL
	001	Fecal Coliform, Daily Maximum	400 col/100mL	601 col/100mL
	001	Fecal Coliform, Monthly Average	200 col/100mL	601 col/100mL
	001	TSS, Daily Maximum	23 mg/L	46 mg/L
	001	TSS, Daily Maximum	23 mg/L	71 mg/L
	001	TSS, Monthly Average	15 mg/L	58.5 mg/L
	001	BOD_5, Daily Maximum	15 mg/L	22 mg/L

	001	BOD_5, Monthly Average	10 mg/L	17 mg/L
July 2010	001	Fecal Coliform, Daily Maximum	400 col/100mL	601 col/100mL
	001	Fecal Coliform, Monthly Average	200 col/100mL	257 col/100mL
	001	Solids, total suspended Daily Maximum	23 mg/L	37 mg/L
	001	Solids, total suspended Monthly Average	15 mg/L	30 mg/L
August 2010	001	Fecal Coliform, Daily Maximum	400 col/100mL	>600 col/100mL
	001	Fecal Coliform, Monthly Average	200 col/100mL	>600 col/100mL
	001	TSS, Daily Maximum	23 mg/L	72 mg/L
	001	TSS, Daily Maximum	23 mg/L	34 mg/L
	001	TSS, Monthly Average	15 mg/L	53 mg/L
	001	BOD_5, Daily Maximum	15 mg/L	26 mg/L
	001	BOD_5, Daily Maximum	15 mg/L	25 mg/L
	001	BOD_5, Monthly Average	10 mg/L	25.5 mg/L
September 2010	001	TSS, Daily Maximum	23 mg/L	47 mg/L
	001	TSS, Daily Maximum	23 mg/L	48 mg/L
	001	TSS, Monthly Average	15 mg/L	47.5 mg/L
	001	BOD_5, Daily Maximum	15 mg/L	29 mg/L
	001	BOD_5, Monthly Average	10 mg/L	20.5 mg/L
October 2010	001	TSS, Daily Maximum	23 mg/L	175 mg/L
	001	TSS, Monthly Average	15 mg/L	175 mg/L
	001	BOD_5, Daily Maximum	15 mg/L	32 mg/L
	001	BOD_5, Monthly Average	10 mg/L	32 mg/L

November 2010	001	BOD_5, Daily Maximum	15 mg/L	24 mg/L
	001	BOD_5, Monthly Average	10 mg/L	22 mg/L
	001	TSS, Daily Maximum	23 mg/L	88 mg/L
	001	TSS, Monthly Average	15 mg/L	75 mg/L
December 2010	001	BOD_5, Daily Maximum	15 mg/L	19 mg/L
	001	BOD_5, Monthly Average	10 mg/L	16.5 mg/L
	001	TSS, Daily Maximum	23 mg/L	49 mg/L
	001	TSS, Monthly Average	15 mg/L	34.5 mg/L

*Failure to submit Non-compliance report

Each exceedance of permit effluent limitations indicated in the above table prior to February 2009 is in violation of Administrative Order WE-AO-07-0030. Each exceedance of permit effluent limitations indicated in the above Table on or after February 2009 is in violation of LPDES permit LA0081981 (Part I, Effluent Limitations and Monitoring Requirements and Part III, Section A.2) La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

2. The Respondent failed to submit Non-compliance Reports (NCR) in a timely manner. Specifically, on the date(s) indicated by an asterisk (*) in the above table, the Respondent did not submit a Non-compliance Report at the time the DMRs are required to be submitted. The Respondent's failure to submit Non-compliance Reports is in violation of LPDES Permit LA0081981 (Part III, Section A.2 and D.7), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.L.7.

3. The Respondent did cause or allow the unauthorized discharge of untreated sanitary wastewater from a location not specified in LPDES Permit LA0081981. Specifically, on or about November 20, 2008, the Respondent did cause or allow the unauthorized discharge of approximately 2,000 gallons of untreated wastewater onto the ground, at the Lake Street (Highland Meadows and Trails Subdivision) sanitary wastewater treatment facility due to a broken transfer line. However, on or about 8:00 AM on November 21, 2008, the transfer line was repaired and the discharge ceased. Also, on or about March

26, 2009, the Respondent did cause or allow the unauthorized discharge of approximately 60 gallons of untreated wastewater onto the ground at the Lake Street (Highland Meadows and Trails Subdivision) sanitary wastewater treatment facility due to the breakage of a PVC riser from the lift station. However, on or about 8:42 AM on March 26, 2009, the PVC pipe was repaired, the area of the unauthorized discharge was limed, and the pump was placed back into service. Additionally, on or about January 19, 2010, the Respondent did cause or allow the unauthorized discharge of approximately 25 gallons of untreated wastewater onto the ground at the Lake Street (Highland Meadows and Trails Subdivision) sanitary wastewater treatment facility due to clogged pump in the wet well. However, on or about 9:40 AM on January 19, 2010, the pump was unclogged, the area of the unauthorized discharge was limed, and the pump was placed back into service. Each of the Respondent's failure to prevent the unauthorized discharge of untreated sanitary wastewater from a location not authorized by the Department prior to January 28, 2009 is in violation of Administrative Order WE-AO-07-0030. Each of the Respondent's failure to prevent the unauthorized discharge of untreated sanitary wastewater from a location not specified in LPDES Permit LA0081981 after January 28, 2009 is in violation of LPDES Permit LA0081981 (Part I, Final Effluent Limitations and Monitoring Requirements), La. R.S. 30:2076(A)(1)(a) and LAC 33:IX.501.D.

4. The Respondent did cause or allow the overflow of untreated sanitary wastewater from a location not specified in LPDES Permit LA0081981. Specifically, the overflows indicated in the table below:

Date of Overflow/Incident	**Overflow Location**	**Amount**
6/30/2008	Lakestreet Sanitary Wastewater Treatment Facility	~30 gal
8/11/2008	Lakestreet Sanitary Wastewater Treatment Facility	~30 gal
05/29/2010	Highland Meadows & Trails Subdivision	~100 gal

The Respondent's failure to prevent the overflow of untreated sanitary wastewater indicated in the above table prior to January 28, 2009 is in violation of Administrative Order WE-AO-07-0030. The Respondent's failure to prevent the overflow of untreated sanitary wastewater indicated in the above table after January 28, 2009 is in violation of

LPDES Permit LA0081981 (Part III, Sections A.2 and B.3.a), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.E.

5. The Respondent failed to submit DMRs as required by Administrative Order WE-AO-07-0030. Specifically, from July 24, 2007 through December 31, 2007, the Respondent failed to submit DMRs for Outfalls 001, 101, and 102 and from January 01, 2008 through January 31, 2008, the Respondent failed to submit DMRs for Outfalls 101 and 102. Each of the Respondent's failure to submit DMRs is a violation of Administrative Order WE-AO-07-0030, La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2701.A, and LAC 33:IX.2701.L.4.a.

6. The Respondent failed to measure flow in the manner required by LPDES Permit LA0081981. Specifically, on DMRs submitted by the Respondent, the "Flow Sample Type" was indicated as "Estimate" for each of the monitoring periods beginning on or about January of 2008 and ending on or about March of 2011. The required "Flow Sample Type" required by the permit is "Measure". Each of the Respondent's failure to properly measure the flow is in violation of LPDES Permit LA0081981 (Part I, Effluent Limitations and Monitoring Requirements and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.A.

7. The Respondent failed to measure flow at the frequency required by LPDES Permit LA0081981. Specifically, on DMRs submitted by the Respondent, for each of the monitoring periods of January, February, March, April, May and June of 2008, August of 2008, October and November of 2008, and February of 2009, the Respondent reported flow values at a frequency that was less than the required permit frequency of 1/week. Each of the Respondent's failure to measure flow is in violation of LPDES Permit LA0081981 (Part I, Effluent Limitations and Monitoring Requirements and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

8. The Respondent failed to submit accurate DMRs. Specifically, on DMRs submitted by the Respondent, for each of the monitoring periods beginning on or about July of 2007 and ending on or about September of 2010, the Respondent submitted values for Carbonaceous Oxygen Demand ($CBOD_5$) rather than for BOD_5. The permit requires the sampling and reporting for BOD_5 rather than $CBOD_5$. Additionally, on DMRs submitted by the Respondent, "Residue, Total Non-filterable" instead of "Total Suspended Solids"