STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF: * Settlement Tracking No.
* LAUREL PROPERTIES, LTD. * SA-WE-21-0070
* AI # 117549 * Enforcement Tracking Nos.
* * WE-CN-15-00259
* * WE-CN-20-00783
*

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

SETTLEMENT

The following Settlement is hereby agreed to between Laurel Properties, Ltd. ("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 a sewage treatment plant located in Gonzales, Ascension Parish, Louisiana ("the Facility").

II

On May 6, 2016, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. WE-CN-15-00259 (Exhibit 1).

On March 2, 2021, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. WE-CN-20-00783 (Exhibit 2).

III

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

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of TEN THOUSAND TWO HUNDRED AND NO/100 DOLLARS ($10,200.00), of which One Thousand Five Hundred Twenty-Nine and 06/100 Dollars ($1,529.06) represents the Department's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

V

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

VI

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

VII

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

VIII

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

IX

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

X

Payment is to be made within ten (10) days from notice of the Secretary’s signature. If payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit A).
XI

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

XII

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

BY: ____________________________  
   (Signature)

John H. Felzer Jr  
   (Printed)

TITLE: ____________________________  
THUS DONE AND SIGNED in duplicate original before me this __________ day of  
__________________________, __________, at ____________________________, __________________________.

____________________________  
   (stamped or printed)

NOTARY PUBLIC (ID # 14387)

Randy Paul Roussel  
Bar Roll No. 14387  
Notary Public, State of Louisiana  
My Commission is for Life.

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
Chuck Carr Brown, Ph.D., Secretary

BY: ____________________________  
   (Signature)

Cedana J. Cage, Assistant Secretary  
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this __________ day of  
__________________________, __________, at Baton Rouge, Louisiana.

____________________________  
   (stamped or printed)

NOTARY PUBLIC (ID # 98503)

AMBER G. LITCHFIELD  
Notary Public  
State of Louisiana  
Notary ID #98503  
East Baton Rouge Parish

Approved: ____________________________
   Lourdes Iturralde, Assistant Secretary

5  
SA-WE-21-0070
CERTIFIED MAIL (7004 2510 0006 3854 0719)
RETURN RECEIPT REQUESTED

LAUREL PROPERTIES, LTD.
c/o John H. Fetzer, III
7543 N Jefferson Place Circle, Unit 53A
Baton Rouge, Louisiana 70809

RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. WE-CN-15-00259
AGENCY INTEREST NO. 117549

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 LAUREL PROPERTIES, LTD. (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 Bernie Boyett at (225) 219-0783.

Sincerely,

Celena J. Cage, Administrator
Enforcement Division

CJC/BKB/bkb
Alt ID No. LA0121703
Attachments

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

Post Office Box 4312 • Baton Rouge, Louisiana 70821-4312 • Phone 225-219-3715 • Fax 225-219-3708
www.deq.louisiana.gov
STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF

LAUREL PROPERTIES, LTD.
ASCENSION PARISH
ALT ID NO. LA0121703

PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT,

* * * * * * * * * * * * * * * * * * * * * *
ENFORCEMENT TRACKING NO.
WE-CN-15-00259
AGENCY INTEREST NO.
117549

CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY is issued to LAUREL PROPERTIES, LTD. (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) and 30:2050.2.

FINDINGS OF FACT

I.

The Respondent owns and/or operates a sewage treatment plant (STP) located at the intersection of LA Hwy. 74 and Interstate 10 in Gonzales, Ascension Parish, Louisiana. The Respondent was issued Louisiana Pollutant Discharge Elimination System (LPDES) permit LA0121703 on July 13, 2011, with an effective date of August 1, 2011, and an expiration date of July 31, 2016. LPDES permit LA0121703 authorizes the Respondent to discharge treated sanitary wastewater into an unnamed drainage ditch, thence into Grand Goudine Bayou, thence into New River, waters of the state.
II.

An inspection conducted by the Department on or about December 16, 2014, and a subsequent file review conducted by the Department on or about March 29, 2016, revealed that the Respondent exceeded effluent limitations. These effluent exceedances, as reported by the Respondent on monthly Discharge Monitoring Reports (DMRs) and Non-Compliance Reports (NCRs), are summarized below:

<table>
<thead>
<tr>
<th>Monitoring Period</th>
<th>Outfall</th>
<th>Parameter</th>
<th>Permit Limit</th>
<th>Reported Value</th>
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<td>16.11</td>
</tr>
<tr>
<td></td>
<td></td>
<td>BOD₅ (Monthly Avg.) – mg/L</td>
<td>10</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td></td>
<td>BOD₅ (Daily Max.) – mg/L</td>
<td>15</td>
<td>19</td>
</tr>
<tr>
<td>Monitoring Period</td>
<td>Outfall</td>
<td>Parameter</td>
<td>Permit Limit</td>
<td>Reported Value</td>
</tr>
<tr>
<td>-------------------</td>
<td>---------</td>
<td>------------------------------------------------</td>
<td>--------------</td>
<td>----------------</td>
</tr>
<tr>
<td>10/2015</td>
<td>001A</td>
<td>TSS (Monthly Avg.) - lbs/day</td>
<td>21.14</td>
<td>46.88</td>
</tr>
<tr>
<td></td>
<td></td>
<td>TSS (Monthly Avg.) - mg/L</td>
<td>15</td>
<td>41.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>TSS (Daily Max) - mg/L</td>
<td>23</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td></td>
<td>TSS (Daily Max) - mg/L</td>
<td>23</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fecal Coliform (Monthly Avg.) - col/100mL</td>
<td>200</td>
<td>2251</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fecal Coliform (Daily Max.) - col/100mL</td>
<td>400</td>
<td>4500</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dissolved Oxygen (Min. Monthly Avg.) - mg/L</td>
<td>5.0</td>
<td>3.3</td>
</tr>
<tr>
<td>11/2015</td>
<td>001A</td>
<td>Dissolved Oxygen (Min. Monthly Avg.) - mg/L</td>
<td>5.0</td>
<td>3.3</td>
</tr>
<tr>
<td>12/2015</td>
<td>001A</td>
<td>Dissolved Oxygen (Min. Monthly Avg.) - mg/L</td>
<td>5.0</td>
<td>2.8</td>
</tr>
</tbody>
</table>

Each effluent exceedance is a violation of LPDES permit LA0121703 (Part I, Page 2 of 2; and Part III, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

III.

A file review conducted by the Department on or about March 29, 2016, revealed that the Respondent failed to submit monthly DMRs for July, August, and September of 2012, and March of 2015. Failure to submit DMRs is a violation of LPDES permit LA0121703 (Part II, Section A.9; and Part III, Sections A.2 and D.4), La. R.S. 30:2076 (A)(3), and LAC 33:IX.2701.L.4.a.

IV.

A file review conducted by the Department on or about March 29, 2016, revealed that the Respondent failed to submit a permit renewal application 180 days prior to the expiration of the permit. Specifically, at the time of the file review, the Respondent had not submitted a permit renewal application. LPDES permit LA0121703 expires on July 31, 2016. The failure to submit a permit renewal application in a timely manner is a violation of LPDES permit LA0121703 (Part III, Sections A.2 and A.5), La. R.S. 30:2076 (A) (3), and LAC 33:IX.501.A.

**COMPLIANCE ORDER**

Based on the foregoing, the Respondent is hereby ordered:

I.

To immediately take, upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to achieve and maintain compliance with LPDES permit LA0121703 and the Water Quality Regulations including, but not limited to, complying with all effluent limitations, submitting DMRs, and submitting timely permit renewal applications.
II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER, properly completed DMRs for the monitoring periods mentioned in Paragraph III of the Findings of Fact portion of this Order. If you are submitting copies of DMRs, please be advised that each copy of the DMR shall be signed and certified. If no sampling or monitoring was conducted during a monitoring period, the Respondent should indicate this in the space provided for “Comment and Explanation of Any Violations.”

III.

To submit a completed NetDMR Subscriber Agreement to the Department for approval to submit DMRs electronically using NetDMR, within thirty (30) days after receipt of this COMPLIANCE ORDER. The Subscriber Agreement shall be signed and dated with an original signature and submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: NetDMR
Re: Enforcement Tracking No. WE-CN-15-00259
Agency Interest No. 117549

NetDMR is accessed through: www.epa.gov/netdmr. For assistance establishing and maintaining a NetDMR account or for NetDMR training, see attached instructions or contact the Permit Compliance Unit at deqnetdmr@la.gov.

IV.

To submit DMRs and associated reports electronically using NetDMR beginning with the first monitoring period after approval of the NetDMR Subscriber Agreement unless otherwise notified in writing by the Department.

V.

In the event the Respondent believes that complete correction is not physically possible within thirty (30) days, the Respondent shall submit, within thirty (30) days after receipt of this COMPLIANCE ORDER, a comprehensive plan for the expeditious elimination and prevention of such noncomplying discharges. Such plan shall provide for specific corrective actions to be taken and shall include a critical path schedule for the achievement of compliance within the shortest time possible.
VI.

To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order Portion of this COMPLIANCE ORDER. This report and all other reports or information required to be submitted to the Enforcement Division by this COMPLIANCE ORDER shall be submitted to:

Office of Environmental Compliance  
Post Office Box 4312  
Baton Rouge, Louisiana 70821-4312  
Attention: Bernie Boyett  
Enforcement Tracking No. WE-CN-15-00259  
Agency Interest No. 117549

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this COMPLIANCE ORDER. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this COMPLIANCE ORDER.

II.

The request for an adjudicatory hearing shall specify the provisions of the COMPLIANCE ORDER on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality  
Office of the Secretary  
Post Office Box 4302  
Baton Rouge, Louisiana 70821-4302  
Attn: Hearings Clerk, Legal Division  
Re: Enforcement Tracking No. WE-CN-15-00259  
Agency Interest No. 117549
III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this COMPLIANCE ORDER may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Department's Rules of Procedure. The Department may amend or supplement this COMPLIANCE ORDER prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This COMPLIANCE ORDER shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this COMPLIANCE ORDER shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this COMPLIANCE ORDER becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars ($27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more that thirty-two thousand five hundred dollars ($32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this COMPLIANCE ORDER and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars ($50,000) for each day of continued violation or noncompliance.

VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.
NOTICE OF POTENTIAL PENALTY

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Bernie Boyett at (225) 219-0783 within ten (10) days of receipt of this NOTICE OF POTENTIAL PENALTY.

III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent’s most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this NOTICE OF POTENTIAL PENALTY. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement.

IV.

This CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY is effective upon receipt.

Baton Rouge, Louisiana, this 6th day of May, 2016.

Lourdes Karralde
Assistant Secretary
Office of Environmental Compliance
Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Bernie Boyett
The attached enforcement action requires the use of NetDMR

WHAT IS NETDMR?

NetDMR is a Web-based tool that allows facilities to electronically sign and submit LPDES discharge monitoring reports (DMRs) to the LDEQ.

HOW DO I USE NETDMR?

1. Register in NetDMR
2. Submit Subscriber Agreement to LDEQ
3. Receive approval by LDEQ
4. Sign and Submit On-line

Training is offered by both LDEQ and EPA. Please check the LDEQ NetDMR Training website at http://www.deq.louisiana.gov/netdmr for training materials and current information offered by LDEQ. Information about EPA's training can be found at www.epa.gov/netdmr

HOW DO I REGISTER AND SUBMIT A SUBSCRIBER AGREEMENT?

(The first person to register must be an authorized signatory.)

1. Go to NetDMR website at https://netdmr.epa.gov/netdmr
2. Choose "Louisiana DEQ" as the Regulatory Authority from the drop-down list
3. Click the "Create a NetDMR Account" link in the login box
4. Complete the account information as required
   a. Type of user must be "Permittee User"
   b. Security answers must be unique and are case sensitive
5. Click "Submit" and confirm account information
6. Click the link within the verification email that has been sent to your email address
7. Create password by following instructions on the page
8. Login to NetDMR
9. Click "Request Access" link in the top left corner
10. Enter Permit Number and click "Update"
11. Select "Signatory" role and click "Add Request"
12. Click "Submit" and confirm
13. Provide Signatory Information, click "Submit" and confirm
14. Click button to print Subscriber Agreement
15. Mail in signed, original Subscriber Agreement to LDEQ for approval

If you have additional questions, please email deqnetdmr@la.gov.
SETTLEMENT AGREEMENTS

WHAT IS A SETTLEMENT AGREEMENT?

Once the Department has determined that a penalty is warranted for a violation, the Assistant Secretary of the Department, with the concurrence of the Attorney General, may enter into a settlement agreement with the Respondent as a means to resolve the Department's claim for a penalty.

HOW DOES THE SETTLEMENT AGREEMENT PROCESS WORK?

To begin the settlement agreement process, the Department must receive a written settlement offer. Once this offer is submitted, it is sent for approval by the Assistant Secretary of the Office of Environmental Compliance. The formal Settlement Agreement is drafted and sent to the Attorney General's office where the Attorney General has a 90 day concurrence period. During this time, the Respondent is required to run a public notice in an official journal and/or newspaper of general circulation in each affected parish. After which, a 45 day public comment period is opened to allow the public to submit comments. Once the Department has received concurrence, the settlement agreement is signed by both parties. The Department then forwards a letter to the responsible party to establish a payment plan and/or beneficial environmental project (BEP).

WHAT SHOULD I INCLUDE IN A SETTLEMENT AGREEMENT?

The Department uses the penalty determination method defined in LAC 33:1.705 as a guideline to accepting settlement offers. The penalty matrix is used to determine a penalty range for each violation based on the two violation specific factors, the nature and gravity of the violation and the degree of risk/impact to human health and property.

<table>
<thead>
<tr>
<th>Nature and Gravity of the Violation</th>
<th>Major</th>
<th>Moderate</th>
<th>Minor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major</td>
<td>$32,500 to $20,000</td>
<td>$20,000 to $15,000</td>
<td>$15,000 to $11,000</td>
</tr>
<tr>
<td>Moderate</td>
<td>$11,000 to $8,000</td>
<td>$8,000 to $5,000</td>
<td>$5,000 to $3,000</td>
</tr>
<tr>
<td>Minor</td>
<td>$3,000 to $1,500</td>
<td>$1,500 to $500</td>
<td>$500 to $100</td>
</tr>
</tbody>
</table>

Degree of Risk to Human Health or Property

Major: (actual measurable harm or substantial risk of harm) A violation of major impact to an environmental resource or a hazard characterized by high volume and/or frequent occurrence and/or high pollutant concentration.

Moderate: (potential for measurable detrimental impact) A violation of moderate impact and hazard may be one characterized by occasional occurrence and/or pollutant concentration that may be expected to have a detrimental effect under certain conditions.

Minor: (no harm or risk of harm) A violation of minor impact are isolated single incidences and that cause no measurable detrimental effect or are administrative in nature.

Nature and Gravity of the Violation

Major: Violations of statutes, regulations, orders, permit limits, or permit requirements that result in negating the intent of the requirement to such an extent that little or no implementation of requirements occurred.

Moderate: Violations that result in substantially negating the intent of the requirements, but some implementation of the requirements occurred.

Minor: Violations that result in some deviation from the intent of the requirement; however, substantial implementation is demonstrated.

The range is adjusted using the following violator specific factors:

1. History of previous violations or repeated noncompliance;
2. Gross revenues generated by the respondent;
3. Degree of culpability, recidivism, defiance, or indifference to regulations or orders;
4. Whether the Respondent has failed to mitigate or to make a reasonable attempt to mitigate the damages caused by the violation; and
5. Whether the violation and the surrounding circumstances were immediately reported to the department, and whether the violation was concealed or there was an attempt to conceal by the Respondent.
Given the previous information, the following formula is used to obtain a penalty amount.

\[ \text{Penalty Event Total} = \text{Penalty Event Minimum} + (\text{Adjustment Percentage} \times [\text{Penalty Event Maximum} - \text{Penalty Event Minimum}]) \]

After this, the Department adds any monetary benefit of noncompliance to the penalty event. In the event that a monetary benefit is gained due to the delay of a cost that is ultimately paid, the Department adds the applicable judicial interest. Finally, the Department adds all response costs including, but not limited to, the cost of conducting inspections, and the staff time devoted to the preparation of reports and issuing enforcement actions.

**WHAT IS A BEP?**

A BEP is a project that provides for environmental mitigation which the respondent is not otherwise legally required to perform, but which the defendant/respondent agrees to undertake as a component of the settlement agreement.

Project categories for BEPs include public health, pollution prevention, pollution reduction, environmental restoration and protection, assessments and audits, environmental compliance promotion, and emergency planning, preparedness and response. Other projects may be considered if the Department determines that these projects have environmental merit and is otherwise fully consistent with the intent of the BEP regulations.

**WHAT HAPPENS IF MY OFFER IS REJECTED?**

If an offer is rejected by the Assistant Secretary, the Legal Division will contact the responsible party, or anyone designated as an appropriate contact in the settlement offer, to discuss any discrepancies.

**WHERE CAN I FIND EXAMPLES AND MORE INFORMATION?**

| Settlement Offers | searchable in EDMS using the following filters: Media: Air Quality, Function: Enforcement, Description: Settlement Agreement |
| Settlement Agreements | Enforcement Division's website |
| Penalty Determination Method | specific examples can be provided upon request |
| Beneficial Environmental Projects | LAC 33:1 Chapter 7 |
| Judicial Interest | LAC 33:1 Chapter 25 |
| FAQs | provided by the Louisiana State Bar Association |
CERTIFIED MAIL (7020 1810 0000 5261 0461)
RETURN RECEIPT REQUESTED

LAUREL PROPERTIES, LTD.
c/o John H. Fetzer, III
Agent for Service of Process
7904 Wrenwood Avenue, Suite A
Baton Rouge, Louisiana  70809

RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. WE-CN-20-00783
AGENCY INTEREST NO. 117549

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 LAUREL PROPERTIES, LTD. (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 Bernie Boyett at (225) 219-0783.

Sincerely,

Administrator
Enforcement Division

Post Office Box 4312 • Baton Rouge, Louisiana 70821-4312 • Phone 225-219-3715 • Fax 225-219-3708
www.deq.louisiana.gov
STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF

LAUREL PROPERTIES, LTD.
ASCENSION PARISH
ALT ID NO. LA0121703

ENFORCEMENT TRACKING NO.
WE-CN-20-00783
AGENCY INTEREST NO.
117549

PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT,

CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

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

FINDINGS OF FACT

I.

The Respondent owns and/or operates a sewage treatment plant (STP) that serves Old Dutchtown Subdivision and is located at the intersection of LA Hwy. 74 and Interstate 10 in Gonzales, Ascension Parish, Louisiana. The Respondent was issued Louisiana Pollutant Discharge Elimination System (LPDES) permit LA0121703 on October 18, 2016, with an effective date of December 1, 2016, and an expiration date of November 30, 2021. LPDES permit LA0121703 authorizes the Respondent to discharge treated sanitary wastewater into an unnamed drainage ditch, thence into Grand Goudine Bayou, thence into New River, waters of the state.
II.

The Respondent was issued CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-15-00259 on or about May 6, 2016. CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-15-00259 was received by the Respondent on May 14, 2016. The Respondent submitted a written response to the Department on or about June 14, 2016. CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-15-00259 is a final action of the Department and not subject to further review.

III.

An inspection conducted by the Department on or about February 25, 2019, revealed that the Respondent failed to make continuous flow recorder and calibration records for the ultrasonic flow meter available for review by the Department for the period of January 1, 2017, through January 31, 2019. The failure to make available the requested documentation is a violation of LPDES permit LA0121703 (Standard Conditions for LPDES Permits, Sections A.2 and A.8), La. R. S. 30:2076 (A)(3), LAC 33:IX.2701.A, and LAC 33:IX.2701.H.

IV.

An inspection conducted by the Department on or about February 25, 2019, revealed that the Respondent had the following operation and maintenance deficiencies:

1. Solids were present in the Chlorine Contact Chamber;
2. Excess sludge was present at the clarifier and the weir; and
3. Paper and other solids were collecting at the chlorine feeder tubes.

Failure to properly operate and maintain the facility is a violation of LPDES permit LA0121703 (Standard Conditions for LPDES Permits, Sections A.2 and B.3.a), La. R.S. 30:2076 (A)(3), and LAC 33:IX.2701.E.

V.

An inspection conducted by the Department on or about February 25, 2019, and a subsequent file review conducted by the Department on or about November 12, 2020, revealed that the Respondent exceeded effluent limitations. These effluent limitation exceedances, as reported by the Respondent on DMRs are summarized in the following table:
<table>
<thead>
<tr>
<th>MP End Date</th>
<th>Outfall</th>
<th>Parameter</th>
<th>Limit</th>
<th>DMR Value</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/31/2017</td>
<td>001-A</td>
<td>Solids, total suspended --- MO AVG</td>
<td>15</td>
<td>17</td>
<td>mg/L</td>
</tr>
<tr>
<td>05/31/2017</td>
<td>001-A</td>
<td>Solids, total suspended --- MO AVG</td>
<td>21</td>
<td>25.09</td>
<td>lb/d</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solids, total suspended --- MO AVG</td>
<td>15</td>
<td>22</td>
<td>mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solids, total suspended --- DAILY MX</td>
<td>23</td>
<td>26</td>
<td>mg/L</td>
</tr>
<tr>
<td>12/31/2017</td>
<td>001-A</td>
<td>Oxygen, dissolved [DO] --- MO AV MN</td>
<td>5</td>
<td>4.25</td>
<td>mg/L</td>
</tr>
<tr>
<td>01/31/2018</td>
<td>001-A</td>
<td>Oxygen, dissolved [DO] --- MO AV MN</td>
<td>5</td>
<td>4.35</td>
<td>mg/L</td>
</tr>
<tr>
<td>04/30/2018</td>
<td>001-A</td>
<td>Solids, total suspended --- MO AVG</td>
<td>21</td>
<td>21.32</td>
<td>lb/d</td>
</tr>
<tr>
<td>01/31/2019</td>
<td>001-A</td>
<td>Solids, total suspended --- MO AVG</td>
<td>21</td>
<td>30.67</td>
<td>lb/d</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solids, total suspended --- MO AVG</td>
<td>15</td>
<td>24.5</td>
<td>mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solids, total suspended --- DAILY MX</td>
<td>23</td>
<td>26</td>
<td>mg/L</td>
</tr>
<tr>
<td>02/29/2020</td>
<td>001-A</td>
<td>Oxygen, dissolved [DO] --- MO AV MN</td>
<td>5</td>
<td>4.8</td>
<td>mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>BOD, 5-day, 20 deg. C --- MO AVG</td>
<td>14</td>
<td>15.305</td>
<td>lb/d</td>
</tr>
<tr>
<td></td>
<td></td>
<td>BOD, 5-day, 20 deg. C --- MO AVG</td>
<td>14</td>
<td>10</td>
<td>mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>BOD, 5-day, 20 deg. C --- DAILY MX</td>
<td>15</td>
<td>20</td>
<td>mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Coliform, fecal general --- MO AVG</td>
<td>200</td>
<td>&gt;300</td>
<td>#/100mL</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Coliform, fecal general --- DAILY MX</td>
<td>400</td>
<td>&gt;600</td>
<td>#/100mL</td>
</tr>
<tr>
<td>07/31/2020</td>
<td>001-A</td>
<td>BOD, 5-day, 20 deg. C --- MO AVG</td>
<td>14</td>
<td>14.74</td>
<td>lb/d</td>
</tr>
</tbody>
</table>

Each effluent limitation exceedance is a violation of LPDES permit LA0121703 (Effluent Limitations and Monitoring Requirements, Page 1 of 3; and Standard Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

**COMPLIANCE ORDER**

Based on the foregoing, the Respondent is hereby ordered:

I.

To immediately take, upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to achieve and maintain compliance with LPDES permit LA0121703 and the Water Quality Regulations including, but not limited to, making available requested documentation, properly operating and maintaining the facility, and complying with all effluent limitations.
II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order Portion of this COMPLIANCE ORDER. This report and all other reports or information required to be submitted to the Enforcement Division by this COMPLIANCE ORDER shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attention: Bernie Boyett
Enforcement Tracking No. WE-CN-20-00783
Agency Interest No. 117549

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this COMPLIANCE ORDER. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this COMPLIANCE ORDER.

II.

The request for an adjudicatory hearing shall specify the provisions of the COMPLIANCE ORDER on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. WE-CN-20-00783
Agency Interest No. 117549
III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this COMPLIANCE ORDER may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Division of Administrative Law's (DAL) Procedural Rules. The Department may amend or supplement this COMPLIANCE ORDER prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This COMPLIANCE ORDER shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this COMPLIANCE ORDER shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this COMPLIANCE ORDER becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars ($27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars ($32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this COMPLIANCE ORDER and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars ($50,000) for each day of continued violation or noncompliance.
VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

NOTICE OF POTENTIAL PENALTY

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Bernie Boyett at (225) 219-0783 within ten (10) days of receipt of this NOTICE OF POTENTIAL PENALTY.

III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent’s most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this NOTICE OF POTENTIAL PENALTY. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

IV.

The Department assesses civil penalties based on LAC 33:1.Subpart1.Chapter7. To expedite closure of this NOTICE OF POTENTIAL PENALTY portion, the Respondent may
offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE" form. The Respondent must include a justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

V.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this **24** day of **March**, 2021.

[Signature]

Lourdes Iturralde
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance

Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Bernie Boyett
**CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

**REQUEST TO CLOSE**

<table>
<thead>
<tr>
<th>Enforcement Tracking No.</th>
<th>WE-CN-20-00783</th>
<th>Contact Name</th>
<th>Bernie Boyett</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency Interest (AI) No.</td>
<td>117549</td>
<td>Contact Phone No.</td>
<td>(225) 219-0783</td>
</tr>
<tr>
<td>Alternate ID No.</td>
<td>LA0121703</td>
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</table>

**Respondent:**
- **LAUREL PROPERTIES, LTD.**
- **c/o John H. Fetzer, III**
- **Agent for Service of Process**
- **7904 Wrenwood Avenue, Suite A**
- **Baton Rouge, Louisiana 70809**

**Facility Name:** Old Dutchtown Subdivision

**Physical Location:** The intersection of LA Hwy. 74 and Interstate 10

**City, State, Zip:** Gonzales, LA 70737

**Parish:** Ascension

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## STATEMENT OF COMPLIANCE

A written report was submitted in accordance with Paragraph II of the "Order" portion of the COMPLIANCE ORDER.

All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:

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## SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

- The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1 Subpart 1 Chapter 7.

- In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (WE-CN-20-00783), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.

- In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (WE-CN-20-00783), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay

  $______________ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance.

  - Monetary component = $______________
  - Beneficial Environmental Project (BEP) component (optional) = $______________

  **DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM** - the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (WE-CN-20-00783) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.
CERTIFICATION STATEMENT

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

<table>
<thead>
<tr>
<th>Respondent’s Signature</th>
<th>Respondent’s Printed Name</th>
<th>Respondent’s Title</th>
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<tr>
<th>Respondent’s Physical Address</th>
<th>Respondent’s Phone #</th>
<th>Date</th>
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MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821
Attn: Bernie Boyett
**SETTLEMENT AGREEMENTS**

**WHAT IS A SETTLEMENT AGREEMENT?**

Once the Department has determined that a penalty is warranted for a violation, the Assistant Secretary of the Department, with the concurrence of the Attorney General, may enter into a settlement agreement with the Respondent as a means to resolve the Department’s claim for a penalty.

**HOW DOES THE SETTLEMENT AGREEMENT PROCESS WORK?**

To begin the settlement agreement process, the Department must receive a written settlement offer. Once this offer is submitted, it is sent for approval by the Assistant Secretary of the Office of Environmental Compliance. The formal Settlement Agreement is drafted and sent to the Attorney General’s office where the Attorney General has a 90 day concurrence period. During this time, the Respondent is required to run a public notice in an official journal and/or newspaper of general circulation in each affected parish. After which, a 45 day public comment period is opened to allow the public to submit comments. Once the Department has received concurrence, the settlement agreement is signed by both parties. The Department then forwards a letter to the responsible party to establish a payment plan and/or beneficial environmental project (BEP).

**WHAT SHOULD I INCLUDE IN A SETTLEMENT AGREEMENT?**

The Department uses the penalty determination method defined in LAC 33:1.705 as a guideline to accepting settlement offers. The penalty matrix is used to determine a penalty range for each violation based on the two violation specific factors, the nature and gravity of the violation and the degree of risk/impact to human health and property.

<table>
<thead>
<tr>
<th>Degree of Risk to Human Health or Property</th>
<th>Nature and Gravity of the Violation</th>
</tr>
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<tbody>
<tr>
<td>MAJOR</td>
<td>MAJOR</td>
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<tr>
<td></td>
<td>$32,500</td>
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<tr>
<td>to</td>
<td>$20,000</td>
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<tr>
<td>MODERATE</td>
<td>$11,000</td>
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<td>to</td>
<td>$8,000</td>
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<tr>
<td>MINOR</td>
<td>$3,000</td>
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<tr>
<td>to</td>
<td>$1,500</td>
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</tbody>
</table>

**Degree of Risk to Human Health or Property**

- **Major:** (actual measurable harm or substantial risk of harm) A violation of major impact to an environmental resource or a hazard characterized by high volume and/or frequent occurrence and/or high pollutant concentration.
- **Moderate:** (potential for measurable detrimental impact) A violation of moderate impact and hazard may be one characterized by occasional occurrence and/or pollutant concentration that may be expected to have a detrimental effect under certain conditions.
- **Minor:** (no harm or risk of harm) A violation of minor impact is isolated single incidences and that cause no measurable detrimental effect or are administrative in nature.

**Nature and Gravity of the Violation**

- **Major:** Violations of statutes, regulations, orders, permit limits, or permit requirements that result in negating the intent of the requirement to such an extent that little or no implementation of requirements occurred.
- **Moderate:** Violations that result in substantially negating the intent of the requirements, but some implementation of the requirements occurred.
- **Minor:** Violations that result in some deviation from the intent of the requirement; however, substantial implementation is demonstrated.

The range is adjusted using the following violator specific factors:

1. History of previous violations or repeated noncompliance;
2. Gross revenues generated by the respondent;
3. Degree of culpability, recalcitrance, defiance, or indifference to regulations or orders;
4. Whether the Respondent has failed to mitigate or to make a reasonable attempt to mitigate the damages caused by the violation; and
5. Whether the violation and the surrounding circumstances were immediately reported to the department, and whether the violation was concealed or there was an attempt to conceal by the Respondent.
Given the previous information, the following formula is used to obtain a penalty amount.

\[
\text{Penalty Event Total} = \text{Penalty Event Minimum} + (\text{Adjustment Percentage} \times (\text{Penalty Event Maximum} - \text{Penalty Event Minimum}))
\]

After this, the Department adds any monetary benefit of noncompliance to the penalty event. In the event that a monetary benefit is gained due to the delay of a cost that is ultimately paid, the Department adds the applicable judicial interest. Finally, the Department adds all response costs including, but not limited to, the cost of conducting inspections, and the staff time devoted to the preparation of reports and issuing enforcement actions.

WHAT IS A BEP?

A BEP is a project that provides for environmental mitigation which the respondent is not otherwise legally required to perform, but which the defendant/respondent agrees to undertake as a component of the settlement agreement.

Project categories for BEPs include public health, pollution prevention, pollution reduction, environmental restoration and protection, assessments and audits, environmental compliance promotion, and emergency planning, preparedness and response. Other projects may be considered if the Department determines that these projects have environmental merit and is otherwise fully consistent with the intent of the BEP regulations.

WHAT HAPPENS IF MY OFFER IS REJECTED?

If an offer is rejected by the Assistant Secretary, the Legal Division will contact the responsible party, or anyone designated as an appropriate contact in the settlement offer, to discuss any discrepancies.

WHERE CAN I FIND EXAMPLES AND MORE INFORMATION?

- Settlement Offers: searchable in EDMS using the following filters Media: Air Quality, Function: Enforcement; Description: Settlement
- Settlement Agreements: Enforcement Division's website
- Specific examples can be provided upon request
- Penalty Determination Method: LAC 33:1 Chapter 7
- Beneficial Environmental Projects: LAC 33:1 Chapter 25
- FAQs: provided by the Louisiana State Bar Association