STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

* Settlement Tracking No.

* SA-WE-22-0019

NELA DENTAL OF FARMERVILLE, L.L.C. *

Enforcement Tracking No.

AI # 35325 * WE-CN-20-00155

*

PROCEEDINGS UNDER THE LOUISIANA * ENVIRONMENTAL QUALITY ACT *

LA. R.S. 30:2001, <u>ET SEQ.</u>

SETTLEMENT

The following Settlement is hereby agreed to between NELA Dental of Farmerville, L.L.C. ("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 limited liability company that owns and/or operates a dental office in Farmerville, Union Parish, Louisiana ("the Facility").

II

On July 13, 2020, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. WE-CN-20-00155 (Exhibit 1).

 Π

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

ΙV

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 NINETEEN THOUSAND AND NO/100 DOLLARS (\$19,000.00), of which One Thousand One Hundred Ten and 95/100 Dollars (\$1,110.95) 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 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.

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.

lΧ

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

ΧI

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.

NELA DENTAL OF FARMERVILLE, L.L.C.

BY: (Signature) Robort V. (ostello (Printed)	-
TITLE: Marce of THUS DONE AND SIGNED in duplicate original before me this 215 day of June 20 22, at Moncoe of Notary Public (ID # 4645)	1
MICHELLE LYN RIVERS Notary Public - Louisiana Ouachita Parish Notary iD 4642 (stamped or printed)	
BY: Celena J. Cage, 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 # 3 503) AMBER G. LITCHFIELD Notary Public State of Louisiana Notary ID # 92503 East Baton Rouge Parish	- COMM
Approved: (stamped or printed) Celena I Cage Assistant Secretary	·

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

DFFICE OF ENVIRONMENTAL COMPLIANCE

ENFORCEMENT DIVISION POST OFFICE BOX 4312

CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY



BATON ROUGE, LOUISIANA 70821-4312

Enforcement Tracking No.	WE-CN-2C-CO155	Certified Mail No.	7012 2210 CC01 1915 7889	
Agency Interest (Al) No.	35325	Contact Name	Diane Matthews	
Alternate ID No.	LAUC08218	Contact Phone No.	(225) 219-3078	
Respondent:	NELA Dental of Farmerville, LL.C. Facility Name:		NELA Dental	
	c/o William Daniel Raymond	Physical Location:	7699 Highway 2	
	Agent for Service of Process	7		
	7699 Highway 2	City, State, Zip:	Farmerville, LA 71241	
	Farmerville, LA 71241	Parish:	Union	

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

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

The Respondent owns and/or operates a dental office with a one cell oxidation pend for sanitary discharges located at 7699 Highway 2, in Farmerville, Union Parish, Louisiana. The Respondent does not have a Louisiana Pollutant Discharge Elimination System (LPDES) permit or any other authority to discharge pollutants to waters of the state.

	Date of Violation	Description of Violation
11.	Inspection(s) & File Review 06/06/2019 03/20/2020	The Respondent failed to submit a complete application to discharge to waters of the state. Specifically, the Respondent operates a dental office that has a one cell oxidation pend for sanitary wastewater discharges and is subject to permitting requirements. (La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, and LAC 33:IX.2501.A)
!	Inspection(s) 06/06/2019	The Respondent caused and/or allowed the discharge of wastewater without a permit and/or other authority from the Department. Specifically, the inspector observed partially treated wastewater spilling over the southeast corner of the pond levee. (La. R.S. 30:2075)
4 38S		ORDER

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

- To immediately cease, upon receipt of this COMPLIANCE ORDER, any unauthorized discharges from the Respondent's facility to ı. waters of the state.
- To take, immediately upon receipt of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain compliance with the Water Quality Regulations. This shall include, but not be limited to; correcting all of the violations described in the Ħ. "Findings of Fact" portion.
- To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER, a written report that includes a detailed description of the circumstances surrounding the cited violation(s) and actions taken or to be taken to achieve Ш. compliance with the "Order" portion of this COMPLIANCE ORDER. This report and all other reports or information required to be submitted to the Enforcement Division by this COMPLIANCE ORDER shall be submitted to the Department at the address specified in this document.
- If the Respondent demonstrates a need to discharge to waters of the state, the Respondent shall submit to the Water Permits Division within sixty (60) days of receipt of this COMPLIANCE ORDER, all necessary documents for the Department's consideration of proper coverage and permitting of any discharge of pollutants from the facility to waters of the state. If the Respondent is IV. issued an LPDES permit, the Respondent shall notify the Enforcement Division within fifteen (15) days of obtaining permit coverage. The Respondent shall not discharge pollutants to waters of the state prior to obtaining permit coverage or other authorization from the Department.
- To address the violations identified in Findings of Fact, Paragraph (II), and in accordance with the powers enumerated in La. R.S. 30:2011(D)(2), the Respondent is to carry out the compliance schedule attached as Attachment A within the time periods provided. During the time provided by the attached compliance schedule, the Respondent shall comply with the discharge limits and monitoring requirements contained in the attached compliance schedule.
- All applicable Water Quality Regulations shall remain in full force and effect and shall remain enforceable at the Department's discretion. The compliance schedule limits and monitoring requirements listed in Attachment A shall remain in effect for the VI. time period provided in the compliance schedule or until the Department issues a decision on the permit application or unless notified by Department in writing.
- Nothing in this COMPLIANCE ORDER is to be interpreted as relieving the Respondent from complying with the Water Quality Regulations nor is it to be interpreted as authorizing any discharges not in compliance with those limits contained in the VII. regulations. The limits in this COMPLIANCE ORDER have been determined by the Department to not exceed any water quality.
- If the Respondent does not choose to discharge to waters of the state, the Respondent shall, within thirty (30) days after receipt of this COMPLIANCE ORDER, provide written documentation to the Department that no activities exist at the Respondent's VIII. facility resulting in any unauthorized discharges to waters of the state.

RIGHT TO APPEAL

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.

Interest Number, which are located in the upper leit-hand corner of the first page of this document and should be directed to the address specified in this document. Upon the Respondent's flumer by fining a request for a hearing, a hearing on the disputed issue of material fact or of law regarding the COMPLANCE ORDER may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (a. B. S. 4959, et seen.), and the Division of Administrative Law's (DAI) Procedural Rules. The Department may amend or supplement this COMPLANCE ORDER prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing. This COMPLANCE ORDER shall become a final enforcement action unless the request for hearing is linely filed. Failure to timely, request a hearing constitutive for the preparation of a defense for the hearing. The Respondent's failure to request a hearing at to file an appeal or the Respondent's withdrawill of a request for hearing on this COMPLANCE ORDER shall not preclude the Respondent for control of the Act for the violation(s) described hearin. The Respondent's failure or refease a hearing an to file an appeal or the Respondent's properties of the Act for the violation(s) described hearin. The Respondent's failure or refease a hearing at the file of the properties of the compliance bistory. V. Coll penalises of not more than thirty-two thousand five hundred didlars (\$135,000) for a seasested for each day of ricitation, and the provisions herein will subject the Respondent's follows or refeat to comply with this COMPLANCE ORDER and the provisions herein will subject the Respondent's follows or refeat to comply with this COMPLANCE ORDER and the provisions herein will subject the Respondent follows of recept of the individual subject the Respondent follows of the contemplated penalty, if you elected to submit comments, it is requested that they be submitted within ten 1201 days of recept of thi						
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 COMPLANCE ORDER may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, and the Division of Administrative Law's [DAL] Proceeding Act, in COMPLANCE ORDER may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, in Complaints the Procedure Act (I.a. R.S. 4995), et seed, and the Division of Administrative Law's [DAL] Proceeding operation of a defense for the hearing. The COMPLANCE ORDER shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely, request a hearing constitutes a walver of the Respondent's nitro and a disputed issue of material fact or of law under the Respondent's withdrawal of a request for hearing on this complaints are request to request a hearing on the Respondent's withdrawal of a request for hearing on this complaints and the Respondent's withdrawal of a request for hearing on this complaints of the Act for the violation(s), although the Respondent in the Respondent's withdrawal of a request for hearing on the department part of its complaints history. VI. Of penalties of not more than thirty-but housand five hundred dollars [532,500] may be assessed for each day of revision the possible enforcement procedures under la. R.S. 30,2005, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand didarts (55,000C) for each day of continued violation or nencompliants of the Act of the Respondent to submit comments, it is requested that they be submitted within the Act of the provisions hearing with the Act of	11.	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 left-hand corner of the first page of this document and should be directed to the				
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 250.4 of the Art for the violation() described herein. 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 precude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent from contesting the findings of facts in any subsequent penalty action permanent part of its compliance history. VI. Coll penalties of not more than birty-two thousand five hundred dollars (332,500) 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 all. 8.13.02025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (550,000) for each day of multimod violation or nencompliance. 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 preduce the right to seek such penalties. **NOTICE OF POTENTIAL PENALTY** I. Pursuant to La. R.S. 30.200.3(8), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be withmitted within ten (10) days of receipt of this notice. Pursuant to La. R.S. 30.200.3(8), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments are withing the violation(s) described herein. Written comments are violation(s), you may req	tii.	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 action.				
Section 200.0.4 of the Act for the violation(s) described herein. The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawd of a request for hearing on this COMPULANCE ORDER shall not precube the Respondent from contesting the findings of facts in any subsequently action addressing the same violation(s), atthough the Respondent is estopped from objecting to this COMPULANCE ORDER shall not precube the Respondent from contesting the findings of facts in any subsequently action addressing the same violation(s), atthough the Respondent is estopped from objecting to this COMPULANCE ORDER and the provisions herein will subject the Respondent's failure or refusal to comply with this COMPULANCE ORDER and the provisions herein will subject the Respondent's failure or refusal to comply with this COMPULANCE ORDER and the provisions herein will subject the Respondent's failure or refusal to comply with this COMPULANCE ORDER and the provisions herein will subject the Respondent's failure or refusal to comply with this COMPULANCE ORDER and the provisions herein will subject the Respondent's failure or refusal to comply with this COMPULANCE ORDER and the provisions herein will subject the Respondent's failure or refusal to comply with this COMPULANCE ORDER and the respondent's failure or refusal to comply with this COMPULANCE ORDER. VII. For active violation and the refusal control of the right to seek such penalties. NOTICE OF POTENTIAL PENALTY I. Pursuant to La. R.S. 30/2003(8), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filled regarding the violation(s) and the contemplated penalty. If you would not such a penalty assessment is being considered for the violation(s) described herein. Written comments are being regarded that they be submitted within the (10) days of receipt of this notice. III. Provide the issuance of a decident all appropriate enforcement active (1), you may		abbourged for the busharanch of a detelline for the usi	3M6g.			
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 COMPULANCE ORDER shall not preclude the Respondent is estopped from objecting to this COMPULANCE ORDER becoming a addressing the same violation(s), although the Respondent is estopped from objecting to this COMPULANCE ORDER becoming a permanent part of its compliance history. VI. Ovi 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 COMPULANCE ORDER and the provisions herein will subject the Respondent to possible enforcement procedures under a la. 8.3.02025, which could result in the assessment of a dvil penalty in an amount of not more than fifty thousand dollars (\$30,000) for each day of continued violation or noncompliance. VII. For each violation described herein, the Department reserves the right to seek dvil 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(8), 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 effect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice). If you wend like to have such a meeting, please contact Diane Matthew any midgating circumstances concerning the violation(s), you may request a meeting with the Department to present any request a meeting with the Department to present any request a meeting with the Department of experited by La. R.S. 30.02015 (19) as you freceipt of this Notice present any request a meeting with the Department of Department of Environmental Quality Office of the violation(s) to the above named contact person within ten (10) days of receipt	IV.	Section 2050.4 of the Act for the violation(s) described it	ent's right to a hearing on a disputed issue of material fact or of law under herein			
VI. Cvi penalties of not more than thirty-two thousand five hundred collars (\$32,500) may be assessed for each day of violation. The Repondent's failure or refusal to comply with this COMPUNIC 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 civi penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or nenompliance. VII. For each violation described herein, the Department reserves the right to seek vivil 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** L. Pursuant to La. R.S. 30,2095, 3(8), you are hereby notified that the issuance of a penalty assessment is being considered for the violations) described herein. Written comments may be filled 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 notifically 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 notifically, 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 Diane Matthews at (225) 219-3078 within ten (10) days of receipt of this NOTICE OF POTENTIAL PENALTY. III. The Department is required by La. R.S. 30,2025([3](s)) 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 is required by La. R.S. 30,2025([3](s)) to one such a meeting days of receipt of this NOTICE OF POTENTIAL PENALTY. Induce with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary bene	٧.	The Respondent's failure to request a hearing or to file COMPLIANCE ORDER shall not preclude the Responde addressing the same violation(s), although the Respon-	an appeal or the Respondent's withdrawal of a request for hearing on this			
possible enforcement procedurs 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 nencompliance. VII. For each violation described herein, the Department reserves the right to seek such penalties in any manner allowed by law, and nothing herein shall be construed to practice the right to seek such penalties. VOTICE OF POTENTIAL PENALTY L. Pursuant to La. R.S. 30:2050.3(8), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filled 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 notification 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 Diene Matthews at (225) 219-3078 within ten (10) days of receipt of this NOTICE OF POTENTIAL PENALTY. III. The Department is required by La. R.S. 30:2023(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 to determine whether a penalty will be assessed and the amount of such sonative and the contemplance to determine whether a penalty will be assessed and the amount of such sonative and the deviation(s) to the above named contact person within ten (10) days in frecipit of this NOTICE OF POTENTIAL PENALTY. Indicated violation(s) to the above named contact person within ten (10) days in the sonative and the contemplance for the deviation of the sonative and the such such penalty penalty penalty penalty penalty pen	VI.	Givil penalties of not more than thirty-two thousand five	a hundred dellars (522 500) may be account for the first			
more than fifty thousand dollars (550,000) for each day of continued violation or noncompliance or noncompliance or noncompliance in a display of continued violation or noncompliance in any manner allowed by law, and nothing herein shall be construed to predude the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to predude the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to predude the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to predude the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preduce the right to seek civil penalties. **NOTICE OF POTENTIAL PENALTY** I. Pursuant to La. R.S. 30:2050.3(8), 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 ded to submitted within ten (10) days of receipt of this notice. III. 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 Diane Matthews at the circumstances concerning the violation(s), if you would like to have such a meeting, please contact Diane Matthews at Section 10 days of receipt of this notice. III. The Department is required by La. R.S. 30:2025[E[3](a) to consider the gross revenues of the Respondent and the monatary benefits of noncompliance for the diad violation(s) to the above named contact person within ten (10) days of receipt of the monetary benefits of noncompliance for the diad violation(s) to the above named contact person within ten (10) days of receipt for the menetary benefits of noncompliance for the diad violation(s) to the above named contact person within ten (10) days of rec						
VII. For each violation described herein, the Department reserves the right to seek viol 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** L. Pursuant to La. R.S. 30:2050.3(8), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filled 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. 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 Diane Matthews at (225) 219-3078 within ten (10) days of receipt of this NOTICE OF POTENTIAL PENALTY. The Department's required by La. R.S. 30:2025(E)(S)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determic-whether a penalty will be assessed and the amount of such penalty. Please forward the Responder's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance to 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. This CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY is effective upon receipt. Post Office of		P). WRIED COURT (SCHILL The decrees not as a shift and also an annual as a single-			
NOTICE OF POTENTIAL PENALTY I. Pursuant to La. R.S. 30:2050.3(8), 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 efect 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, please contact Diane Matthews any mitigating circumstances concerning the violation(s), they ow yould like to have such a meeting, please contact Diane Matthews at (125) 119-3078 within ten (10) days of receipt of this notice. III. The Department is required by La. R.S. 30:2025([3](a)) to consider the gross revenues of the Respondent and the monetary benefit 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 indude 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 choses not to submit the requested mos 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. This CONSOLIDATED COMPULANCE ORDER & NOTICE OF POTENTIAL PENALTY. CONTACTS AND SUBMITTAL OF INFORMATION Hearing Requests: CONTACTS AND SUBMITTAL OF INFORMATION Hearing Requests: CONTACTS AND SUBMITTAL OF INFORMATION Hearing Requests: Department of Environmental Quality Office of invironmental Compliance Water Enforcement Division Post Office Box 4313 Baton Rouge, LA 70821 Attn: Hearings Clerk Segregation of Environmental Quality Office of invironmental Services Dep	101		ULLUMBRIDER MOISTION OF PARCAMENTAGES			
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 suance of additional appropriate enforcement action(s), you may request a meeting, please contact Diane Matthews any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Diane Matthews at (225) 219-3078 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 to 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 monetar benefits have been gained, you are to fully justify that statement. If the Respondent chooses not to submit the requested mos 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. This CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY is effective upon receipt. CONTACTS AND SUBMITTAL CO INFORMATION Enforcement Division Enforcement Division Pattern Division If necessary): Physical Address (if hand delivered): Department of Environmental Quality Office of this Consolidation of Environmental Quality Of		For each violation described herein, the Department re	Saries the right to each shall appropriate to any many the life			
Pursuant to La. R.S. 30:2050.3(8), 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. 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 Diane Matthews at (225) 219-3078 within ten (10) days of receipt of this NOTICE OP POTENTIAL PENALTY. 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 indicated 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. It is CONSOLIDATED COMPULANCE ORDER & NOTICE OF POTENTIAL PENALTY is effective upon receipt. CONTACTS AND SUBMITTAL OF INFORMATION						
ary mitigating circumstances concerning the violation(s), if you would like to have such a meeting, please contact Diane Matthews at (225) 219-3078 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. This CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY is effective upon receipt. **CONTACTS AND SUBMITTAL OF INFORMATION** **Learning Requests:** CONTACTS AND SUBMITTAL OF INFORMATION** **Hearing Requests:** Department of Environmental Quality Office of Environmental Compliance Water Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Hearings Clerk, Legal Division Re: Enforcement Tracking No. We-CN-20-00155 Agency Interest No. 35325 **Water Permits Division lif necessary!:** Department of Environmental Quality Office of Environmental Services Department of Environmental Quality	l.	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 control of the violation(s) and the violation(s) are the violation(s) are the violation(s) and the violation(s) are the violation(s) are the violation(s) are the violation(s) and the violation(s) are the violat				
at (225) 219-3078 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 menetary 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 Indude 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. This CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL FENALTY is effective upon receipt. **CONTACTS AND SUBMITTAL OF INFORMATION** **Learing Requests:** Louisiana Department of Environmental Quality Office of Environmental Compilance Water Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Hearings Clerk, Legal Division Re: Enforcement Tracking No. WE-CN-20-00155 Agency Interest No. 35325 **Water Permits Division lif necessary}:** Department of Environmental Quality Office of Environmental Services Department of Environmental Quality Office of Environmental Quality Office of Environmental Services Department of Environmental Quality Office of Environmental Cuality Office of Environmental Cuality Department of En	11.					
In Department is required by La. R.S. 30:2025[[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 Indude 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. This CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY is effective upon receipt. CONTACTS AND SUBMITTAL OF INFORMATION Enforcement Division: Hearing Requests: Department of Environmental Quality Office of Environmental Compliance Water Enforcement Division Post Office 8ox 4312 Baton Rouge, LA 70821 Attn: Hearings Clerk, Legal Division Re: Enforcement Tracking No. WE-CN-20-00155 Agency Interest No. 35325 Water Permits Division (if necessary): Department of Environmental Quality Office of Environmental Services Baton Rouge, LA 70821-4313 Attn: Water Permits Division HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER		The state of the s				
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. This CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY is affective upon receipt. CONTACTS AND SUBMITTAL OF INFORMATION Enforcement Division: Louisiana Department of Environmental Quality Office of Environmental Compliance Water Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Diane Matthews Department of Environmental Quality Office of Environmental Services Physical Address (if hand delivered): Department of Environmental Quality Office of Environmental Services Department of Environmental Quality Mater Permits Division Hearing Clerk, Legal Division Re: Enforcement Tracking No. We-CN-20-00155 Agency Interest No. 35325 Department of Environmental Quality Office of Environmental Services Department of Environmental Quality Environmental Services Department of Environmental Quality Department of Environmental Quality Office of Environmental Services Department of Environmental Quality	III.	ine Department is required by La. R.S. 30:2025/F1/31/a1 r	n consider the error recommend of the p			
CONTACTS AND SUBMITTAL OF INFORMATION Enforcement Division: Louisiana Department of Environmental Quality Office of Environmental Compliance Water Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Diane Matthews Water Permits Division (if necessary): Department of Environmental Quality Office of Environmental Compliance Water Permits Division (if necessary): Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Baton Rouge, LA 70802 HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER		Respondent's most current annual gross revenue statenthe cited violation(s) to the above named contact persondude with your statement of monetary benefits the repending have been gained, you are to fully justify that current annual gross revenues statement within ten (Respondent has the ability to pay the statutory maximum	will be assessed and the amount of such penalty. Please forward the nent along with a statement of the monetary benefits of noncompliance for on within ten (10) days of receipt of this NOTICE OF POTENTIAL PENALTY, method(s) you utilized to arrive at the sum. If you assert that no monetary statement. If the Respondent chooses not osubmit the requested most 10) days, it will be viewed by the Department as an admission that the im penalty as putlined in the RS 2012015.			
Enforcement Division: Louisiana Department of Environmental Quality Office of Environmental Compliance Water Enforcement Division Post Office 80x 4312 Baton Rouge, LA 70821 Attn: Diane Matthews Water Permits Division [if necessary]: Department of Environmental Quality Office of Environmental Quality Physical Address [if hand delivered]: Department of Environmental Services Post Office 80x 4312 Baton Rouge, Louisiana 70821-4302 Baton Rouge, La 70821 Attn: Hearings Clerk, Legal Division Re: Enforcement Tracking No. WE-CN-20-00155 Agency Interest No. 35325 Water Permits Division [if necessary]: Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Baton Rouge, LA 70802 HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER	<u> </u>	THIS CONSOLIDATED COMPLIANCE ORDER & NOTICE O	F POTENTIAL PENALTY is effective upon receipt.			
Louisiana Department of Environmental Quality Office of Environmental Compilance Office of Environmental Compilance Water Enforcement Division Post Office Box 4302 Baton Rouge, LA 70821 Baton Rouge, LA 70821 Attn: Diane Matthews Re: Enforcement Tracking No. WE-CN-20-00155 Agency Interest No. 35325 Water Permits Division (if necessary): Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Baton Rouge, LA 70802 HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER	\$13.25	CONTACTS AND SU	IBMITTAL OF INFORMATION			
Office of Environmental Compliance Water Enforcement Division Post Office 80x 4312 Baton Rouge, LA 70821 Attn: Diane Matthews Re: Enforcement Tracking No. WE-CN-20-00155 Agency Interest No. 35325 Water Permits Division (if necessary): Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Baton Rouge, LA 70802						
Water Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Diane Matthews Re: Enforcement Tracking No. WE-CN-20-00153 Agency Interest No. 35325 Water Permits Division (if necessary): Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Baton Rouge, LA 70802 HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER	Office	of Environmental Compliance	Department of Environmental Quality			
Post Office Box 4312 Baton Rouge, LA 70821 Attn: Diane Matthews Re: Enforcement Tracking No. WE-CN-20-00155 Agency Interest No. 35325 Water Permits Division (if necessary): Physical Address (if hand delivered): Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Baton Rouge, LA 70821-4313 Attn: Water Permits Division Baton Rouge, LA 70802 HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER	Water	Enforcement Division	Office of the Secretary			
Attn: Diane Matthews Attn: Diane Matthews Attn: Diane Matthews Re: Enforcement Tracking No. WE-CN-20-00155 Agency Interest No. 35325 Water Permits Division (if necessary): Physical Address (if hand delivered): Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Attn: Water Permits Division Attn: Hearings Clerk, Legal Division Physical Address (if hand delivered): Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802 HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER						
Re: Enforcement Tracking No. WE-CN-20-00155 Agency Interest No. 35325 Water Permits Division (if necessary): Physical Address (if hand delivered): Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Baton Rouge, LA 70821-4313 Attn: Water Permits Division HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER			Attn: Hearings Clerk Legal Obvision			
Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Attn: Water Permits Division HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER	Attn: i	Diane Matthews	Re: Enforcement Tracking No. WE-CN-20-00155			
Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Attn: Water Permits Division HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER	Water.	Permits Division (if necessary):				
Post Office Box 4313 Baton Rouge, LA 70821-4313 Attn: Water Permits Division HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER	Depar	tment of Environmental Quality	Negreen in neur neuration):			
Baton Rouge, LA 70821-4313 Attn: Water Permits Division HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER			Department of Environmental Quality			
Attn: Water Permits Division HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER						
HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER			Baton Rouge, LA 70802			
& NOTICE OF POTENTIAL DEMANTY		HOW TO REQUEST CLOSURE OF T	THIS CONSOLIDATED COMPLIANCE ORDER			

& NOTICE OF POTENTIAL PENALTY

- To appeal the CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY, the Respondent must follow the guidelines set forth in the "Right to Appeal" portion of this CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY.
- To request closure of the COMPLIANCE ORDER portion, the Respondent must demonstrate compliance with the "Order" portion of this COMPLIANCE ORDER by completing the attached "CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE" form and returning it to the address specified.
 - o Before requesting closure of the COMPLIANCE ORDER portion, please contact the Financial Services Division at 225-219-3865 or email them at _DEQ-WWWFinancialServices@la.gov to determine if you owe outstanding fees.
- To expedite dosure of the NOTICE OF POTENTIAL PENALTY portion, the Respondent may offer a settlement amount to resolve any daim for civil penalties for the violation(s) described herein.
 - o The Department assesses dvil penalties based on LAC 33:I.Subpart1.Chapter7.
 - o The Respondent may offer a settlement amount but the Department is under no obligation to enter into settlement negotiations. It is decided upon on a discretionary basis.

- C The settlement offer amount may be entered on the attached "CONSCUDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE" form. The Respondent must include a justification of the offer.
- CO 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.
- o Before requesting closure of the NOTICE OF POTENTIAL PENALTY portion, please contact the Financial Services Division at 225-219-3865 or email them at _DEQ-WWWFinancialServices@la.gov to determine if you owe outstanding fees.

If you have questions or need more information, you may contact Diane Matthews at (225) 219-3078 or Diane.Matthews@la.gov.

Lourdes Iturralde

Cate:

7-13-2020

Lourdes iturralde Assistant Secretary

Office of Environmental Compliance

Attachment(s)

- Request to Close
- Compliance Schedule A

LOUISIANA DEPARTMENT OF	ENVIRONMENTAL QUAL					
OFFICE OF ENVIRONMENTAL	COMPLIANCE	117		/		
ENFORCEMENT DIVISION	CONSOLIDATE	D COMPLIANC	E ORDER &	fe t	在1	
POST OFFICE BOX 4312	NOTICE OF	F POTENTIAL P		Ŧ		
BATON ROUGE, LOUISIANA 70821-4312 REQUEST TO CLOSE						
Enforcement Tracking No.	WE-CN-20-00155		Contact Name	Diane Matthews		
Agency interest (AI) No.	35325		Contact Phone No.	(225) 219-3078		
Alternate ID No.	LAUC08218			1,,		
Respondent:	NELA Dental of Farmer	ville, LLC.	acility Name:	NELA Cental		
	c/o William Daniel Rayn	mand P	Physical Location:	7699 Highway 2		
	Agent for Service of Pro	cess			}	
	7659 Highway 2		City, State, Zip:	Farmerville, LA 712	241	
A Company of the State of the S	Farmerville, LA 71241		Partsh:	Union		
	The Artife Cales and Artife, France	TEMENT OF CO	OMPLIANCE			
A writton concret was submitted	STATEMENT OF COMPU	ANCE		Data Completed	Copy Attached?	
A written report was submitted COMPLIANCE ORDER	d in accordance with Paraj	graph III of the *C	rder" portion of the			
All necessary documents were COMPLIANCE ORDER in accord COMPLIANCE ORDER. All items in the "Findings of Fa	dance with Paragraph(s) I	IV & VIII of the *O	rder portion of the			
the facility is being operated to of the COMPLIANCE ORDER. F	to meet and maintain the r	(equirements of t	he "Order" portion			
		LEMENT OFFER	A 3 11 8 15 51 5 1			
		check the applica				
	ot interested in entering in right to assess dvil penalti	ses based on tat.	33:1.5uppart1.Chapte	207.		
In order to resolve a Respondent is intere discuss settlement pr	any d'aim for dvil penalti ested in entering into sett rocedures.	ies for the violeti tlement negotiation	ons in NOTICE OF Pons with the Depart	OTENTIAL PENALTY (Viment and would like to	o set up a meeting to	
Monetary com Eeneficial Envi DO NOT SUBM	any daim for civil penaltis carested in entering ir which shall include ponent = ironmental Project (BEP) co HIT PAYMENT OF THE CFFE as to whether the offer is	: LDEQ enforceme : mponent (option :: WITH THIS FOR	negotiations with ent costs and any mor \$ nai)= \$ W- the Geography	the Department in the Departme	and offers to pay compliance.	
The Respondent has	reviewed the violations rearrand a description of any	noted in NOTICE	OF POTENTIAL DENI	ALTY (WE-CN-20-C015)	5) and has attached a	
	CES	RTIFICATION S	TATEMENT			
I certify, under provisions in information and belief formed are true, accurate, and comple other facility I own or aperate.	eta. I also certify that I do	n not neve outeter	ana injermation atte	ached and the complia.	nce statement above,	
Respondent's Signature Respondent's Printed		ed Name	Responder	nt's Title		
				•		
Responde	Respondent's Physical Address Respondent's Phone # Date					
	MAIL COMPLETED	DOCUMENT			Date	
Ouisiana Department of Enviro	enmental Quality		THE ADDRESS	BELUW:		
Office of Environmental Compli Enforcement Division Post Office Box 4312	lance					

If you have questions or need more information, you may contact Diane Matthews at (225) 219-3078 or Diane.Matthews@la.gov.

Baton Rouge, LA 70821 Attn: Diane Matthews

Attachment A

Compliance Schedule

Task	Completion Date
Submit LPDES Permit Application	Within 60 days of receipt of this Compilance Order & Notice of Potential Penalty
Notify Department when LPDES Permit is issued	Within 15 days of LPDES Permit issuance

If a completed LPDES notice of intent (NOI) or permit application is not submitted within thirty (60) after receipt of this Compliance Order & Notice of potential Penalty, the following discharge limitations and monitoring requirements will be terminated and the Department may take additional enforcement action.

Discharge Limits and Monitoring Requirements

Outfall 001 - Sanitary wastewater discharges from oxidation pond

Outfall	Parameter	Mass Limitations (lb/day)		Concentration Limitations (mg/l unless stated)		Measurement	Sample
No.		Monthly Avg.	Daily Max	Monthly Avg.	Daily Max	Frequency	Туре
C01	Flow (GPD)			N/A	Report	1/12 months	estimate
.CO1	EODs	·		N/A	45 mg/L	1/12 months	grab
CO1	TSS1		_	N/A	135 mg/L	1/12 months	grab
C 01	Fecal Coliform ² cfu/100 mL			N/A	400	1/12 months	grab
CO1	pH – Allowable Range (Standard Units)	-		6.0 (Minimum)	9.0 (Maximum)	1/12 months	Grab

Effluent Limits Basis/Other Requirements/Notes:

1 If the treatment unit is an oxidation pond, the daily maximum limitation may be 135 mg/L.

2 If chlorination is chosen as a disinfection method: Future water quality studies may indicate potential toxicity from the presence of residual chlorine in the treatment facility's effluent. Therefore, the permittee is hereby advised that a future Total Residual Chlorine Limitation may be required if chlorine is used as a method of disinfection. In many cases, this becomes a NO MEASURABLE Total Residual Chlorine Limitation.

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

Laboratory procedures and analyses shall be conducted by a commercial laboratory that has been certified by the Department in accordance with the requirements set forth under LAC 33:1.Subpart 3, Chapters 49-55. A list of laboratories that have received accreditation is available on the Department's website located at: http://www1.deg.louisiana.gov/portal/DIVISIONS/PublicParticipationandPermitSupport/LouisianaLaboratoryAccreditationProgram/AccreditedLaboratories.aspx. Questions concerning the program may be directed to 225-219-3247.

Monitoring results shall be summarized on Discharge Monitoring Reports (DMRs) and submitted annually no later than the twenty-eighth (28th) day of January. The Respondent shall continue the submission of DMRs by the due date until

Attachment

the Respondent is authorized under a LPDES permit or otherwise notified in writing by the Department. COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-20-00155 and the facility's Agency Interest (AI)#35325 should be referenced on all DMRs and spreadsheets submitted in accordance with this COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY. Instructions for the proper completion of electronic DMRs may be found on the Department's website at http://dea.louisiana.gov/page/netdmr.

Subject to the terms of this COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, the Respondent shall at all times make reasonable efforts to properly operate and maintain all facilities and systems of treatment and control which are installed or used by Respondent to achieve compliance with the conditions of these interim limitations and monitoring requirements. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Whenever practicable under the terms and conditions of the COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, this provision requires the operation of back-up auxiliary facilities or similar systems, which are installed by a facility only when the operation is necessary to achieve compliance with the conditions of these interim limitations and monitoring requirements.



Civen the previous information, the following formula is used to obtain a penalty amount.

Penalty Event Total = Penalty Event Minimum + (Adjustment Percentage x [Penalty Event Maximum - 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 ment 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 FDMS using the fellowing Plans
Settlement Offers	Media As Quality, Function, Enhancement, Description, Sectionary
Sattlement Agreements	Enforcement Division's website
Sanath Data-in-line 11-15 - 1	specific examples can be provided upon request
Penalty Determination Method	LAC 33:1 Chacter 7
Beneficial Environmental Projects	. <u>LAC 33:I Chapter 25</u>
	<u>FAOs</u>
Judicial Interest	. provided by the Louisiana State Bar Association

