

BOBBY JINDAL
GOVERNOR



HAROLD LEGGETT, Ph.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL ASSESSMENT

October 10, 2008

U.S. EPA Administrator
Attn: State Government UST Compliance Report Submittal
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW, MC 0001
Washington, DC 20460-0001

RE: UST Compliance Act
State Compliance Reports on Government Underground Storage Tanks

Dear Sir:

This letter is Louisiana's official update to EPA regarding the UST Compliance Act requirement for State Compliance Reports on Government USTs. 243 UST facilities are owned and/or operated by the federal, state, or local governments in Louisiana. All government owned and/or operated UST facilities were inspected by the August 8, 2007 deadline; however inspection reports for 95 facilities were received by the LDEQ from EPA and State contractors after the August 8, 2007 deadline. The inspection reports for these facilities have been reviewed and referred for enforcement action as applicable in accordance with the enforcement procedures that are outlined in this letter.

243 facilities have completed the inspection reporting and enforcement processes as of a September 2008, report generated from LDEQ's TEMPO database. Attached is a report of non-compliance that includes UST facility and owner information for all government owned UST facilities, results of the compliance inspection, and a brief description of the enforcement action taken for each non-compliant facility. Compliance is based on a determination pursuant to, but not more stringent than the requirements of Subtitle I.

Following completion of a compliance inspection, the inspection reports and corroborating evidence of non-compliance are reviewed by enforcement personnel for accuracy of violation and sufficiency of evidence. Once the report is approved, a Notice of Deficiency (NOD) is sent to the respondent from the appropriate regional office for violations that are not referred directly to Enforcement. The NOD lists the violation citation along with a brief explanation of the inspection findings and requests a response noting corrective actions within 30 days. Respondents receive a Deficiency Clear Letter once minor violations are corrected. Any violations not corrected after the NOD step are referred to the Enforcement Division for issuance of an Expedited Penalty Agreement (XP) when appropriate. Release

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detection or other major violations are forwarded to the Enforcement Division for appropriate action.

Violations requiring permanent closure of tanks, investigation of a possible release, or further assessment of the site are referred directly to the Enforcement Division without issuance of an NOD and are issued a Compliance Order with a timeframe for compliance. An XP or formal penalty may also be sent depending on the circumstances.

If you have any questions, or if this letter does not satisfy the requirements of the State Compliance Reports on Government Owned USTs guidance provided by EPA, please contact Steve Chustz at 225.219.3388 or via email at Stephen.chustz@la.gov.

Sincerely,



Paul Miller
Assistant Secretary

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Attachment: LA State Compliance Report – Government USTs

Dr. Harold Leggett, LDEQ
Steve Chustz, LDEQ-USTD
Lourdes Iturralde, LDEQ-ENF
Steve Vargo, USEPA-Region 6
Willie Kelley, USEPA-Region 6