



DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO

GOVERNOR

MIKE D. McDANIEL, Ph.D.

SECRETARY

August 7, 2007

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 response to EPA regarding the UST Compliance Act requirement for State Compliance Reports on Government USTs. 545 registered USTs, or 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 will be inspected by the August 8, 2007 deadline; however inspection reports for the ninety four facilities inspected by EPA and State contractors between December 2006 and August 2007 have not been submitted to LDEQ for review and determination if enforcement action is necessary. The inspection reports for these facilities will be reviewed and referred for enforcement action as applicable in accordance with the enforcement procedures that are outlined in this letter.

148 of 243 facilities have completed the inspection reporting and enforcement processes as of a July 23, 2007 report generated from the TEMPO database. Attached is a report of non-compliance that includes UST facility and owner information, 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 with non-compliance issues 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). Release detection or other major violations are forwarded to the Enforcement Division for inclusion in an XP.

ENVIRONMENTAL ASSESSMENT

: PO BOX 4314, BATON ROUGE, LA 70821-4314

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WWW.DEQ.LOUISIANA.GOV

U.S. EPA Administrator

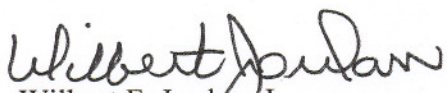
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Violations requiring permanent closure of tanks, investigation of a possible release, or further assessment of the site are referred directly to the Enforcement Division without issuance of an NOD and are issued a Compliance Order with a timeframe 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 me at (225) 219-3233 or via email wilbert.jordan@la.gov.

With kind regards,



Wilbert F. Jordan, Jr.
Assistant Secretary

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Attachment: LA State Compliance Report – Government USTs

c: Dr. Mike McDaniel, LDEQ
Dr. Harold Leggett, LDEQ-OEC
Steve Chustz, LDEQ-USTD
Steve Vargo, USEPA-Region 6
Willie Kelley, USEPA-Region 6