

Office of Environmental Compliance
Five Year Strategic Plan
July, 2011 - June 2016

Agency Number: 13-851
Program: Environmental Compliance Program
Program Authorization: La. R.S. 30:2011(C) (1) (b) and (c)

Vision

The Environmental Compliance Program is committed to the protection of human health and occupational safety and welfare of the people and environmental resources of Louisiana, through the processes of surveillance, licensing and registration of sources of radiation, enforcement, and assessing the quality of air and water to sustain and enhance the quality of life for its citizens.

Mission

The mission of the Environmental Compliance Program, which consists of the Surveillance, Enforcement, Emergency and Radiological Services, Air Quality Assessment and Water Quality Assessment Divisions, is to ensure the human health and occupational safety and welfare of the people and the environmental resources of Louisiana. The Environmental Compliance Program protects the citizens of the state by conducting inspections of permitted and non-permitted facilities, responding to environmental incidents such as unauthorized releases, spills and citizen complaints, by providing compliance assistance to the regulated community when appropriate and by assessing and monitoring air and water quality standards for compliance. This program establishes a multimedia compliance approach; creates a uniform approach for compliance activities; assigns accountability and responsibility to appropriate parties; and provides standardized response training for all potential responders. The Environmental Compliance Program provides for vigorous and timely resolution of enforcement actions.

Philosophy

The Environmental Compliance Program will endeavor to operate in a fair and consistent manner, to achieve compliance with environmental regulations, and to ensure protection of our valuable environmental resources and human health. The Environmental Compliance Program will adopt the following principles to accomplish a successful environmental compliance program:

- Maintains good working relationships with the public and the regulated community through better education regarding environmental problems.
- Operates within the constraints of the law in a fair, objective, and consistent manner that maintains high professional and ethical standards.
- Incorporates non-confrontational methods and approaches to problem solving.

Goal

The goal of the Environmental Compliance Program is to operate in an open, fair, and consistent manner; to strive for and assist in attaining environmental compliance in the regulated community; to improve the state of environmental protection through effective planning, evaluation and monitoring of the environment; and, to protect environmental resources and human health and safety of the citizens of the State of Louisiana.

Objective 1:

The Environmental Compliance Program, through the surveillance activity, will inspect regulated facilities related to air emissions, solid and hazardous waste, waste tires, water discharges, radiation and asbestos statewide following procedures outlined in the Compliance Monitoring Strategy (CMS) July 1, 2011 through June 30, 2016.

Facilities are selected for inspections, utilizing the procedures outlined in the CMS, to determine compliance with federal and state regulations and to ensure protection of public health and the environment.

State Outcome Goal: Natural Resources

Surveillance activity supports the Natural Resources State Outcome Goal by carrying out the core function inspections of permitted and unpermitted facilities, complaints and releases related to facilities operations. Inspections are conducted to ensure compliance with federal and state regulations. Ensuring compliance with environmental rules protects the state's natural resources and promotes economic development by providing a level playing field for all regulated entities. Inspections focus on those operations that have the potential for significant environmental impacts and to assist all regulated entities with compliance. Field staff in DEQ regional offices not only conduct compliance inspections, they assist local businesses, government entities and citizens through compliance assistance visits, human forums, town meetings to address environmental issues to protect public health and conserve the natural resources in their regions. DEQ regional personnel work closely with their counterparts in other state agencies (DNR, DWF, DAF and DHH) to address local concerns timely and efficiently.

Strategies:

- 1.1 Perform compliance inspections of facilities for air, water, hazardous waste, solid waste, and radiation, as outlined in the CMS.
- 1.2 Provide requisite compliance data for appropriate databases.

Performance Indicator:

Outcome: Percentage of facilities inspected (by category).

Objective 2:

The Environmental Compliance Program, through the surveillance activity, will monitor and sample 25% of targeted surface water subsegments from 340 named waterbody subsegments statewide annually July 1, 2011 through June 30, 2016.

State Outcome Goal: Natural Resources

Surveillance activity supports the Natural Resources State Outcome Goal by conducting statewide ambient water monitoring and sampling under the Clean Water Act requirements and policies to ensure there is adequate data to evaluate and set standards related to uses for specific water bodies (swimming, fishing, drinking water supplies). The data is used by multiple agencies for multiple purposes. For example the DEQ Water Quality Assessment Division the data to set standards, and the Department of Wildlife and Fisheries for habitat and aquatic propagation, and the Department of Health and Hospitals Drinking Water program to ensure standards are being met.

Strategies:

- 2.1 Collect data on the quality of state waters that can be compared to State Water Quality Standards by sampling all ambient water subsegments in the state on a four year rotation by selecting specific watersheds each year in each region.

Performance Indicator:

Outcome: Percent of water body subsegments monitored and sampled.

Objective 3:

The Environmental Compliance Program, through the surveillance activity, will address all reported environmental incidents and citizen complaints, with 85% being addressed within ten business days of receipt of notification July 1, 2011 through June 30, 2016.

State Outcome Goal: Natural Resources

Surveillance activity supports the Natural Resources State Outcome Goal by performing incident and complaint investigations/inspections based on information received from general public, regulated entities as part of their upset/release notification requirements and from other governmental sources. Information from these investigations/inspections is used to ensure environmental compliance as appropriate.

Strategies:

- 3.1 Respond to unauthorized releases in an expedient manner and ensure an acceptable level of clean up.

- 3.2 Provide timely response to citizen complaints of environmental problems. Maintain “on-call” response procedures that provide for response capability seven days per week.

Performance Indicators:

- Efficiency: Percent of environmental incidents and citizen complaints addressed within ten business days of receiving notification.
- Input (GPI): Number of spill notifications.
Number of citizen complaints.

Objective 4:

The Environmental Compliance Program through the emergency and radiological services activity will ensure the general public’s safety with respect to radiological and chemical emergencies, facilities utilizing radiation sources, and nuclear power plant incidents statewide July 1, 2011 through June 30, 2016.

State Outcome Goal: Natural Resources

This emergency and radiological services activity supports the Natural Resources State Outcome Goal by meeting the training goals set by the Nuclear Regulatory Commission (NRC) and evaluated by the Federal Emergency Management Agency (FEMA) ensuring that three nuclear power plants continue to operate providing this state with a source of clean, sustainable energy with a relatively small impact on the environment; by ensuring that the uncontrolled release or ill-advised locating of radiological tools/equipment, which could result in acute and chronic health problems or irreparably damage the environment, is controlled by the registration, licensing and inspection of these sources; and by emergency response activities protecting the citizens, often from dangers that cannot be detected with regular human senses.

Strategies:

- 4.1 Periodically review and update of the Louisiana Peacetime Radiological Response Plan and operating procedures.
- 4.2 Maintain 24-hour readiness to respond to nuclear power plant incidents by providing radiological emergency response training to Emergency and Radiological staff, as well as personnel identified Department-wide.
- 4.3 Maintain radiation survey equipment, air radiation sampling equipment, personnel exposure recording devices and supplies of thyroid blocking drugs.
- 4.4 Maintain currency of the Annual Letter of Certification (ALC) to provide records to FEMA on meeting a subset of planning standards set forth in federal guidance “NUREG-0654, FEMA-REP-1, Rev. 1” regarding training, drills, equipment, public information and media relations.

- 4.5 Provide effective radiation protection by registering radiation-producing machines, by licensing radioactive materials, including Naturally Occurring Radioactive Material, and by the certification of industrial radiographers.
- 4.6 Process and issue completed license and registration action requests.
- 4.7 Maintain 24-hour readiness to respond to chemical releases, transportation accidents and spills requiring air monitoring, sampling, and analysis to determine actual or potential harmful impact to public health or the environment.

Performance Indicators:

Outcome: Percent of emergency planning objectives demonstrated.
Process 97% of radioactive material applications for registration, licensing, and certification within 30 business days of receipt.

Objective 5:

The Environmental Compliance Program through the enforcement activity will increase compliance with environmental laws and regulations statewide by implementing a comprehensive enforcement process including regulatory awareness July 1, 2011 through June 30, 2016.

State Outcome Goal: Natural Resources

This activity supports the Natural Resources State Outcome Goal by ensuring compliance with the state's environmental laws and regulations through an effective enforcement program. The Enforcement Division supports and contributes to a healthy environment and the use of renewable resources. The yearly compliance schools conducted through the state enhance awareness and knowledge of environmental laws and regulations for the public and the regulated community. The Enforcement Division minimizes the use of state resources in the remediation of environmental damages through proactive enforcement of the state's environmental regulations. The promotion of beneficial environmental projects as a component of settlement agreements provides project opportunities for: public health; pollution prevention or reduction; environmental restoration and protection; and educational programs.

Strategies:

- 5.1 Issue Cease and Desist Orders within 48 hours of finalization of investigation.
- 5.2 Issue Penalty Assessments within the prescribed time period for completion of the investigation.
- 5.3 Issue Compliance Orders within the prescribed time period for documentation confirming continued non-compliance.
- 5.4 Provide requisite enforcement data for appropriate EPA databases.

5.5 Conduct Sanitary Wastewater Compliance Assistance Training (SWAT) classes.

Performance Indicators:

- Efficiency: Percent of enforcement actions issued within the prescribed time periods.
- Outcome: Percent of SWAT class invitees that will resolve their violations with no further action.
- Output (GPI): Number of air quality enforcement actions issued.
Number of solid waste enforcement actions issued.
Number of hazardous waste enforcement actions issued.
Number of water quality enforcement actions issued.
Number of radiation enforcement actions issued.

Objective 6:

The Environmental Compliance Program through the air quality assessment activity will maintain and improve Louisiana's air quality and satisfy Clean Air Act mandates by maintaining a comprehensive statewide air monitoring program, conducting timely air quality planning and making scientifically valid data assessments July 1, 2011 through June 30, 2016.

State Outcome Goal: Natural Resources

The activities of the Air Quality Assessment Division support the Natural Resources State Outcome Goal through the development and implementation of air pollution control strategies to attain good air quality and protect citizens' health. The program has two main purposes: A) to implement the control strategies that result in realized emissions reductions with the goal of maintaining attainment of the air quality standards, especially in the heavily industrialized areas of the state (this allows for future economic and infrastructure development); and B) to educate the citizens of the state about air quality and provide up-to-date, accurate air quality data. The division provides air modeling and emissions equipment testing support to permitting and enforcement section staff to ensure that facilities are complying with air pollution control strategies; and oversees the emission inspections on motor vehicles within the ozone nonattainment area.

Strategies:

- 6.1 Initiate the promulgation of emission control regulations to attain the standards through the State Implementation Plan.
- 6.2 Design, implement and maintain the statewide ambient air quality network.
- 6.3 Evaluate the air monitoring data for trends and compliance with national and state air quality standards.

- 6.4 Maintain information on current standards to be used as a baseline for future environmental indicator processing (i.e. 1-hour average criteria) (Vision 2020: 3.8.1)
- 6.5 Provide requisite monitoring data for appropriate EPA databases.
- 6.6 Operate and maintain the criteria and toxic air pollutant inventory system.
- 6.7 Annually validate ambient air toxic data for use in determining compliance with standards and reporting emissions to EPA and the public.
- 6.8 Complete any inventory (point, area, non-road mobile, on-road mobile or biogenics) necessary to address ozone non-attainment areas or for any other special purpose.

Performance Indicators:

Outcome: Percent of data capture from ambient monitoring equipment measuring criteria pollutants.

Efficiency: Percent of air modeling reviews completed within two weeks of receipt.

Objective 7:

The Environmental Compliance Program through the water quality assessment activity will protect water resources statewide by setting standards, assessing water quality, developing protective regulated permit allocations and enabling local activities that address unregulated pollution sources July1, 2011 through June 30, 2016.

State Outcome Goal: Natural Resources

In supporting the Natural Resources State Outcome Goal the water quality assessment activity is directly involved with the protection and improvement of the water resources of the state through objective scientific evaluation of water quality and the development of regulatory and non-regulatory approaches to address impairments. The Water Quality Assessment Division partners directly with the Environmental Protection Agency (EPA) to further national and state level goals of natural resource protection.

Strategies:

- 7.1 Review environmental data for water to define environmental problems and facilitate planning activities to develop regulatory and non-regulatory pollution control strategies to meet time schedules and requirements of the Clean Water Act.
- 7.2 Accomplish water quality assessments as required under Sections 305(b) and 303(d) of the Clean Water Act (The Integrated Report) by compiling and assessing technical data on all water bodies in order to determine possible water quality impairment. A list of impaired water bodies, the 303(d) list, is then developed to show where Total Maximum

Daily Loads (TMDLs) need to be established and incorporated into the Water Quality Management Plan (Vision 2020 Objective 3.8.4).

- 7.3 Accomplish nonpoint source pollution management updates as required under Section 319 of the Clean Water Act by implementing demonstration projects for Best Management Practices.
- 7.4 Continue to develop Water Quality Standards by maintaining, revising, or creating new criteria as needed to protect the designated uses of waters of the State (Vision 2020 Objective 3.8.3).
- 7.5 Report and post mercury fish tissue sample results and subsequent advisories, when needed, on the DEQ website, in conjunction with the Louisiana Department of Health and Hospitals.
- 7.6 Report and post swimming advisories as needed in conjunction with the Louisiana Department of Health and Hospitals, the Louisiana Department of Wildlife and Fisheries, and the Louisiana Department of Agriculture and Forestry.
- 7.8 Prioritize drinking water systems by parish for inclusion in the Drinking Water Protection Program.
- 7.9 Encourage formation of local committees that implement water resource protection actions for local drinking water sources and ambient surface waters.
- 7.10 Help local committees develop ordinances to protect public drinking water supplies.
- 7.11 Help community water systems develop contingency plans to implement during emergencies.

Performance Indicators:

- Outcome: Cumulative percent of community water systems where risk to public health is minimized by source water protection.
Cumulative number of watersheds with initiated Watershed Implementation Plans for nonpoint source pollution minimization.
Percent of water quality modeling documents finalized for public notice within 80 days of beginning the review process in support of permit limitations for point-source discharges.
Percent of water data received that is evaluated for technical acceptability for criteria development or assessments within 120 days.