

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 inspections, 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 Inspections, Assessment, Enforcement, and Underground Storage Tanks and Remediation 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, assessing and monitoring air and water quality standards for compliance, responding to environmental incidents such as unauthorized releases, spills and citizen complaints, by providing compliance assistance to the regulated community when appropriate. 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:

- Maintain good working relationships with the public and the regulated community through better education regarding environmental problems.
- Operate within the constraints of the law in a fair, objective, and consistent manner that maintains high professional and ethical standards.
- Incorporate 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 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 inspections 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

The inspections 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 inspections activity, will monitor and sample 25% of targeted surface water subsegments from 481 named waterbody subsegments statewide annually July 1, 2011 through June 30, 2016.

State Outcome Goal: Natural Resources

The inspections 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 Permits Division uses 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 inspections 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

The inspections 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 assessment activity will assess and protect the general public’s safety regarding ambient air quality analysis, the operation of nuclear power plants, the use of radiation sources, and radiological and chemical emergencies statewide July 1, 2011 through June 30, 2016.

State Outcome Goal: Natural Resources

This assessments 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 irreplacably 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. The division also maintains a comprehensive statewide air monitoring program and provides emissions equipment testing support to permitting and enforcement section staff ensuring that facilities are complying with air pollution control strategies; and oversees the emission inspections on motor vehicles within the ozone nonattainment area.

Strategies:

- 4.1 Design, implement and maintain the statewide ambient air quality network.
- 4.2 Provide requisite monitoring data for appropriate EPA databases.
- 4.3 Operate and maintain the criteria and toxic air pollutant inventory system.
- 4.4 Annually validate ambient air toxic data for use in determining compliance with standards and reporting emissions to EPA and the public.

- 4.5 Periodically review and update of the Louisiana Peacetime Radiological Response Plan and operating procedures.
- 4.6 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.
- 4.7 Maintain radiation survey equipment, air radiation sampling equipment, personnel exposure recording devices and supplies of thyroid blocking drugs.
- 4.8 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.
- 4.9 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.
- 4.10 Process and issue completed license and registration action requests.
- 4.11 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 data capture from ambient monitoring equipment measuring criteria pollutants.
 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

The enforcement 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 underground storage tanks and remediation activity will investigate and clean up uncontrolled contamination and/or monitor on-going clean up at abandoned properties, active facilities, and underground storage tank (UST) sites statewide, making them safe for reuse and available for redevelopment, and ensuring the integrity of the UST system July 1, 2011 through June 30, 2016.

State Outcome Goal: Natural Resources

The underground storage tanks and remediation activity supports the Natural Resources State Outcome Goal through cleanup incentives, consistent application of risk-based cleanup standards, partnerships with government and other organizations at all levels, cooperation with innovative cleanup technology markets, and public outreach through workshops and conferences.

Additionally, the division minimizes the incidence and impact of spilled or leaked fuel into the environment. This protects groundwater, surface water, fish, wildlife, air, and soil. From a public health standpoint, this prevents and minimizes human exposure to these contaminants.

Strategies:

- 6.1 Oversee and streamline the implementation of the RCRA Corrective Action Program.
- 6.2 Focus appropriate program resources and actions on GPRA-listed facilities.
- 6.3 Address immediate threats to human health and the environment and maximize actual environmental results by removal, treatment, or containment of contaminants.
- 6.4 Perform compliance inspections of underground storage tank facilities to verify compliance with state and federal regulations.
- 6.5 Provide requisite compliance data for appropriate federal databases.
- 6.6 Provide information necessary to support enforcement actions where warranted.
- 6.7 Provide necessary oversight and direction to close UST incidents where appropriate.

Performance Indicators:

- Outcome: Number of sites evaluated and closed out.
Percentage of closed out sites that are ready for continued industrial/commercial/residential use or redevelopment.
Cumulative percent of Government Performance Results Act (GPRA) facilities with remedies selected for the entire facility.
Cumulative percent of GPRA facilities with remedy completed or remedy construction completed for the entire facility.
Percent of registered underground storage tank sites inspected.
- Output (GPI) Cumulative number of sites returned to active commerce through DEQ's voluntary clean-up program.

Objective 7:

The Environmental Compliance Program through the underground storage tanks and remediation activity will direct the determination of the extent of contamination both laterally and vertically at sites with pollution to protect the soil and groundwater resources by reviewing 85% of the soil and groundwater investigation work plans and corrective action work plans received July 1, 2011 through June 30, 2016.

State Outcome Goal: Natural Resources

The underground storage tanks and remediation activity supports the Natural Resources State Outcome Goal by promoting the restoration and preservation of two of Louisiana's important

natural resources, land and ground water, for the continued benefit of Louisiana's economy and the use of future generations.

Strategies:

- 7.1 Guide and direct the investigation of sites identified as contaminated in the State by reviewing investigation work plans.
- 7.2 Conduct appropriate administrative follow-up for each investigation work plan.
- 7.3 Inspect investigation activities periodically to assure that work is being performed in accordance with the approved work plan.
- 7.4 Select potentially contaminated sites from Underground Storage Tanks and Remediation Division data and assess to determine the existence of soil and/or groundwater contamination, according to established divisional procedures.
- 7.5 Seek to return sites to active commerce through the Voluntary Remediation Program (Vision 2020 Objective 3.8.5).
- 7.6 Guide and direct the corrective action (remediation) of contaminated sites by reviewing corrective action work plans.
- 7.7 Conduct appropriate administrative follow-up for each Corrective action work plan.
- 7.8 Inspect remediation activities periodically to assure that work is being performed in accordance with approved work plans.
- 7.9 Conduct comprehensive groundwater monitoring evaluations (CMEs) and operations and maintenance inspections (O&Ms).
- 7.10 Provide requisite RCRA data for appropriate EPA databases

Performance Indicators:

- Outcome: Percent of soil and ground water investigation work plans reviewed.
 Percent of soil and ground water corrective action work plans reviewed.