STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0117161; AI 86478; PER20070002** to discharge to waters of the **State of Louisiana** as per LAC 33:IX.2311.

The **permitting authority** for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

I. THE APPLICANT IS: Lafayette Consolidated Government
Sludge Disposal Pits
P.O. Box 4017-C
Lafayette, LA 70502

II. PREPARED BY: Angela Marse

DATE PREPARED: October 20, 2008

III. PERMIT ACTION: LPDES permit LA0117161, AI 86478; PER20070002

LPDES application received: December 3, 2007

LPDES permit issued: May 1, 2003
LPDES permit expired: April 30, 2008

IV. FACILITY INFORMATION:

A. The application is for the discharge of treated wastewater from a municipal facility that collects materials from storm drain catch basins and wastewater from the oil/water separators of several automated car washes.

B. The permit application does not indicate the receipt of industrial wastewater.

C. The facility is located at 323 Malapart Road in Lafayette, Lafayette Parish.

D. The treatment facility consists of two oxidation ponds. Sediments are periodically removed from the ponds, dried, and disposed of at Derouen's Heavy Equipment Inc, Type III Solid Waste Disposal Facility.

E. Outfall 001

Discharge Location: Latitude 30° 17' 25" North
Longitude 92° 3' 30" West

Description: treated wastewater

Design Capacity: 0.0045 MGD

Type of Flow Measurement which the facility is currently using: engineering calculation

V. RECEIVING WATERS:

The discharge is into Coulee Mine, thence into the Vermilion River in segment 060801 of the Vermilion - Teche Basin. This segment is listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 060801 of the Vermilion - Teche Basin are as indicated in the table below[1/]:

Overall Degree of Support for Segment 060801	Degree of Support of Each Use						
Partial	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
	Not Supported	Full	Not Supported	N/A	N/A	N/A	Full

[1/]The designated uses and degree of support for Segment 060801 of the Vermilion - Teche Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2006 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

Section 303 (d) of the Clean Water Act, as amended by the Water Quality Act of 1987 and EPA's regulations at 40 CFR 130, require that each state identify those waters within its boundaries not meeting water quality standards. The Clean Water Act further requires states to implement plans to address impairments. Total Maximum Daily Loadings Studies (TMDLs) have been completed for the Vermilion-Teche River Basin to address impaired waterbodies. The causes of impairment for Subsegment 060801 are phosphorus, nitrogen, pathogen indicators, low dissolved oxygen/organic enrichment, suspended solids, turbidity, siltation, and carbofuran. Suspected causes of impairment which are not attributed to point sources of this nature were eliminated in the formulation of effluent limitations and other permit requirements. These include pathogen indicators and carbofuran. Applicable TMDLs and requirements relative to the permit are discussed below.

Vermilion River TMDLs for Dissolved Oxygen and Nitrogen for Subsegments 060801 and 060802

A TMDL for dissolved oxygen was developed by LDEQ for these subsegments in 1987 and approved by EPA Region 6. The TMDL was reevaluated by LDEQ in December 1999 and determined to be appropriated for these subsegments. The TMDL maintained the established permit limits for individual point sources in the Vermilion Watershed continue to be issued on the basis of flow rates. Discharges less than 25,000GPD are required to meet secondary limits year round.

Total Maximum Daily Load for TSS, Turbidity, and Siltation for the 15 Subsegments in the Vermilion River Basin

As per the TMDL, point source loads do not contribute significantly to this impairment. Because effective policies are in place to limit TSS discharges, no specific reductions from point sources are required. Therefore, TSS limits will remain as previously permitted.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 060801 of the Vermilion-Teche River Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation
Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Mrs. Angela Marse
Water Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

Final Effluent Limits:

OUTFALL 001

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Daily Max.*	Basis
BOD_5	30 mg/l	45 mg/l	Vermilion River TMDLs for Dissolved Oxygen and Nitrogen, Subsegments 060801 and 060802 (2001).
TSS	90 mg/l	135 mg/l	Vermilion River TMDLs for Dissolved Oxygen and Nitrogen, Subsegments 060801 and 060802 (2001).
Oil and Grease	---	15 mg/l	Best professional judgment (BPJ) based on the source of material and previously issued permit.
COD	---	125 mg/l	BPJ based on the source of material and previously issued permit.

*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which express BOD_5 and TSS in terms of concentration.

Other Effluent Limitations:

1) pH

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. Limits are established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.)

2) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

3) Priority Metals

Due to the source of the discharge, the permittee is required to monitor for the priority metals. The permittee shall analyze the final effluent for the presence of the following priority metals:

Metals	Required MQL (ug/l)	EPA Test Method
Antimony	60	200.7
Arsenic	10	206.2
Cadmium	1	200.7
Chromium III	10	200.7
Chromium VI	10	200.7
Copper	10	220.2
Lead	5	239.2
Mercury	0.2	245.1
Nickel	40	200.7
Zinc	20	200.7
Phenols	5	420.1

X. PREVIOUS PERMITS:

LPDES Permit No. LA0117161: Issued: May 1, 2003
Expired: April 30, 2008

Effluent Characteristic	Discharge Limitations		Monitoring Requirements	
	Daily Avg.	Daily Max.	Measurement Frequency	Sample Type
Flow	Report	Report	Daily	Estimate
BOD_5	30 mg/l	45 mg/l	1/month	Grab
TSS	90 mg/l	135 mg/l	1/month	Grab
COD	---	125 mg/l	1/month	Grab
Oil and grease	---	15 mg/l	1month	Grab
pH	---	---	1/month	Grab
Priority Metals	---	---	1/quarter	Grab

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:

A) Inspections

A review of the files indicates no inspections have been performed for this facility.

B) Compliance and/or Administrative Orders

A review of the files indicates the no recent enforcement actions administered against this facility.

C) DMR Review

A review of the discharge monitoring reports for the period beginning **June, 2006** through **June, 2008** has revealed the following violations:

Parameter	Outfall	Period of Excursion	Permit Limit	Reported Quantity
TSS	001	February, 2008	125 mg/l	187 mg/l
TSS	001	December, 2007	125 mg/l	132 mg/l
TSS	001	November, 2007	125 mg/l	238 mg/l

XII. ADDITIONAL INFORMATION:

The Louisiana Department of Environmental Quality (LDEQ) reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's. The LDEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as requested by the permittee and/or as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

In accordance with LAC 33:IX.2903., this permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(c) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act, if the effluent standard or limitations so issued or approved:

a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

b) Controls any pollutant not limited in the permit; or

c) Requires reassessment due to change in 303(d) status of waterbody; or

d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** as shown in the permit are the same as the previous permit with the exception of priority metals. Frequency of priority metals has increased to 1/quarter. DMR records indicate the permittee sampled priority metals only four times during the previous permit cycle.

XIII. TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

XIV. REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 2006.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2008.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2008.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Lafayette Consolidated Government, Sludge Disposal Pits, December 3, 2007.

Vermilion River TMDLs for Dissolved Oxygen and Nitrogen for Subsegments 060801 and 060802 January, 2001.

Total Maximum Daily Load for TSS, Turbidity, and Siltation for the 15 Subsegments in the Vermilion River Basin May, 2001.