STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0081981; AI 22148; PER20090001** 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: Total Environmental Solutions, Inc. (TESI)
Lakestreet Highland Meadows and Trails S/D
P.O. Box 14056
Baton Rouge, LA 70898

II. PREPARED BY: Casey Brown

DATE PREPARED: November 12, 2009

III. PERMIT ACTION: reissue LPDES permit LA0081981, AI 22148; PER20090001

LPDES application received: June 23, 2009

EPA has not retained enforcement authority.

LPDES permit issued: April 1, 2005
LPDES permit expired: March 31, 2010

Note: Due to compliance problems, this facility will remain permitted under an individual permit instead of receiving coverage under the LPDES Class IV General Permit.

IV. FACILITY INFORMATION:

A. The application is for the discharge of treated sanitary wastewater from a privately owned treatment works serving the Lakestreet Highland Meadows and Trails S/D.

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

C. The facility is located on the East End of Aberdeen St. in Lake Charles, Calcasieu Parish.

D. The treatment facility consists of an activated sludge treatment plant. Disinfection is by chlorination.

E. Outfall 001

Discharge Location: Latitude 30° 9' 00" North
Longitude 93° 13' 33" West

Description: treated sanitary wastewater

Expected Flow: 214 homes x 400 gallons/day/home = 0.085 MGD

Calculations for gallons per day were based upon figures obtained from Chapter 15 of the State of Louisiana Sanitary Code, Department of Health and Hospitals, Office of

Public Health.

Type of Flow Measurement which the facility is currently using:
V-Notch Weir and/or Bucket and Stopwatch

V. RECEIVING WATERS:

The discharge is into an unnamed ditch, thence into an unnamed coulee, thence into Coulee Hippolite, thence into the Intracoastal Waterway in segment 031101 of the Calcasieu River Basin. This segment is not listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 031101 of the Calcasieu River Basin are as indicated in the table below[1/]:

Overall Degree of Support for Segment 031101	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
	Fully Supported	Fully Supported	Fully Supported	N/A	N/A	N/A	N/A

[1/]The designated uses and degree of support for Segment 031101 of the Calcasie River 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.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 031101 of the Calcasieu 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 January 15, 2010 from Rieck (FWS) to Nolan (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

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Ms. Casey Brown
Water Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

Subsegment 031101, Intracoastal Waterway-Calcasieu Lock to East Calcasieu River Basin Boundary, is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

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. (lbs./day)	*Monthly Avg.	Daily Max.	Basis
BOD_5	N/A	10 mg/l	15 mg/l	Limits are set in accordance with the Statewide Sanitary Effluent Limitations Policy (SSELP) for facilities of this treatment type and size.
TSS	N/A	15 mg/l	23 mg/l	Since there is no numeric water quality criterion for TSS, and in accordance with the current Water Quality Management Plan, the TSS effluent limitations shall be based on a case-by-case evaluation of the treatment technology being utilized at a facility. Therefore, a Technology Based Limit has been established through Best Professional Judgement for the type of treatment technology utilized at this facility.

*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) Fecal Coliform

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5., the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Daily Maximum) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

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.

X. PREVIOUS PERMITS:

LPDES Permit No. LA0077798: Issued: April 1, 2005
Expired: March 31, 2010

Effluent Characteristic	Discharge Limitations		Monitoring Requirements	
	Monthly Avg.	Weekly Avg.	Measurement Frequency	Sample Type
Flow	Report	Report	1/week	Measure
BOD_5	10 mg/l	15 mg/l	2/month	Grab
TSS	15 mg/l	23 mg/l	2/month	Grab
Fecal Coliform Colonies	200	400	2/month	Grab
pH (Standard Units)	(Range 6.0 su – 9.0 su)		2/month	Grab

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:

A) Inspections

A review of the files indicates that an inspection was held at this facility April 11, 2007. This was a compliance follow-up inspection. At the time of the inspection a DMR Review was conducted for February and March 2007. It was noted at the site that there is no security around the WWTP. Also the lift station pumps were partially clogged which resulted in low flow.

B) Compliance and/or Administrative Orders

A review of the files indicates there was one enforcement action administered against this facility. The facility was administered an administrative order July 24, 2007 due to the corporation having continual difficulties maintaining and operating the wastewater treatment plant in an environmentally sound manner and in compliance with effluent limitations mandated in LPDES permit LA0081981.

C) DMR Review

A review of the discharge monitoring reports for the period beginning January 2008 through June 2009 has revealed the following violations:

Parameter	Outfall	Period of Excursion	Permit Limit	Permit Limit Compliance Order	Reported Quantity
TSS, Monthly Avg TSS, Weekly Avg	001	January 2008	20 mg/l 30 mg/l	N/A	190 mg/l 190 mg/l
TSS, Monthly Avg TSS, Weekly Avg	001	February 2008	20mg/l 30 mg/l	N/A	25 mg/l 25 mg/l
Fecal, Monthly Avg Fecal, Weekly Avg	001	February 2008	200 n/100mL 400 n/100mL	N/A	TNTC TNTC
Fecal, Monthly Avg Fecal, Weekly Avg	001	March 2008	200 n/100mL 400 n/100mL	N/A	601 n/100 mL 601 n/100mL
Fecal, Monthly Avg Fecal, Weekly Avg	001	May 2008	N/A	400 n/100 mL 600 n/100 mL	601 n/100 mL 601 n/100mL
TSS, Monthly Avg	001	July 2008	N/A	90 mg/l	102 mg/l
Fecal Monthly Avg	001	July 2008	N/A	400 n/100mL	600 n/100 mL
Fecal, Monthly Avg	001	November 2008	N/A	400 n/100mL	600 n/100 mL
TSS, Monthly Avg TSS, Weekly Avg	001	January 2009	15 mg/l 23 mg/l	N/A	103 mg/l 103 mg/l
$CBOD_5$	001	January 2009	10 mg/l 15 mg/l	N/A	25 mg/l 25 mg/l
TSS Monthly Avg	001	February 2009	15 mg/l	N/A	18 mg/l
TSS, Monthly Avg TSS, Weekly Avg	001	March 2009	15 mg/l 23 mg/l	N/A	35 mg/l 35 mg/l
$CBOD_5$	001	March 2009	10 mg/l 15 mg/l	N/A	17 mg/l 17 mg/l
TSS, Monthly Avg TSS, Weekly Avg	001	April 2009	15 mg/l 23 mg/l	N/A	51 mg/l 51 mg/l
$CBOD_5$	001	April 2009	10 mg/l	N/A	15 mg/l
TSS Monthly Avg	001	May 2009	15 mg/l	N/A	16 mg/l
TSS, Monthly Avg TSS, Weekly Avg	001	June 2009	15 mg/l 23 mg/l	N/A	53 mg/l 53 mg/l
Fecal, Monthly Avg Fecal, Weekly Avg	001	June 2009	200 n/100mL 400 n/100mL	N/A	601 n/100 mL 601 n/100mL
$CBOD_5$, Monthly Avg	001	June 2009	10 mg/l 15 mg/l	N/A	24 mg/l 24 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** shall remain as previously permitted.

Effluent Characteristics	Monitoring Requirements	
	Measurement Frequency	Sample Type
Flow	1/week	Measure
BOD_5	2/month	Grab
Total Suspended Solids	2/month	Grab
Fecal Coliform Bacteria	2/month	Grab
pH	2/month	Grab

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, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2004.

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.