



Water Permits Division e-Newsletter

JANUARY 27, 2011

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A SUMMARY OF WATER PERMITTING NEWS & EVENTS

VOLUME 3, ISSUE 4

OCTOBER—DECEMBER 2010

PERMITS ISSUED

10/1/10—12/31/10

Individual Minors	36
Individual Majors	8
Sewage Sludge & Biosolids Use or Disposal	47

GENERAL PERMITS

Class I Sanitary	78
Class II Sanitary	14
Class III Sanitary	2
Class IV Sanitary	3
Large Construction	206
Sand & Gravel	2
Petroleum UST	4
Oil & Gas Exploration—Coastal	22
Oil & Gas Exploration—Territorial	12
Auto dealer	3
Hydrostatic Test	6
Exterior Vehicle Wash	11
Potable Water	1
Cement, Concrete & Asphalt	3
C&D Landfill	0
Groundwater	3
Dewater PST	1
Multi-Sector	30

% CURRENT

MAJORS	96.2
MINORS/GENERALS	97.5

WATER QUALITY CERTIFICATIONS

ISSUED	118
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TMDLS

Public Noticed	5
Approved by EPA	1

ASSESSMENTS

Data Sets Evaluated	98
Solicitation of Views Letters Reviewed	116

Water Permits Division Newsletter

DEQ Water Permits Division publishes this quarterly newsletter to provide the regulated community, citizens, and other interested parties with updates and information relevant to water permitting. We welcome and solicit your comments, recommendations, and input. Please contact Yvonne Baker at 225-219-3193 or Melvin Mitchell at 225-219-3181/3197.

Water Permits Division Staff Update

The Water Quality Modeling/TMDL Section and Water Quality Section which includes Standards and Assessment and Data Evaluation, Assessment and Reporting joined the Water Permits Division on November 1, 2010.

Sewage Sludge Haulers and Disposal Sites

The WPD has registered 235 haulers for 2010-2011. The Annual Sewage Sludge Reporting Forms are due February 19, 2011. **If you haven't submitted your reporting form, you will not be approved to haul sewage sludge for the 2011-2012 year.** Unregistered haulers may submit registration forms and their submittals will be evaluated. No one can pump or haul sewage sludge until they have received an approval letter from DEQ. To re-register for the 2011-2012 year, the sewage sludge hauler notification form must be submitted no later than May 1, 2011. A list of all approved sewage sludge disposal facilities and a separate list of all approved sewage sludge haulers is posted on the LDEQ Sewage Sludge/Biosolids Internet site <http://www.deq.louisiana.gov/portal/Default.aspx?tabid=2296>. Both lists will be updated every 60 days. For more information contact Eura DeHart at 225-219-3213 or Yvonne Baker at 225-219-3193.

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Water Permits Division

The Water Permits Division within the Office of Environmental Services authorizes permits administered under the DEQ Water Quality Regulations. In addition, Water Permits Division oversees Biosolids Management activities and the Water Quality Certifications program which is conducted in conjunction with the US Army Corps of Engineers. The division is also now responsible for surface water quality standards, assessment and data management, as well as the development of Total Maximum Daily Loads (TMDLs) for impaired water bodies. For a more detailed update on the Division's activities and a copy of the WPD Work Plan, please check out the website: <http://www.deq.louisiana.gov/portal/DIVISIONS/WaterPermits.aspx>

Antidegradation

DEQ is working with EPA Region 6 on implementation procedures for the state's Antidegradation Policy. DEQ submitted a revised draft of the Antidegradation Implementation Procedures to EPA for technical review on May 20, 2010. DEQ is reviewing the EPA responses received on October 19, 2010, and expects to have a revision for EPA's technical approval after completing its internal review. The revision will be public noticed when the draft procedures have been technically approved by EPA. For more information contact Yvonne Baker at 225-219-3193.



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2010 Draft Integrated Report

The 2010 Integrated Report was submitted to EPA Region 6 for review on January 18, 2011. The report can be viewed on the LDEQ website at: <http://www.deq.louisiana.gov/portal/DIVISIONS/WaterPermits/WaterQualityStandardsAssessment/waterqualityinventorysection305b/2010waterqualityintegratedreport.aspx>. The report will not be considered final until EPA issues its final approval notice. For more information contact Al Hindrichs at 225-219-3212.

Data Evaluation, Assessment and Reporting

The **DEAR** (Data Evaluation, Assessment and Reporting) Group evaluates the quality of monitoring data collected internally and/or externally, using the data to assess water quality throughout the state. Some data sets are also used for water quality standards development and total maximum daily load modeling. Data and information are compared to state surface water quality criteria to determine if water bodies are supporting designated uses. The quality of state waters is reported every two years in the Clean Water Act Section 305(b)/303(d) Integrated Report. For more information contact Nicole Anthony at 225-219-0944.

Online Applications

DEQ launched the online application for General Oil and Gas Permits (LAG330000) on July 1, 2010. The application is for Oil and Gas Exploration, Development and Production Facilities that are operating inland of the territorial seas in waters of the state. The web-based application is for applicable oil and gas operators, and it allows them to bypass the initial paper submittal process. For more information go to the website: www.deq.louisiana.gov/onlinepermitapplications. or contact Yvonne Baker at 225-219-3193.

Water Quality Modeling/TMDL Section

The Water Quality Modeling/TMDL Section is responsible for the development of LDEQ's Total Maximum Daily Load (TMDL) program. This includes the development of models, TMDLs, and reports and the review of TMDL documents prepared by EPA. For more information contact Chuck Berger at 225-219-3366.

BP Deep Horizon Update

Emergency Declaration—The Fourth Amended Declaration of Emergency and Administrative Order for the BP – Deepwater Horizon Oil Spill was reissued on November 8, 2010. In the amendment, specific requirements and authorizations were included to address and regulate the discharge of sanitary wastewater, gray water, stormwater, and wastewaters / potable water from temporary housing units, located on land or on water. Also included were requirements for the hauling of sewage sludge. The amended declaration can be found on the DEQ website at www.deq.louisiana.gov. If you have any questions, contact Todd Franklin at (225) 219-3209.

Landfill Inspections—The Water and Waste Permits Divisions are conducting monthly inspections at permitted landfills that are receiving oily waste. Currently three landfills are being inspected: Colonial, River Birch, and Tidewater. For more information contact Melvin Mitchell at 225-219-3197.

Environmental Leadership Program Nutrient Reduction Workgroup

Gulf of Mexico Hypoxia, the annual seasonal occurrence of low dissolved oxygen in near shore Gulf waters off Louisiana, is a serious environmental problem. Louisiana is a charter member of the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force (National Hypoxia Task Force) which is actively seeking solutions to the problem. One of the causes of Gulf Hypoxia is the discharge of nutrient laden Mississippi River waters to the Gulf. Although it is recognized that the majority of the river nutrient load to the Gulf comes from the Upper Mississippi River Watershed, Louisiana industries and municipalities have voluntarily joined together through the Louisiana Environmental Leadership Program (ELP) to form a nutrient reduction workgroup to help reduce Louisiana nutrient loads to the river and Gulf. The effort has been very successful and to date five major Louisiana industries have been recognized by the LA ELP for significant nutrient reductions in their discharges. Among them are IMC Agrico (now Mosaic Industries), BASF, EXXONMOBIL, Marathon Oil and NALCO Companies in 2010. For more information contact Dugan Sabins at 225-219-3188.



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Natural Resource Damage Assessment (NRDA)

An NRDA has been initiated for the BP Deepwater Horizon Oil Spill in an effort to quantify injury to natural resources as a result of the spill. Since the spill in April 2010, DEQ has been actively involved in ongoing planning and data collection activities through sampling of water and sediment in near shore areas of coastal Louisiana in the impacted wetlands. Additionally, DEQ serves as the technical point of contact for various natural resource groups covering aquatic, wildlife, and habitat resources. Through the cooperative NRDA process, DEQ coordinates closely with State and Federal Trustees as well and the Responsible Party. The information gathered through the NRDA process for the BP Deepwater Horizon Oil Spill will be used in determination and quantification of injury to the natural resources and aid in moving forward with projects that will compensate the public through restoration of lost natural resource services. For more information, please contact Chris Piehler at 225-219-3611 or Amanda Vincent at 225-219-3220.

Gulf Guardian Awards

EPA Gulf of Mexico Program (GOMP) partnership invites nominations for the 2011 Gulf Guardian Awards (GGA). GGA program seeks to recognize and honor businesses, community groups, individuals, government agencies and organizations that are taking extraordinary steps to keep the Gulf healthy, beautiful and productive. Nominations will be accepted for 1st, 2nd and 3rd place awards for seven categories: business and industry, environmental justice, civic/nonprofit, partnerships, youth environmental education, individual and bi-national. To make a nomination, go to the GOMP web site at <http://www.epa.gov/gmpo> and click on the GGA button. Nominations must be received by March 31, 2011. LDEQ is actively soliciting Louisiana award nominations for all categories. Contact Dugan Sabins at 225-219-3188 for further information.

LPDES MQL Update in Process

Water Permits Division has completed the update of the four remaining MQLS for Arsenic, Copper, Lead, and Nickel in Volume 3 of the Water Quality Management Plan as of October 26, 2010. For more information contact Bruce Fielding at 225-219-3189.

General Permit Update

LAG330000—The public comment period for the draft Master General Permit for Discharges from oil and gas exploration, development and production facilities located within coastal waters ended on December 20, 2010. The final permit is under review by the DEQ WPD staff. For more information contact Valerie Powe at 225-219-3214.

LAG940000—The Master General Permit for Discharges of Treated Groundwater, Potentially Contaminated Stormwater and/or associated waters was reissued October 20, 2010. Facilities that are covered under the previous LAG940000 will be notified of the reissuance and reauthorized in January, 2011. For more information contact Bonnie Wascom at 225-219-0803.

LAG480000 – The Master General Permit for Discharges from Light Commercial Facilities was reissued October 20, 2010. Facilities currently covered under the general permit must reapply by March 30, 2010. Failure to reapply by the deadline will result in termination of the permit. If you have any questions, contact Bonnie Wascom at (225) 219-0803.

LAR050000 – The preliminary draft for the Master Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activities was submitted to EPA for review on October 19, 2010. If you have any questions, contact Bonnie Wascom at (225) 219-0803.

Section 106 Supplemental Grant Funds

The Clean Water Act provides DEQ with supplemental grant funds through Section 106 of the Act to help address a variety of water quality problems. WPD Water Quality Section personnel have recently completed many activities funded under FY 05/06, 07/08 and FY 09 grants. Included in the work completed are field studies to help support management decisions in the large Barataria-Terrebonne estuary as well as in several inland rivers and streams in delineated state ecoregions. Section 106-sponsored work in the Barataria-Terrebonne estuary provided scientific documentation to develop more appropriate water quality standards for dissolved oxygen. More recent Section 106 supplemental funds for FY 10 and FY 11 are presently being developed to further support the State Monitoring Strategy and for the permits and enforcement programs. For more information contact Dugan Sabins at 225-219-3188.



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Updates to Sewage Sludge Regulations

DEQ is currently proposing updates to the sewage sludge regulations at LAC 33:IX Chapter 73. The updates will include clarifications to the regulations, reporting requirements, and department policies. The updates will be published in the Louisiana Register later this year. For more information check the Biosolids website <http://www.deq.louisiana.gov/portal/Default.aspx?tabid=2296> or contact Eura DeHart at 225-219-3213.

Water Quality Standards

Recent revisions to the Water Quality Standards regulations (LAC 33:IX, Chapter 11) include updates to the drinking water use designation in eleven subsegments based on evaluations of drinking water supply in those subsegments. The updates were done in collaboration with LDHH and were published as a final rule (WQ080) in the Louisiana Register on October 20, 2010. The final rule containing the updates can be viewed via DEQ's website at <http://www.deq.louisiana.gov/portal/portals/0/planning/regs/pdf/WQ080.pdf>. The Water Quality Standards regulations can be found at <http://www.deq.louisiana.gov/portal/DIVISIONS/LegalAffairs/RulesandRegulations/Title33.aspx#ERC>. For more information contact Kris Pintado at 225-219-3218.

Gulf of Mexico Hypoxia Web Link

A special web link is present on the DEQ Home Page. It can be found on the right side of the page. The site contains recent information on Gulf of Mexico Hypoxia, the Gulf of Mexico Program and Alliance, Gulf Guardian Awards and the Mississippi River. Information on the site is updated as necessary and may also be accessed at: www.deq.louisiana.gov/portal/HOME/GulfofMexicoandMississippiRiver.aspx. For more information please contact Dugan Sabins at 225-219-3188.

Sewage Sludge Seminars

LDEQ will sponsor an additional seminar in Pineville. The Pineville seminar is scheduled for February 8, 2011 at Kees Park. The training seminar is **FREE** for all attendees. For registration, go to the EnviroSchool Web site at: <http://www.deq.louisiana.gov/portal/tabid/2601/Default.aspx>. For more information, contact Eura DeHart at 225-219-3213 or Yvonne Baker at 225-219-3193.

Water Annual Maintenance Fee

LOUISIANA REVISED STATUTES TITLE 30, Chapter 2 describes DEQ's authority for assessing the water annual maintenance fees. In accordance with Title 33, Part IX, Subpart 1, Chapter 13, the annual fee shall be paid each year a facility is subject to regulation under the Louisiana Water Control Law, R.S. 30:2071 et seq. The year shall correspond with the state's fiscal year, July 1 through June 30. For more information contact, Yvonne Baker at 225-219-3193.

Pesticides Regulation / LPDES General Permit Update

In May 2009, the U.S. 6th Circuit Court of Appeals granted EPA's request to establish the new rules which govern how pesticides will be used/applied. Implementation of the new rules will begin April 2011. DEQ will continue to monitor the appeal and its impact on permitting requirements. EPA public noticed the Pesticides General Permit for **non-delegated states, territories and tribes** in June 2010 with a targeted issuance by mid February 2011. DEQ public noticed a draft General Permit on January 10, 2011, to cover pesticide discharges for applicable facilities and agencies within the State of Louisiana with the final LPDES permit to be issued by April 2011. The permit will incorporate existing pesticide control measures currently managed by the Louisiana Department of Agriculture and Forestry and provide for reporting, inspection and compliance monitoring activities to be supervised by LDEQ. Watch for more information in the eNewsletter or contact Bruce Fielding at 225-219-3189 or Melvin Mitchell at 225-219-3197 for updates.

LAG260000 Issuance Update

March 31 was the deadline for submittal of the Notice of Intent (NOI) for those permittees wishing to retain coverage under the reissued LAG260000 Oil & Gas Territorial Seas General Permit which became effective on January 1, 2010. Permittees who failed to reapply by the deadline are no longer authorized to discharge under the LAG260000 General Permit. To date, 96 permit NOIs have been received, 90 general permit authorizations have been issued, 1 application has been withdrawn, and 5 authorizations have been denied. For more information, contact Valerie Powe at 225-219-3214.