

**STATE OF LOUISIANA**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**IN THE MATTER OF:**

\* **Settlement Tracking No.**  
\* **SA-WE-06-0032**

**FRENCH SETTLEMENT WATER  
COMPANY, INC.**

\*  
\*  
\* **Enforcement Tracking No.**  
\* **WE-PP-04-0143**  
\*

**AI # 20039, 18658, 18895**

**PROCEEDINGS UNDER THE LOUISIANA  
ENVIRONMENTAL QUALITY ACT  
LA. R.S. 30:2001, ET SEQ.**

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**SETTLEMENT**

The following Settlement is hereby agreed to between French Settlement Water Company, Inc. ("Respondent") and the Department of Environmental Quality ("DEQ" or "the Department"), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. ("the Act").

**I**

Respondent is a corporation who owned and/or operated a three-celled oxidation pond facility located at the intersection of Willow Lake East Avenue and West Willow Drive in Prairieville, Ascension Parish, Louisiana ("the Facility").

**II**

On December 13, 2005, the Department issued a Notice of Potential Penalty, Enforcement No. WE-PP-04-0143, to Respondent, which was based upon the following findings of fact:

Inspections conducted on or about March 14, 2001 and February 13, 2003, of a three-celled oxidation pond which serves Willow Lake Subdivision, owned and/or operated by French

Settlement Water Company, Inc. (Respondent), was performed to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Water Quality Regulations. The facility is located at the intersection of Willow Lake East Avenue and West Willow Drive in Prairieville, Ascension Parish, Louisiana.

The Respondent was granted coverage under Louisiana Pollutant Discharge Elimination System (LPDES) General Permit LAG570000 on January 15, 1998, and specifically was assigned Permit Number LAG570082. LPDES permit LAG570082 expired on September 31, 2002, and was administratively continued. The facility was sold in November 2004. Notification to the Department for change of ownership and request to transfer the permit was received December 28, 2004. Under the terms and conditions of LPDES permit LAG570082, the Respondent was authorized to discharge treated sanitary wastewater from its facility into local drainage ditch, thence into Spanish Lake, waters of the state.

The following violations were noted during the course of the inspection:

- A. An inspection conducted by the Department on March 14, 2001 and a subsequent file review conducted by the Department on or about December 2, 2005, revealed the Respondent discharged inadequately treated wastewater. Specifically, a sample of the effluent that was collected during the inspection rendered a Total Suspended Solids (TSS) result of 66 mg/L. The permitted limitations for TSS are 15 mg/L (monthly average) and 23 mg/L (weekly average). Each excursion is in violation of LPDES permit LAG570082 (Part I, Section B, Part II, Section E, and Part III, Section A.2), La. R.S. 30:2076 (A)(1), La. R.S. 30:2076 (A)(3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC33:IX.2701.A.
- B. A file review conducted by the Department on or about December 2, 2005, revealed that the Respondent had the following permit excursions as reported on DMRs received:

| MONITORING PERIOD | PARAMETER                  | PERMIT LIMIT    | REPORTED VALUE   |
|-------------------|----------------------------|-----------------|------------------|
| March 2000        | Fecal Coliform (mo. ave.)  | 200 col /100 mL | 300 col/100 mL   |
| December 2000     | BOD (mo. ave.)             | 30 mg/L         | 35 mg/L          |
|                   | Fecal Coliform (mo. ave.)  | 200 col /100 mL | >2000 col/100 mL |
|                   | Fecal Coliform (wkly ave.) | 400 col/100 mL  | >2000 col/100 mL |
| January 2001      | TSS (mo. ave.)             | 15 mg/L         | 47 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 56 mg/L          |
|                   | Fecal Coliform (mo. ave.)  | 200 col /100 mL | 1065 col/100mL   |
|                   | Fecal Coliform (wkly ave.) | 400 col/100 mL  | >2000 col/100mL  |
| February 2001     | TSS (mo. ave.)             | 15 mg/L         | 49 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 60 mg/L          |
|                   | Fecal Coliform (mo. ave.)  | 200 col /100 mL | >2000 col/100 mL |
|                   | Fecal Coliform (wkly ave.) | 400 col/100 mL  | >2000 col/100 mL |
| March 2001        | TSS (mo. ave.)             | 15 mg/L         | 63.5 mg/L        |
|                   | TSS (wkly ave.)            | 23 mg/L         | 85 mg/L          |
|                   | BOD (mo. ave.)             | 10 mg/L         | 35.5 mg/L        |
|                   | BOD (wkly ave.)            | 15 mg/L         | 55 mg/L          |
|                   | Fecal Coliform (mo. ave.)  | 200 col /100 mL | >2000 col/100 mL |
|                   | Fecal Coliform (wkly ave.) | 400 col/100 mL  | >2000 col/100 mL |
| April 2001        | TSS (mo. ave.)             | 15 mg/L         | 34.5 mg/L        |
|                   | TSS (wkly ave.)            | 23 mg/L         | 40 mg/L          |
| May 2001          | TSS (mo. ave.)             | 15 mg/L         | 54 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 56 mg/L          |
|                   | Fecal Coliform (mo. ave.)  | 200 col /100 mL | 1000 col/100 mL  |
|                   | Fecal Coliform (wkly ave.) | 400 col/100 mL  | >2000 col/100 mL |
| June 2001         | TSS (mo. ave.)             | 15 mg/L         | 62.5 mg/L        |
|                   | TSS (wkly ave.)            | 23 mg/L         | 75 mg/L          |
|                   | Fecal Coliform (mo. ave.)  | 200 col /100 mL | 1000 col/100 mL  |
|                   | Fecal Coliform (wkly ave.) | 400 col/100 mL  | >2000 col/100 mL |
| July 2001         | TSS (mo. ave.)             | 15 mg/L         | 43 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 57 mg/L          |
|                   | BOD (mo. ave.)             | 10 mg/L         | 10.5 mg/L        |
|                   | Fecal Coliform (mo. ave.)  | 200 col /100 mL | 340 col/100 mL   |
|                   | Fecal Coliform (wkly ave.) | 400 col/100 mL  | 680 col/100 mL   |
| August 2001       | TSS (mo. ave.)             | 15 mg/L         | 33 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 33 mg/L          |
| September 2001    | TSS (mo. ave.)             | 15 mg/L         | 51 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 92 mg/L          |
| November 2001     | TSS (mo. ave.)             | 15 mg/L         | 34.5 mg/L        |
|                   | TSS (wkly ave.)            | 23 mg/L         | 37 mg/L          |

| MONITORING PERIOD | PARAMETER                  | PERMIT LIMIT    | REPORTED VALUE   |
|-------------------|----------------------------|-----------------|------------------|
| December 2001     | TSS (mo. ave.)             | 15 mg/L         | 37 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 41 mg/L          |
| January 2002      | TSS (mo. ave.)             | 15 mg/L         | 40 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 41 mg/L          |
| February 2002     | TSS (mo. ave.)             | 15 mg/L         | 35.5 mg/L        |
|                   | TSS (wkly ave.)            | 23 mg/L         | 66 mg/L          |
| March 2002        | TSS (mo. ave.)             | 15 mg/L         | 62.5 mg/L        |
|                   | TSS (wkly ave.)            | 23 mg/L         | 77 mg/L          |
|                   | BOD (mo. ave.)             | 10 mg/L         | 16 mg/L          |
|                   | BOD (wkly ave.)            | 15 mg/L         | 28 mg/L          |
| April 2002        | TSS (mo. ave.)             | 15 mg/L         | 41 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 66 mg/L          |
|                   | BOD (mo. ave.)             | 10 mg/L         | 16.5 mg/L        |
|                   | BOD (wkly ave.)            | 15 mg/L         | 33 mg/L          |
| May 2002          | TSS (mo. ave.)             | 15 mg/L         | 27 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 27 mg/L          |
|                   | BOD (mo. ave.)             | 10 mg/L         | 15.2 mg/L        |
|                   | BOD (wkly ave.)            | 15 mg/L         | 15.2 mg/L        |
| June 2002         | TSS (mo. ave.)             | 15 mg/L         | 39 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 40 mg/L          |
| July 2002         | TSS (mo. ave.)             | 15 mg/L         | 71 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 71 mg/L          |
|                   | BOD (mo. ave.)             | 10 mg/L         | 24 mg/L          |
|                   | BOD (wkly ave.)            | 15 mg/L         | 24 mg/L          |
| August 2002       | TSS (mo. ave.)             | 15 mg/L         | 115 mg/L         |
|                   | TSS (wkly ave.)            | 23 mg/L         | 115 mg/L         |
|                   | BOD (mo. ave.)             | 10 mg/L         | 22 mg/L          |
|                   | BOD (wkly ave.)            | 15 mg/L         | 22 mg/L          |
| September 2002    | TSS (mo. ave.)             | 15 mg/L         | 82 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 82 mg/L          |
| October 2002      | TSS (mo. ave.)             | 15 mg/L         | 62 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 62 mg/L          |
|                   | Fecal Coliform (mo. ave.)  | 200 col /100 mL | >2000 col/100 mL |
|                   | Fecal Coliform (wkly ave.) | 400 col/100 mL  | >2000 col/100 mL |
| November 2002     | TSS (mo. ave.)             | 15 mg/L         | 66 mg/L          |
|                   | TSS (wkly ave.)            | 23 mg/L         | 66 mg/L          |
|                   | BOD (mo. ave.)             | 10 mg/L         | 14 mg/L          |
|                   | Fecal Coliform (mo. ave.)  | 200 col /100 mL | >2000 col/100 mL |
|                   | Fecal Coliform (wkly ave.) | 400 col/100 mL  | >2000 col/100 mL |

| MONITORING PERIOD | PARAMETER                 | PERMIT LIMIT   | REPORTED VALUE |
|-------------------|---------------------------|----------------|----------------|
| December 2002     | TSS (mo. ave.)            | 15 mg/L        | 52 mg/L        |
|                   | TSS (wkly ave.)           | 23 mg/L        | 52 mg/L        |
| January 2003      | TSS (mo. ave.)            | 15 mg/L        | 58 mg/L        |
|                   | TSS (wkly ave.)           | 23 mg/L        | 58 mg/L        |
| March 2003        | TSS (mo. ave.)            | 15 mg/L        | 18 mg/L        |
|                   | TSS (wkly ave.)           | 23 mg/L        | 27 mg/L        |
| May 2003          | TSS (mo. ave.)            | 15 mg/L        | 19 mg/L        |
|                   | TSS (wkly ave.)           | 23 mg/L        | 19 mg/L        |
| June 2003         | BOD (mo. ave.)            | 10 mg/L        | 18 mg/L        |
|                   | BOD (wkly ave.)           | 15 mg/L        | 18 mg/L        |
| July 2003         | BOD (mo. ave.)            | 10 mg/L        | 14 mg/L        |
| September 2003    | TSS (mo. ave.)            | 15 mg/L        | 42 mg/L        |
|                   | TSS (wkly ave.)           | 23 mg/L        | 42 mg/L        |
| February 2004     | TSS (mo. ave.)            | 15 mg/L        | 40 mg/L        |
|                   | TSS (wkly ave.)           | 23 mg/L        | 40 mg/L        |
| April 2004        | TSS (mo. ave.)            | 15 mg/L        | 53 mg/L        |
|                   | TSS (wkly ave.)           | 23 mg/L        | 53 mg/L        |
| May 2004          | TSS (mo. ave.)            | 15 mg/L        | 38 mg/L        |
|                   | TSS (wkly ave.)           | 23 mg/L        | 38 mg/L        |
| October 2004      | TSS (mo. ave.)            | 15 mg/L        | 30 mg/L        |
|                   | TSS (wkly ave.)           | 23 mg/L        | 30 mg/L        |
| November 2004     | TSS (mo. ave.)            | 15 mg/L        | 48 mg/L        |
|                   | TSS (wkly ave.)           | 23 mg/L        | 48 mg/L        |
|                   | Fecal Coliform (mo. ave.) | 200 col/100 mL | 320 col/100 mL |

Each excursion of the permit constitutes a violation of LPDES permit LAG570082 (Part I, Section B, Part II, Section E and Part III, Section A.2), La. R.S. 30:2076 (A)(1), La. R.S. 30:2076 (A)(3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2701.A.

- C. A file review conducted by the Department on or about December 2, 2005, revealed that the Respondent failed to sample its effluent for BOD for the August 2003 monitoring period. Each failure to sample the effluent is a violation of LPDES permit LAG570082 (Part I, Section B, Part III, Sections A.2, and C.2), La. R.S. 30:2076 (A)(3), LAC 33:IX.501.A, and LAC 33:IX.2701.A.
- D. A file review conducted by the Department on or about December 2, 2005, revealed that the Respondent reported the following flow values on the DMRs:

| MONITORING PERIOD | REPORTED VALUE            |
|-------------------|---------------------------|
| June 2001         | 165,661 gpd (weekly max.) |
| October 2001      | 107,162 gpd (weekly max.) |
| January 2002      | 106,876 gpd (weekly max.) |
| March 2002        | 104,019 gpd (weekly max.) |
| April 2002        | 136,037 gpd (weekly max.) |
| August 2002       | 102,885 gpd (weekly max.) |
| April 2003        | 115,783 gpd (weekly max.) |

French Settlement Water Company, Inc., also owned and/or operated a sewage treatment system that served Gunboat Island located on Gunboat Island Drive in Maurepas, Livingston Parish, Louisiana. The Respondent was granted coverage under Louisiana Pollutant Discharge Elimination System (LPDES) Class II General Permit LAG540000 on March 16, 1998, and specifically was assigned Permit Number LAG540314. LPDES permit LAG540314 expired on August 27, 2002, and was administratively continued. On or about November 2004 the sewage treatment system at Gunboat Island was sold and a request to transfer LPDES permit LAG540314 was received from the new owner on or about December 28, 2004. LPDES permit LAG540314 authorized the Respondent to discharge treated sanitary wastewater from its facility into local drainage, thence into a swamp, thence into the Amite River, waters of the state.

An inspection conducted on or about August 6, 2003, and a subsequent file review conducted by the Department on or about March 14, 2006, revealed the Respondent had the following permit excursions as reported on the Discharge Monitoring Reports (DMRs) received:

| MONITORING PERIOD | PARAMETER        | PERMIT LIMIT   | REPORTED VALUE   |
|-------------------|------------------|----------------|------------------|
| 04/01/02-06/30/02 | TSS (mo. ave)    | 30 mg/L        | 242.5 mg/L       |
|                   | TSS (wkly ave)   | 45 mg/L        | 472 mg/L         |
|                   | F.C. (mo. ave)   | 200 col/100 mL | 1503 col/100 mL  |
|                   | F.C. (wkly ave.) | 400 col/100 mL | >2000 col/100 mL |

| MONITORING PERIOD | PARAMETER        | PERMIT LIMIT   | REPORTED VALUE   |
|-------------------|------------------|----------------|------------------|
| 07/01/02-09/30/02 | F.C. (mo. ave)   | 200 col/100 mL | 630 col/100 mL   |
|                   | F.C. (wkly ave.) | 400 col/100 mL | 630 col/100 mL   |
| 01/01/03-03/31/03 | F.C. (mo. ave)   | 200 col/100 mL | >2000 col/100 mL |
|                   | F.C. (wkly ave.) | 400 col/100 mL | >2000 col/100 mL |
| 07/01/03-09/30/03 | F.C. (mo. ave)   | 200 col/100 mL | >2000 col/100 mL |
|                   | F.C. (wkly ave.) | 400 col/100 mL | >2000 col/100 mL |
| 10/01/03-12/31/03 | F.C. (mo. ave)   | 200 col/100 mL | 141 col/100 mL   |
|                   | F.C. (wkly ave.) | 400 col/100 mL | >2000 col/100 mL |
| 01/01/04-03/31/04 | F.C. (mo. ave)   | 200 col/100 mL | 141 col/100 mL   |
|                   | F.C. (wkly ave.) | 400 col/100 mL | >2000 col/100 mL |
| 07/01/04-09/30/04 | F.C. (mo. ave)   | 200 col/100 mL | 141 col/100 mL   |
|                   | F.C. (wkly ave.) | 400 col/100 mL | >2000 col/100 mL |

Each excursion of the permit constitutes a violation of LPDES permit LAG540314 (Part I, Section B, Part II, Section E and Part III, Section A.2), La. R.S. 30:2076 (A)(1), La. R.S. 30:2076 (A)(3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2701.A.

The Respondent also owned and/or operated a sewage treatment system that served Oakwood Estates located off La Highway 22, west of Ponchatoula in Tangipahoa Parish, Louisiana. The Respondent was granted coverage under Louisiana Pollutant Discharge Elimination System (LPDES) Class II General Permit LAG540000 on March 16, 1998, and specifically was assigned Permit Number LAG540315. LPDES permit LAG540315 expired on August 27, 2002, and was administratively continued. On or about November 2004 the sewage treatment system at Oakwood Estates was sold and a request to transfer LPDES permit LAG540315 was received from the new owner on or about December 28, 2004. LPDES permit LAG540315 authorized the Respondent to discharge treated sanitary wastewater from its facility into local drainage, thence into a swamp, thence into the Amite River, waters of the state.

An inspection conducted by the Department on or about August 7, 2003, and a subsequent file review conducted by the Department on or about March 14, 2006, revealed the Respondent had the following permit excursions as reported on the DMRs received:

| MONITORING PERIOD | PARAMETER        | PERMIT LIMIT   | REPORTED VALUE   |
|-------------------|------------------|----------------|------------------|
| 07/01/01-09/30/01 | TSS (mo. ave)    | 90 mg/L        | 92 mg/L          |
|                   | BOD (wkly ave)   | 31.5 mg/L      | 53 mg/L          |
|                   | F.C. (mo. ave)   | 200 col/100 mL | 90 col/100 mL    |
|                   | F.C. (wkly ave.) | 400 col/100 mL | 810 col/100 mL   |
| 07/01/02-09/30/02 | F.C. (mo. ave)   | 200 col/100 mL | 560 col/100 mL   |
|                   | F.C. (wkly ave.) | 400 col/100 mL | 560 col/100 mL   |
| 10/01/02-12/31/02 | F.C. (mo. ave)   | 200 col/100 mL | 1490 col/100 mL  |
|                   | F.C. (wkly ave.) | 400 col/100 mL | >2000 col/100 mL |
| 01/01/03-03/31/03 | F.C. (mo. ave)   | 200 col/100 mL | 671 col/100 mL   |
|                   | F.C. (wkly ave.) | 400 col/100 mL | 900 col/100 mL   |
| 04/01/03-06/30/03 | F.C. (mo. ave)   | 200 col/100 mL | 146 col/100 mL   |
|                   | F.C. (wkly ave.) | 400 col/100 mL | 1070 col/100 mL  |
| 07/01/03-09/30/03 | F.C. (mo. ave)   | 200 col/100 mL | 97 col/100 mL    |
|                   | F.C. (wkly ave.) | 400 col/100 mL | 950 col/100 mL   |
| 10/01/03-12/31/03 | F.C. (mo. ave)   | 200 col/100 mL | 316 col/100 mL   |
|                   | F.C. (wkly ave.) | 400 col/100 mL | >2000 col/100 mL |
| 04/01/04-06/30/04 | F.C. (mo. ave)   | 200 col/100 mL | 141 col/100 mL   |
|                   | F.C. (wkly ave.) | 400 col/100 mL | >2000 col/100 mL |
| 07/01/04-09/30/04 | BOD (mo. ave)    | 30 mg/L        | 37.5 mg/L        |
|                   | BOD (wkly ave)   | 45 mg/L        | 52 mg/L          |

Each excursion of the permit constitutes a violation of LPDES permit LAG540315 (Part I, Section B, Part II, Section E and Part III, Section A.2), La. R.S. 30:2076 (A)(1), La. R.S. 30:2076 (A)(3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2701.A.

### III

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties.

## IV

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of SEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$7,500.00) of which Six Hundred Forty-Two and 48/100 Dollars (\$642.48) represents DEQ's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to DEQ as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

## V

Respondent further agrees that the Department may consider the inspection report(s), the Notice of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

## VI

This agreement shall be considered a final order of the secretary for all purposes, including, but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may be required for interpretation of this agreement in any action by the Department to enforce this agreement.

## VII

This settlement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and settlement, the Department considered the factors for issuing civil penalties set forth in LSA- R. S. 30:2025(E) of the Act.

## VIII

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Ascension Parish, Livingston Parish, and Tangipahoa Parish, Louisiana. The advertisement, in form, wording, and size approved by the Department, announced the availability of this settlement for public view and comment and the opportunity for a public hearing. Respondent has submitted a proof-of-publication affidavit from each appropriate newspaper to the Department and, as of the date this Settlement is executed on behalf of the Department, more than forty-five (45) days have elapsed since the latest publication of the notice.

## IX

Payment is to be made within ten (10) days from notice of the Secretary's signature. If payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Darryl Serio, Office of Management and Finance, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit A).

X

In consideration of the above, any claims for penalties are hereby compromised and settled in accordance with the terms of this Settlement.

XI

Each undersigned representative of the parties certifies that he or she is fully authorized to execute this Settlement Agreement on behalf of his/her respective party, and to legally bind such party to its terms and conditions.

**FRENCH SETTLEMENT WATER  
COMPANY, INC.**

BY: W. E. Edrington III  
(Signature)

W. E. EDRINGTON, III  
(Printed)

TITLE: PRESIDENT

THUS DONE AND SIGNED in duplicate original before me this 10<sup>th</sup> day of  
January, 20 07, at Baton Rouge, LA.

Mary F. King  
NOTARY PUBLIC (ID # 53095)

Mary F. King  
(Printed)

**LOUISIANA DEPARTMENT OF  
ENVIRONMENTAL QUALITY**  
Mike D. McDaniel, Ph.D., Secretary

BY: Harold Leggett  
Harold Leggett, Ph.D., Assistant Secretary  
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 5<sup>th</sup> day of  
April, 20 07, at Baton Rouge, Louisiana.

Ted R. Douglas, II  
NOTARY PUBLIC (ID # 20481)  
(Printed)

Approved: Harold Leggett  
Harold Leggett, Ph.D., Assistant Secretary