

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

**ST. TAMMANY PARISH SEWER
DISTRICT #6**

AI # 19210

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

* **Settlement Tracking No.**
* **SA-WE-08-0036**
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* **Enforcement Tracking No.**
* **WE-CN-98-0324**
* **WE-CN-01-0152**
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AMENDMENT TO SETTLEMENT

The following Amendment to Settlement Tracking No. SA-WE-08-0038 is hereby agreed to between St. Tammany Parish Sewer District #6 ("Respondent") and the Department of Environmental Quality ("LDEQ" or "the Department"), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. ("the Act").

I.

Paragraph IX of Settlement Tracking No. SA-WE-08-0038, shall be amended to read as follows:

"IX.

Payment is to be made to the Department no later than September, 1, 2009. If payment is not received within that time, this Agreement is voidable at the option of the LDEQ. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, 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)."

II.

The Department incorporates all of the remainder of the original Settlement Tracking No. SA-WE-08-0038 as if reiterated herein.

ST. TAMMANY PARISH SEWER DISTRICT #6

BY: [Signature]
(Signature)

Walter F. Clairain
(Print)

TITLE: chairmen

THUS DONE AND SIGNED in duplicate original before me this 14th day of July, 20 07, at Covington, Louisiana.

[Signature]
NOTARY PUBLIC (ID # 27880)

James E. A. Slaton
(Print)

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
Harold Leggett, Ph.D., Secretary

BY: [Signature]
Peggy M. Hatch, Assistant Secretary
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 10th day of August, 20 09, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # 40539)

Del R. Pringle, Jr.
(Print)

Approved: [Signature]
Peggy M. Hatch, Assistant Secretary

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

ST. TAMMANY PARISH SEWER DISTRICT #6

AI # 19210

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

- * Settlement Tracking No.
- * SA-WE-08-0036
- *
- * Enforcement Tracking No.
- * WE-CN-98-0324
- * WE-CN-01-0152
- *
- *
- *
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SETTLEMENT

The following Settlement is hereby agreed to between St. Tammany Parish Sewer District #6 ("Respondent") and the Department of Environmental Quality ("LDEQ" 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 governmental entity that owns and/or operates a wastewater treatment facility located in Abita Springs, St. Tammany Parish, Louisiana ("the Facility").

II

On October 20, 1998, the LDEQ issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Action No. WE-CN-98-0324, which was based upon the following findings of fact:

Respondent owns and/or operates a sewer treatment and collection system which serves the residents and businesses of St. Tammany Parish Sewer District #6 located in Abita Springs, St. Tammany Parish, Louisiana. Respondent is authorized to discharge certain quantities and/or

qualities of wastewater to Abita River under the terms and conditions of National Pollutant Discharge Elimination System (NPDES) permit LA0065153 effective on August 1, 1995, with an expiration date of July 31, 2000. In accordance with the assumption of the NPDES program by the state, NPDES permit LA0065153 has become a Louisiana Pollutant Discharge Elimination System (LPDES) permit with the same expiration date.

Respondent was issued the following Compliance Order WE-C-92-0332 on or about November 25, 1992, for effluent violations. The relevant requirements of the Compliance Order are:

- A. To take within thirty (30) days after receipt of the Compliance Order, any and all steps necessary to cease the discharge of inadequately treated sanitary wastewater. Respondent shall achieve and maintain compliance with all terms and conditions of WP0528, including the submission of written reports of non-compliance within five days of becoming aware of the non-compliance.
- B. To submit to the Water Quality Management Division, within sixty (60) days after receipt of the Compliance Order, a properly completed application for a Louisiana Water Discharge Permit System (LWDPS) permit.
- C. To submit to the Water Quality Management Division, within thirty (30) days after receipt of the Compliance Order, a full, written report which must include a detailed description of the circumstances of the cited violations, corrective or remedial actions taken to mitigate any damages resulting from the violations, and the actions taken to achieve compliance with the Compliance Order.

In response to the Compliance Order WE-C-92-0332, the following actions were taken:

- A. Respondent stated that it was unaware of the permit expiration date. However, the permit application was submitted to the Department.
- B. Respondent stated that the plant is only manned for 3.5 hours a day. The main deficiency is the chlorinator pump clogged with fine grease balls. Steps have been taken to prevent clogage of pump.

Compliance Order WE-C-92-0332 was not appealed and is a final action of the Department.

Respondent was issued Compliance Order WE-C-94-0009, for failure to operate and maintain the facility, failure to notify the Department of permit excursions, and failure to properly

store and dispose of material that has potential for unauthorized contaminated stormwater discharge.

The relevant requirements of the Compliance Order were:

- A. To immediately cease all unauthorized discharges from Respondent's facility to waters of the state. This shall include, but not [sic] limited to, all steps necessary to meet and maintain compliance with Compliance Order WE-C-92-0332.
- B. Take all steps necessary to address the specific deficiencies noted in Paragraph IV of the Findings of Fact of Compliance Order WE-C-94-0009. These steps shall include, but [sic] limited to, the repair of the air release valve, the removal and proper disposal of the dried sludge and grease waste noted at the facility, and the submission of written non-compliance reports in a timely manner to the Department.
- C. To submit, within thirty (30) days after receipt of the Compliance Order, a plan to eliminate and prevent hydraulic overload of the treatment facility. Such plan shall provide for specific corrective actions to be taken and shall include a critical path schedule for the achievement of compliance within the shortest time possible.
- D. Comply with the interim limits set forth in Compliance Order WE-C-94-0009.

In response to the Compliance Order WE-C-94-0009, Respondent stated the following actions were taken:

- A. Respondent stated that it has not allowed any wastewater from the sludge drying beds to discharge onto the ground while wasting sludge.
- B. Solids and grease removed from the clarifiers and chlorine contact chambers are being placed into the drying beds.
- C. Solids removed from the bar screen are being placed into the drying beds.
- D. The inoperative air release valve on the south side of the Abita River was replaced on January 13, 1994, with a new air release, vacuum valve. A second air release, vacuum valve has been ordered to replace another valve on the north side of the Abita River.
- E. Non-compliance reports of fecal coliform excursions not submitted to the Department was an oversight of management. In the future, all violation reports will be submitted immediately.
- F. The district is aware of the inflow and infiltration problem in the system and on many occasions tried to the[sic] locate the cause. A smoke blower has been purchased and we intend to smoke test the system.

Compliance Order WE-C-94-0009 was not appealed and is a final action of the Department.

An inspection conducted by the Department on or about June 26, 1998, disclosed that Respondent did cause or allow the discharge of inadequately treated wastewater to waters of the state. A total suspended solids sample was collected and characterized as having a value of 44 mg/L. This discharge is in violation of the terms and conditions of LPDES permit LA0065153, La. R.S. 30:2076 (A) (1) (b), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A.

Further investigations conducted by the Department on or about June 26, 1998, revealed that solids were observed in the chlorine contact chamber and the receiving stream. These operation maintenance deficiencies are in violation of LPDES permit LA0065153 (part 111, section A.3 a), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2355.A, and LAC 33:IX.2355.E.

Further investigations conducted by the Department on or about June 26, 1998, revealed that solids from the bar screen were observed on the ground. This constitutes a violation of LPDES permit LA0065153 (part 111, section A.2), La. R.S. 30:2076 (A) (1) (a), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, and LAC 33:IX.2355.A.

A file review conducted by the Department on or about June 26, 1998, revealed the following permit excursions:

PARAMETER	PERMIT LIMITS	SAMPLE VALUE	# OF EXC.	COMMENTS
06/98				
TSS(avg.)	10 mg/L	20.3	2	
TSS(max.)	15 mg/L	34		
CBOD ₅ (avg.)	10 mg/L	42.3	2	
CBOD ₅ (max.)	15 mg/L	80		
05/98				
CBOD ₅ (avg.)	25 lbs/dy	80.4	9	
CBOD ₅ (avg.)	10 mg/L	87		
CBOD ₅ (max.)	15 mg/L	132		

PARAMETER	PERMIT LIMITS	SAMPLE VALUE	# OF EXC.	COMMENTS
TSS(avg.)	25 lbs/dy	30	2	
TSS(avg.)	10 mg/L	36.7		
TSS(max.)	15 mg/L	80		
04/98				
CBODs(avg.)	25 lbs/dy	141.6	7	
CBODs(avg.)	10 mg/L	129.7		
CBODs(max.)	15 mg/L	235		
F.C.(avg.)	200col/100ml	462.4	1	
F.C.(max.)	400col/100ml	107,800		
pH(min.)	6.0 S.U.	4.90	1	
TSS(avg.)	25 lbs/dy	101	7	
TSS(avg.)	10 mg/L	93.9		
TSS(max.)	15 mg/L	186		
3/98				
CBODs(avg.)	25 lbs/dy	31.2	1	
CBODs(avg.)	10 mg/L	40		
CBODs(max.)	15 mg/L	67		
pH(min.)	6.0 S.U.	5.80	1	
TSS(avg.)	25 lbs/dy	29.8	1	
TSS(avg.)	10 mg/L	36		
TSS(max.)	15 mg/L	50		
02/98				
pH(min.)	6.0 S.U	5 20	1	
12/97				
CBODs(avg.)	10 mg/L	13.5	1	
TSS(avg.)	25 lbs/dy	29.3		
TSS(avg.)	10 mg/L	18.5		
TSS(max.)	15 mg/L	20		
11/97				
CBODs(avg.)	25 lbs/dy	31.3	1	
CBODs(max.)	10 mg/L	14.5		
TSS(avg)	25 lbs/dy	28.1	1	
TSS(max.)	10 mg/L	13		

PARAMETER	PERMIT LIMITS	SAMPLE VALUE	#OF EXC.	COMMENTS
10/97				
CBOD ₅ (avg.)	25 lbs/dy	62.7	1	
CBOD ₅ (avg.)	10 mg/L	14.5		
CBOD ₅ (max.)	15 mg/L	22		
F.C.(max.)	400 col/100 ml	700	1	
TSS(avg.)	25 lbs/dy	88.6	1	
TSS(avg.)	10 mg/L	20.5		
TSS(max.)	15 mg/L	38		
09/97				
CBOD ₅ (avg.)	10 mg/L	13.5	1	
TSS(avg.)	10 mg/L	12.5	1	
TSS(max.)	15 mg/L	21		
07/97				
CBOD ₅ (avg.)	10 mg/L	11.3	1	
06/97				
CBOD ₅ (avg.)	25 lbs/dy	50.3	5	
CBOD ₅ (avg.)	10 mg/L	44.4		
CBOD ₅ (max.)	15 mg/L	80		
F.C.(max.)	400 col/100 ml	24,900	1	
TSS(avg.)	25 lbs/dy	108.6	5	
TSS(avg.)	10 mg/L	133.4		
TSS(max.)	15 mg/L	430		
05/97				
CBOD ₅ (avg.)	25 lbs/dy	55.7	3	
CBOD ₅ (avg.)	10 mg/L	36.7		
CBOD ₅ (max.)	15 mg/L	62.7		
BOD ₅ (avg.)	25 lbs/dy	27.4	2	BOD is not specified in the effluent limitations and monitoring requirements
BOD ₅ (avg.)	10 mg/L	30		
BOD ₅ (max.)	15 mg/L	46		
TSS(avg.)	10 mg/L	82.7	3	
TSS(avg.)	25 lbs/dy	55.7		
TSS(max.)	15 mg/L	90		
03/97				
BOD ₅ (avg.)	10 mg/L	12	1	

PARAMETER	PERMIT LIMITS	SAMPLE VALUE	# OF EXC.	COMMENTS
02/97				
TSS(avg)	25 lbs/dy	51.2	1	
TSS(avg)	10 mg/L	17.3	1	
TSS(max.)	15 mg/L	22		
10/97				
BOD ₅ (avg.)	25 lbs/dy	32.6		
BOD ₅ (avg.)	10 mg/L	10.5		
TSS(avg)	25 lbs/dy	42	1	
TSS(avg)	10 mg/L	12		

*As reported by Respondents

These excursion are in violation of LPDES permit LA0065153 (part I, section A), (part 111, section A.2), La. R.S. 30:2076 (A) (1) (b), La. R.S. 30:2076 (A) (3), LAC 33:1X.501.A, LAC 33:IX.501.D, and LAC 33:IX.2355.A..

On May 21, 2002, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Action No. WE-CN-01-0152, which was based upon the following findings of fact:

The Respondent owns and/or operates a wastewater treatment facility located at the end of Heintz Street in Abita Springs, St. Tammany Parish, Louisiana. The Respondent was issued National Pollutant Discharge Elimination System (NPDES) permit by EPA with an effective date of August 1, 1995, and an expiration date of July 31, 2000. In accordance with the assumption of the NPDES program by the state, NPDES permit LA0065153 became a Louisiana Pollutant Discharge Elimination System (LPDES) permit with the same expiration date. EPA officially transferred enforcement authority for the Respondent to the State of Louisiana on June 30, 1997. The Respondent's application for renewal of its LPDES permit was received on March 15, 2000. The Respondent was re-issued LA0065153 on July 5, 2001, with an effective date of August 1, 2001, and

expiration date of July 31, 2006. The LPDES permit authorizes the Respondent to discharge treated sanitary wastewater into an unnamed ditch, thence into the Abita River, both waters of the state.

The Respondent was issued Compliance Order and Notice of Potential Penalty WE-CN-98-0324 on or about October 20, 1998. The relevant issues addressed in the Findings of Fact were:

- A. Unauthorized discharge.
- B. Operation and maintenance deficiencies.
- C. Excursions of the permit.

The relevant requirements of the Compliance Order were to:

- A. Cease all unauthorized discharges from the facility and take all steps necessary to meet and maintain compliance with its LPDES permit;
- B. Submit a complete written report including a detailed description of the circumstances of the cited violations, the actions taken to achieve compliance, and corrective or remedial actions taken to mitigate any damages resulting from the violations.

In response to the Compliance Order WE-CN-98-0324, the following actions were taken:

- A. Meeting was scheduled to discuss the order and explain pending issues.
- B. Financial Statement and Auditors Report for 1997 were submitted for review. Minimal funds were available for plant improvement and upgrades.
- C. Modifications to the existing "new" pre-treatment system were underway and completion was expected by March 1999. These modifications were to insure minimal loading to the District's plant.

Compliance Order [sic] WE-CN-98-0324 is a final action of the Department and not subject to further review.

An inspection conducted by the Department on or about February 19, 2001, revealed a monitoring deficiency. Specifically, the Respondent's flow meter had a maximum deviation of greater than 10% from the true discharge rates. Field measurements taken at the time of the inspection revealed an 11.9% error in the measurement values. This deficiency in monitoring

constitutes a violation of Compliance Order & Notice of Potential Penalty WE-CN-98-0324, and LPDES permit LA0065153 (Part III, Sections A.2 and C.6), La. R. S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2355.A, and LAC 33:IX.2767.A.5.

An inspection conducted by the Department on or about February 19, 2001, revealed that the laboratory used by the Respondent for sample analysis was not following the approved laboratory methods for CBOD₅ analyses. Specifically, a review of the laboratory analysis/chain of custody documents by the inspector revealed the 48-hr CBOD₅ holding times were exceeded for four separate CBOD₅ samples collected. The holding times were exceeded for the CBOD₅ samples collected on January 12, 2000, January 19, 2000, April 5, 2000, and June 17, 2000. Each failure to follow approved laboratory methods as required by the permit constitutes a violation of Compliance Order & Notice of Potential Penalty WE-CN-98-0324, and LPDES permit LA0065153 (Part III, Sections A.2 and C.5.a), La. R.S. 30:2076 (A) (3), LAC 33:IX.501.A, LAC 33:IX.2355.A, LAC 33:IX.2355.J.4, and LAC 33:IX.2767.A.5.

A file review conducted by the Department on or about May 14, 2002, revealed the following excursions from the effluent limitations as reported by the Respondent on Discharge Monitoring Reports (DMRs) and Noncompliance Reports (NCRs):

Date	Effluent Characteristic	Limit	Result
March 2002	Fecal Coliform	400 col/100 ml (Daily Max.)	480 col/100 ml
October 2001	CBOD ₅	25 lbs/day (Monthly Avg.)	30.4 lbs/day
	CBOD ₅	10 mg/L (Monthly Avg.)	13.0 mg/L
August 2001	CBOD ₅	25 lbs/day (Monthly Avg.)	38.8 lbs/day
	CBOD ₅	10 mg/L (Monthly Avg.)	12.0 mg/L
July 2001	CBOD ₅	25 lbs/day (30 day Avg.)	30.4 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	11.0 mg/L

Date	Effluent Characteristic	Limit	Result
June 2001	CBOD ₅	10 mg/L (30 day Avg.)	12.5 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	17.0 mg/L
May 2001	Ammonia-Nitrogen	12.5 lbs/day (30 day Avg.)	17 lbs/day
	Ammonia-Nitrogen	5 mg/L (30 day Avg.)	9.65 mg/L
	Ammonia-Nitrogen	10 mg/L (Daily Max.)	15.80 mg/L
May 8, 2001	Ammonia-Nitrogen	10 mg/L (Daily Max.)	10.5 mg/L*
April 2001	Ammonia-Nitrogen	12.5 lbs/day (30 day Avg.)	21 lbs/day
	Ammonia-Nitrogen	5 mg/L (30 day Avg.)	13.06 mg/L
	Ammonia-Nitrogen	10 mg/L (Daily Max.)	19.30 mg/L
	CBOD ₅	25 lbs/day (30 day Avg.)	32 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	18.3 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	20.0 mg/L
	March 2001	Ammonia-Nitrogen	12.5 lbs/day (30 day Avg.)
Ammonia-Nitrogen		5 mg/L (30 day Avg.)	8.98 mg/L
Ammonia-Nitrogen		10 mg/L (Daily Max.)	12.0 mg/L
February 2001	Ammonia-Nitrogen	12.5 lbs/day (30 day Avg.)	25.6 lbs/day
February 2001 (cont.)	Ammonia-Nitrogen	5 mg/L (30 day Avg.)	11.29 mg/L
	Ammonia-Nitrogen	10 mg/L (Daily Max.)	12.90 mg/L
January 2001	Ammonia-Nitrogen	5 mg/L (30 day Avg.)	7.72 mg/L
	Ammonia-Nitrogen	10 mg/L (Daily Max.)	15.30 mg/L
June 2000	CBOD ₅	10 mg/L (30 day Avg.)	14 mg/L
June 2000 (cont.)	CBOD ₅	15 mg/L (Daily Max.)	19 mg/L
December 1999	CBOD ₅	10 mg/L (30 day Avg.)	13 mg/L
November 1999	CBOD ₅	10 mg/L (30 day Avg.)	11 mg/L
September 1999	Fecal Coliform	400 col/100 ml (Daily Max.)	1,640 col/100 ml
	CBOD ₅	10 mg/L (30 day Avg.)	12.5 mg/L

Date	Effluent Characteristic	Limit	Result
August 1999	CBOD ₅	25 lbs/day (30 day Avg.)	36.2 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	25.3 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	48 mg/L
	Ammonia-Nitrogen	12.5 lbs/day (30 day Avg.)	12.7 lbs/day
	Ammonia-Nitrogen	5 mg/L (30 day Avg.)	9.69 mg/L
	Ammonia-Nitrogen	10 mg/L (Daily Max.)	18.50 mg/L
August 9, 1999	Ammonia-Nitrogen	10 mg/L (Daily Max.)	11.8 mg/L*
July 1999	CBOD ₅	25 lbs/day (30 day Avg.)	63.5 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	47.6 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	81.0 mg/L
July 7, 1999	CBOD ₅	15 mg/L (Daily Max.)	54 mg/L*
July 13, 1999	CBOD ₅	15 mg/L (Daily Max.)	16 mg/L*
July 19, 1999	CBOD ₅	15 mg/L (Daily Max.)	56 mg/L*
July 27, 1999	CBOD ₅	15 mg/L (Daily Max.)	31 mg/L*
June 1999	Fecal Coliform	400 col/100 ml (Daily Max.)	2,860 col/100 ml
	CBOD ₅	25 lbs/day (30 day Avg.)	78.1 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	72.6 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	136.0 mg/L
May 1999	CBOD ₅	25 lbs/day (30 day Avg.)	34.8 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	48.0 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	80.0 mg/L
	TSS	23 mg/L (Daily Max.)	25 mg/L
May 10, 1999	CBOD ₅	15 mg/L (Daily Max.)	30 mg/L*
May 12, 1999	CBOD ₅	15 mg/L (Daily Max.)	55 mg/L*
May 18, 1999	CBOD ₅	15 mg/L (Daily Max.)	26 mg/L*
May 20 1999	CBOD ₅	15 mg/L (Daily Max.)	20 mg/L*
May 27, 1999	CBOD ₅	15 mg/L (Daily Max.)	69 mg/L*
April 1999	CBOD ₅	10 mg/L (30 day Avg.)	11.5 mg/L
March 1999	CBOD ₅	10 mg/L (30 day Avg.)	13.5 mg/L
	Fecal Coliform	200 col/100 ml (30 day Avg.)	317.5 col/100 ml
February 1999	CBOD ₅	10 mg/L (30 day Avg.)	14.0 mg/L
December 1998	CBOD ₅	10 mg/L (30 day Avg.)	19.8 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	43.0 mg/L
November 1998	CBOD ₅	25 lbs/day (30 day Avg.)	58.5 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	49.4 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	81.0 mg/L
November 3, 1998	CBOD ₅	15 mg/L (Daily Max.)	34 mg/L*

Date	Effluent Characteristic	Limit	Result
November 19, 1998	CBOD ₅	15 mg/L (Daily Max.)	55 mg/L*
November 24, 1998	CBOD ₅	15 mg/L (Daily Max.)	66 mg/L*
October 1998	CBOD ₅	10 mg/L (30 day Avg.)	13.0 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	21.0 mg/L
	TSS	15 mg/L (30 day Avg.)	16.3 mg/L
	TSS	23 mg/L (Daily Max.)	24.0 mg/L
September 1998	CBOD ₅	10 mg/L (30 day Avg.)	12.0 mg/L
	TSS	15 mg/L (30 day Avg.)	16.5 mg/L
August 1998	CBOD ₅	25 lbs/day (30 day Avg.)	130.3 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	123.3 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	380.0 mg/L
August 13, 1998	CBOD ₅	15 mg/L (Daily Max.)	200 mg/L*
August 4, 1998	CBOD ₅	15 mg/L (Daily Max.)	19 mg/L*
	Ammonia-Nitrogen	10 mg/L (Daily Max.)	14.6 mg/L*
July 1998	CBOD ₅	25 lbs/day (30 day Avg.)	67.7 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	117.2 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	219.0 mg/L
July 23, 1998	CBOD ₅	15 mg/L (Daily Max.)	144 mg/L*
July 28, 1998	CBOD ₅	15 mg/L (Daily Max.)	200 mg/L*

* Results as reported on Noncompliance reports.

Each excursion from the effluent limitations during the monitoring periods of July 1998 through October 26, 1998 constitutes a violation of LPDES permit LA0065153 (Part I, Page 2, 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, LAC 33:IX.2355.A, and LAC 33:IX.2767.A.5. Each excursion from the effluent limitations during the monitoring periods of October 27, 1998 through March 2002 constitutes a violation of Compliance Order & Notice of Potential Penalty WE-CN-98-0324, and LPDES permit LA0065153 (Part I, Page 2, 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, LAC 33:IX.2355.A, and LAC 33:IX.2767.A.5.

A file review conducted by the Department on or about May 14, 2002, revealed that the Respondent failed to submit noncompliance reports (NCRs) for excursions from the effluent

limitations as required by the permit. Specifically, NCRs were not submitted for the following excursions from the effluent limitations:

Date	Effluent Characteristic	Limit	Result
March 2002	Fecal Coliform	400 col/100 ml (Daily Max.)	480 col/100 ml
October 2001	CBOD ₅	25 lbs/day (Monthly Avg.)	30.4 lbs/day
	CBOD ₅	10 mg/L (Monthly Avg.)	13.0 mg/L
August 2001	CBOD ₅	25 lbs/day (Monthly Avg.)	38.8 lbs/day
	CBOD ₅	10 mg/L (Monthly Avg.)	12.0 mg/L
July 2001	CBOD ₅	25 lbs/day (30 day Avg.)	30.4 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	11.0 mg/L
June 2001	CBOD ₅	10 mg/L (30 day Avg.)	12.5 mg/L
May 2001	Ammonia-Nitrogen	12.5 lbs/day (30 day Avg.)	17 lbs/day
	Ammonia-Nitrogen	5 mg/L (30 day Avg.)	9.65 mg/L
April 2001	Ammonia-Nitrogen	12.5 lbs/day (30 day Avg.)	21 lbs/day
	Ammonia-Nitrogen	5 mg/L (30 day Avg.)	13.06 mg/L
	CBOD ₅	25 lbs/day (30 day Avg.)	32 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	18.3 mg/L
March 2001	Ammonia-Nitrogen	12.5 lbs/day (30 day Avg.)	15.0 lbs/day
	Ammonia-Nitrogen	5 mg/L (30 day Avg.)	8.98 mg/L
February 2001	Ammonia-Nitrogen	12.5 lbs/day (30 day Avg.)	25.6 lbs/day
January 2001	Ammonia-Nitrogen	5 mg/L (30 day Avg.)	7.72 mg/L
June 2000	CBOD ₅	10 mg/L (30 day Avg.)	14 mg/L
December 1999	CBOD ₅	10 mg/L (30 day Avg.)	13 mg/L
November 1999	CBOD ₅	10 mg/L (30 day Avg.)	11 mg/L
September 1999	Fecal Coliform	400 col/100 ml (Daily Max.)	1,640 col/100 ml
	CBOD ₅	10 mg/L (30 day Avg.)	12.5 mg/L
August 1999	CBOD ₅	25 lbs/day (30 day Avg.)	36.2 lbs/day
August 1999 (cont.)	CBOD ₅	10 mg/L (30 day Avg.)	25.3 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	48 mg/L
	Ammonia-Nitrogen	12.5 lbs/day (30 day Avg.)	12.7 lbs/day
	Ammonia-Nitrogen	5 mg/L (30 day Avg.)	9.69 mg/L
July 1999	CBOD ₅	25 lbs/day (30 day Avg.)	63.5 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	47.6 mg/L
June 1999	Fecal Coliform	400 col/100 ml (Daily Max.)	2,860 col/100 ml
	CBOD ₅	25 lbs/day (30 day Avg.)	78.1 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	72.6 mg/L
June 1999 (cont.)	CBOD ₅	15 mg/L (Daily Max.)	136.0 mg/L

Date	Effluent Characteristic	Limit	Result
May 1999	CBOD ₅	25 lbs/day (30 day Avg.)	34.8 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	48.0 mg/L
April 1999	CBOD ₅	10 mg/L (30 day Avg.)	11.5 mg/L
March 1999	CBOD ₅	10 mg/L (30 day Avg.)	13.5 mg/L
	Fecal Coliform	200 col/100 ml (30 day Avg.)	317.5 col/100 ml
February 1999	CBOD ₅	10 mg/L (30 day Avg.)	14.0 mg/L
December 1998	CBOD ₅	10 mg/L (30 day Avg.)	19.8 mg/L
	CBOD ₅	15 mg/L (Daily Max.)	43.0 mg/L
November 1998	CBOD ₅	25 lbs/day (30 day Avg.)	58.5 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	49.4 mg/L
September 1998	CBOD ₅	10 mg/L (30 day Avg.)	12.0 mg/L
	TSS	15 mg/L (30 day Avg.)	16.5 mg/L
August 1998	CBOD ₅	25 lbs/day (30 day Avg.)	130.3 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	123.3 mg/L
July 1998	CBOD ₅	25 lbs/day (30 day Avg.)	67.7 lbs/day
	CBOD ₅	10 mg/L (30 day Avg.)	117.2 mg/L

Each failure to report an excursion from the permit in writing in the form of a noncompliance report during the monitoring periods of July 1998 through October 26, 1998, constitutes a violation of LPDES permit LA0065153 (Part III, Section D.8) La. R. S. 30:2076 (A) (3), La. R.S. 30:2076 (D), LAC 33:IX.501.A, LAC 33:IX.2355.A, LAC 33:IX.2355.L.7, and LAC 33:IX.2767.A.5. Each failure to report an excursion from the permit in writing in the form of a noncompliance report during the monitoring periods of October 27, 1998 through March 2002, constitutes a violation of Compliance Order & Notice of Potential Penalty WE-CN-98-0324, and LPDES permit LA0065153 (Part III, Section D.8) La. R. S. 30:2076 (A) (3), La. R.S. 30:2076 (D), LAC 33:IX.501.A, LAC 33:IX.2355.A, LAC 33:IX.2355.L.7, and LAC 33:IX.2767.A.5.

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 LDEQ agrees to accept, a payment in the amount of THIRTY-EIGHT THOUSAND AND NO/100 DOLLARS (\$38,000.00), of which Two Thousand Seven Hundred Thirty-Seven and No/100 Dollars (\$2,737.00) represents LDEQ'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 LDEQ 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 LDEQ may consider the inspection report(s), the Consolidated Compliance Orders and Notices of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the LDEQ 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 LDEQ 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 LDEQ 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 St. Tammany Parish, Louisiana. The advertisement, in form, wording, and size approved by the LDEQ, 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 to the LDEQ and, as of the date this Settlement is executed on behalf of the LDEQ, more than forty-five (45) days have elapsed since 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 LDEQ. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, 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 or her respective party, and to legally bind such party to its terms and conditions.

**ST. TAMMANY PARISH SEWER
DISTRICT #6**

BY: Walter Clairain
(Signature)

Walter Clairain
(Print)

TITLE: Chair

THIS DONE AND SIGNED in duplicate original before me this 3rd day of July, 20 09, at Covington, Louisiana

[Signature]
NOTARY PUBLIC (ID # 12670)

(Print)

Ernest Gayle Talley
Notary Public - Bar No. 12640
Notary Commission is issued for life

**LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY**
Harold Leggett, Ph.D., Secretary

BY: [Signature]
Peggy M. Hatch, Assistant Secretary
Office of Environmental Compliance

THIS DONE AND SIGNED in duplicate original before me this 10th day of August, 20 09, at Baton Rouge, Louisiana

[Signature]
NOTARY PUBLIC (ID # 40539)
[Signature]
(Print)

Approved: [Signature]
Peggy M. Hatch, Assistant Secretary