Fiscal Year 2011-2012 Work Plan

Enforcement Division

Office of Environmental Compliance

End of FY12 Report

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| The ED will meet its Operational Plan/Performance Indicator commitments by issuing appropriate and timely enforcement actions consistent within the prescribed timeframe.  | For more information on this project, please contact: | Status/Updates: This commitment was met during this fiscal year.  |
| Celena J. CageP: (225) 219-3712E: Celena.Cage@la.gov |
| Review and update, if necessary, Circuit Rider guidelines | For more information on this project, please contact: | Status/Updates:The Circuit Rider guidelines were periodically reviewed. However, changes were not made during this time frame. It is anticipated that necessary changes to the guidelines will be made during fiscal year 2012-2013.  |
| Cheryl EasleyP: (225) 219-3713E: Cheryl.Easley@la.gov |
| Update the online BEP suggestion process | For more information on this project, please contact: | Status/Updates:The online BEP suggestion process was evaluated. Internal discussions also occurred with the Information Technology (IT) group regarding implementation of other applications and/or software to make this process more efficient. Any updates or changes will be implemented during the 2012-2013 fiscal year. |
| Celena J. CageP: (225) 219-3712E: Celena.Cage@la.gov |
| Reduce the number of water enforcement backlog referrals by thirty percent (30%) by issuance of the appropriate enforcement document (i.e., compliance order, notice of violation, no further action memo, etc.).  | For more information on this project, please contact: | Status/Updates:The backlog of water enforcement referrals is 1364. 409 backlog referrals needed to be addressed to achieve the 30% annual goal. 311 backlog referrals were addressed this fiscal year (22.80% reduced; 76% of the annual goal) |
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| **Performance Partnership Grant (PPG) Commitments** |
| The Enforcement Division (ED) will meet its PPG commitments, by achieving the following: |  |  |
| Address and report high priority violations to EPA in a timely manner consistent with HPV policy and/or the Louisiana Revised Statutes | For more information on this project, please contact: | Status/Updates:Actions were issued to address HPV in a timely manner. All HPVs and the status thereof were reported to EPA in a timely manner consistent with theLouisiana Revised Statutes.  |
| Leigh GauthreauxP: (225) 219-3712E: Leigh.Gauthreaux@la.gov |
| Enter all required minimum data requirements (MDRs) into AFS consistent with the October 1, 2008 Source Compliance and State Action Reporting (SFB83 Supporting Statement) | For more information on this project, please contact: | Status/Updates:All MDRs were uploaded/entered into AFS consistent with the October 1, 2008 Source Compliance and State Action Reporting (SFB83 Supporting Statement). |
| Leigh GauthreauxP: (225) 219-3712E: Leigh.Gauthreaux@la.govorMisty HuffmanP: (225) 219-3769Misty.Huffman@la.gov |
| Implement the exit strategy for Refinery Initiative, as appropriate. | **For more information on this project, please contact:** | Status/Updates:The Department initiated discussions with the remaining refinery subject to the Refinery Initiative. The Department’s goals are to complete negotiations with the refinery during the 2012-2013 fiscal year. |
| Leigh GauthreauxP: (225) 219-3712E: Leigh.Gauthreaux@la.govorRichard Ober, Jr.P: (225) 219-3704E: Richard.Ober@la.gov  |
| Enter all RCRA violations into RCRAInfo. Enter a facility’s return to compliance status into RCRAInfo.  | For more information on this project, please contact: | Status/Updates:This commitment was met. All required information was entered into RCRAInfo for affected facilities, including the facilities returned to compliance status, where applicable. |
| Cheryl EasleyP: (225) 219-3713E: Cheryl.Easley@la.gov |
| Identify and initiate enforcement action (This shall mean the facility has been placed under enforcement review. Enforcement action, which is considered under enforcement review, includes warning letters, phone calls, meetings, and referral for formal enforcement) for majors and 92-500 and significant minors for the following: effluent violations; inspection deficiencies; non-receipt of DMRs or required compliance schedule reports.  | For more information on this project, please contact: | Status/Updates:450 formal or informal enforcement actions were initiated this fiscal year for tracked facilities (i.e., 110 Under Enforcement Review, 248 Received Informal Action, and 92 Received Formal Action). |
| Tyler GinnP: (225) 219-3931E: Tyler.Ginn@la.gov  |
| Identify and initiate administrativeclose-out on final formal enforcement actions when a follow-up inspection or file review reveals that the facility is compliant with the action. | For more information on this project, please contact: | Status/Updates:198 formal enforcement actions were administratively closed during this fiscal year.  |
| Tyler GinnP: (225) 219-3931E: Tyler.Ginn@la.gov  |
| Address violations from wet weather (CAFO/AFO, SSO, bypasses, storm water) through a targeting strategy that was developed by the Department in June 2005 and approved by EPA in February 2007.  | For more information on this project, please contact: | Status/Updates:30 enforcement actions issued by the Department during this fiscal year addressed wet weather violations. |
| Tyler GinnP: (225) 219-3931E: Tyler.Ginn@la.gov  |
| Issue formal administrative orders to return facility to compliance within 12 months of receiving a viable compliance schedule. | For more information on this project, please contact: | Status/Updates:31formals administrative orders/enforcement actions containing viable compliance schedules were issued by the Department within 12 months of receipt during this fiscal year. |
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| Review and process all 3rd party notices of intent and Initiate action if CWA violations exist within 60 days of receipt of the notices. | For more information on this project, please contact: | Status/Updates:Twelve (12) notices of intent alleging CWA violations were received by the Department this fiscal year. Each was processed within 60 days of receipt. |
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| Where LDEQ has joint enforcement authority for Federal Consent Decrees, all DMRs, inspections, and enforcement data shall be entered into ICIS for agreed-upon facilities within 30 working days of receipt/issuance of the documents. | For more information on this project, please contact: | Status/Updates:It was not necessarily for LDEQ to enter the referenced information into ICIS for Federal Consent Decrees where LDEQ has joint enforcement authority, as EPA agreed to enter the information into ICIS during this fiscal year.  |
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| Address violations at major facilities before the facility appears a second consecutive time as SNC on the QNCR. | For more information on this project, please contact: | Status/Updates:24 major facilities were identified this fiscal year as requiring addressing action before appearing on a second consecutive final QNCR. 16 received formal enforcement actions, 7 did not require addressing action due to ongoing construction schedule, and 1 did not require addressing action because the second consecutive quarter was the first quarter following a construction schedule |
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| LDEQ will enter agreed-upon WENDB data elements for majors and 92-500’s, and significant minors into ICIS in accordance with the PCS policy statement.  | For more information on this project, please contact: | Status/Updates:This commitment was met. All agreed upon WENDB data elements were entered into ICIS in accordance with the PCS policy statement.  |
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| LDEQ will enter all DMR data into EPA’s ICIS database for majors and 92-500 minors, and significant minors within 30 working days of the DMRs. | For more information on this project, please contact: | Status/Updates:This commitment was met. 99.60% of DMRs received from applicable facilities were entered into ICIS within 30 working days of receipt. This surpassed LDEQ’s PPG commitment, which is 95%. |
| Tyler GinnP: (225) 219-3931E: Tyler.Ginn@la.gov |
| LDEQ will enter all warning letters and formal enforcement actions into ICIS for major, 92-500, and significant minor facilities within 30 working days from issuance of an enforcement action.  | For more information on this project, please contact: | Status/Updates:A total of 185 warning letters and formal actions were issued to the applicable facilities. These actions were entered into ICIS within 30 days of the issuance date.  |
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| **Compliance Training** |
| The ED will conduct a minimal of five (5) Sanitary Assistance Wastewater Training (SWAT) sessions.  | For more information on this project, please contact: | Status/Updates:This commitment was met. Five (5) SWAT classes were conducted by the Department during this fiscal year.  |
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| The ED will conduct a minimal of twelve (12) Underground Storage Tank training sessions.  | For more information on this project, please contact: | Status/Updates:This commitment has been met. Twelve (12) Underground Storage Tank training sessions were conducted by the Department during this fiscal year.  |
| Cheryl EasleyP: (225) 219-3713E: Cheryl.Easley@la.gov |
| The ED will conduct a minimal of five (5) NetDMR Online Reporting trainings.  | For more information on this project, please contact: | Status/Updates:This commitment has been met. Five (5) NetDMR training sessions were held this year. |
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| The ED will continue to promote and assist municipalities to comply through the Municipal Sewage Assistance Program (MSAP); goal is to have a minimal of twelve (12) municipalities enrolled in MSAP this year. | For more information on this project, please contact: | Status/Updates:This commitment has been met. During this fiscal year, ED staff visited nineteen (19) municipalities to promote the MSAP. The ED either received compliance schedules from the visited municipalities to address violations from their Publicly Owned Treatment Work (POTW) or a commitment from the Municipalities to submit a schedule in the near future.  |
| Wayne SlaterP: (225) 219-3729E: Wayne.Slater@la.gov orJoette KenaleyP: (225) 219-3778E: Joette.Kenaley@la.gov  |
| **Regional Enforcement Actions** |
| The ED will implement the Regional Enforcement Actions Policy  | For more information on this project, please contact: | Status/Updates:Regional Compliance Orders were created during this fiscal year. Procedures and guidelines to implement the Regional Enforcement Actions Policy and issue the associated RCOs are been finalized. It is anticipated the policy will be fully implemented during the second (2nd) quarter of 2012-2013 fiscal year. |
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| **General Compliance Orders** |
| The ED will review the feasibility of developing General Compliance Orders to coincide with selected General Permits | For more information on this project, please contact: | Status/Updates:The ED has reviewed/discussed the feasibility of developing General Compliance Orders to coincide with some of the LPDES General Permits. Further discussions will occur during fiscal year 2012-2013. If and where it is determined that developing and issuing General Compliance Orders is a more feasible and efficient method than the current enforcement method, the appropriate General Compliance Orders will be developed during fiscal year 2012-2013.  |
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| **Regulation Development** |
| The ED will modify the Expedited Penalty regulations to include additional violations | For more information on this project, please contact: | Status/Updates:Proposed revisions to incorporate additional violations into the Expedited Penalty regulations were developed during this fiscal year. The proposed revisions are currently under review and it is anticipated that accepted and/or approved changes will be incorporated into the regulations during fiscal year 2012-2013.  |
| Craig EasleyP: (225) 219-3735E: Craig.Easley@la.gov |
| **Standard Operating Procedures** |
| The ED will review and update all SOPs, at least biennially, post timely, and draft SOPs for processes where SOPs don’t currently exist.  | For more information on this project, please contact: | Status/Updates:All ED SOPs were reviewed during this fiscal year and the applicable SOPs are currently being updated. It is anticipated that updates to the SOPs will be completed and posted during the 2012-2013 fiscal year. Also and when the evaluation and trial period is complete for new processes, the applicable SOPs will be developed.  |
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