Fiscal Year 2013 Work Plan

Enforcement Division

Office of Environmental Compliance

1st Quarter Update

July 1, 2012-September 31, 2012

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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. | ALL MEDIA | For more information on this project, please contact: | Status/Updates:  1st Quarter P.I. (78%) was met |
| Celena J. Cage  P: (225) 219-3712  E: [Celena.Cage@la.gov](mailto:Celena.Cage@la.gov) |
| Review and update, if necessary, Circuit Rider guidelines | ALL MEDIA | For more information on this project, please contact: | Status/Updates:  The Circuit Rider guidelines were not reviewed during this quarter; however, guidelines will be reviewed during the 2012-2013 year and any necessary changes will be made. |
| Cheryl Easley  P: (225) 219-3713  E: [Cheryl.Easley@la.gov](mailto:Cheryl.Easley@la.gov) |
| Update the online BEP suggestion process | ALL MEDIA | For more information on this project, please contact: | Status/Updates:  On-going |
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| 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.). | WATER | For more information on this project, please contact: | Status/Updates:  The backlog of water enforcement referrals is 1381. 414 backlog referrals needed to be addressed to achieve the 30% annual goal. 23 backlog referrals were addressed this quarter (1.7% reduced; 5.6% of the annual goal) |
| Tyler Ginn  P: (225) 219-3931  E: [Tyler.Ginn@la.gov](mailto:Tyler.Ginn@la.gov) |
| **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 | AIR | For more information on this project, please contact: | Status/Updates:  Actions were issued to address HPV in a timely manner consistent with the Louisiana Revised Statutes. All HPVs and the status thereof were reported to EPA in a timely manner. |
| Leigh Gauthreaux  P: (225) 219-3712  E: [Leigh.Gauthreaux@la.gov](mailto: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) | AIR | 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). Corrections and technical issues have been addressed in a timely manner |
| Leigh Gauthreaux  P: (225) 219-3712  E: [Leigh.Gauthreaux@la.gov](mailto:Leigh.Gauthreaux@la.gov)  or  Misty Huffman  P: (225) 219-3769  [Misty.Huffman@la.gov](mailto:Misty.Huffman@la.gov) |
| Implement the exit strategy for Refinery Initiative, as appropriate. | AIR | 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 before the end the 2012-2013 fiscal year. |
| Leigh Gauthreaux  P: (225) 219-3712  E: [Leigh.Gauthreaux@la.gov](mailto:Leigh.Gauthreaux@la.gov)  or  Richard Ober, Jr.  P: (225) 219-3704  E: [Richard.Ober@la.gov](mailto:Richard.Ober@la.gov) |
| Enter all RCRA violations into RCRAInfo. Enter a facility’s return to compliance status into RCRAInfo. | RCRA | 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 returned to compliance status, where applicable |
| Cheryl Easley  P: (225) 219-3713  E: [Cheryl.Easley@la.gov](mailto: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. | WATER | For more information on this project, please contact: | Status/Updates:  117 formal or informal enforcement actions were initiated this quarter for tracked facilities.  43 Under Enforcement Review  51 Received Informal Action  23 Received Formal Action |
| Tyler Ginn  P: (225) 219-3931  E: [Tyler.Ginn@la.gov](mailto: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. | WATER | For more information on this project, please contact: | Status/Updates:  9 Formal enforcement actions were closed this quarter |
| Tyler Ginn  P: (225) 219-3931  E: [Tyler.Ginn@la.gov](mailto: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. | WATER | For more information on this project, please contact: | Status/Updates:  9 Actions were issued that address wet weather violations this quarter |
| Tyler Ginn  P: (225) 219-3931  E: [Tyler.Ginn@la.gov](mailto:Tyler.Ginn@la.gov) |
| Issue formal administrative orders to return facility to compliance within 12 months of receiving a viable compliance schedule. | WATER | For more information on this project, please contact: | Status/Updates:  10 formal actions with compliance schedules were issued timely this quarter |
| Tyler Ginn  P: (225) 219-3931  E: [Tyler.Ginn@la.gov](mailto:Tyler.Ginn@la.gov) |

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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:  1 NOI was received and addressed timely. |
| Tyler Ginn  P: (225) 219-3931  E: [Tyler.Ginn@la.gov](mailto:Tyler.Ginn@la.gov) |
| 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. | WATER | For more information on this project, please contact: | Status/Updates:  It was not necessary for LDEQ to enter the referenced information into ICIS for Federal Consent Decrees where LDEQ has joint enforcement authority since 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. | WATER | For more information on this project, please contact: | Status/Updates:  8 major facilities were identified this quarter as requiring addressing action before appearing on a second consecutive final QNCR.  7 received formal enforcement actions  1 with missing DMR received late |
| Tyler Ginn  P: (225) 219-3931  E: [Tyler.Ginn@la.gov](mailto:Tyler.Ginn@la.gov) |
| 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. | WATER | 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. |
| Tyler Ginn  P: (225) 219-3931  E: [Tyler.Ginn@la.gov](mailto:Tyler.Ginn@la.gov) |
| 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. | WATER | For more information on this project, please contact: | Status/Updates:  PCU has entered 94% of the DMRs timely for all tracked facilities during this quarter. PPG commitment is 95%. This value is lower than actual due to revised DMRs entered timely identified in ICIS with original received date, but most recent data entry date. |
| Tyler Ginn  P: (225) 219-3931  E: [Tyler.Ginn@la.gov](mailto: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. | WATER | For more information on this project, please contact: | Status/Updates:  PCU has entered all 39 warning letters and formal actions to tracked facilities timely during this quarter. |
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| **Compliance Training** | | | |
| The ED will conduct a minimum of five (5) Sanitary Assistance Wastewater Training (SWAT) sessions. | WATER | For more information on this project, please contact: | Status/Updates:  One SWAT class was scheduled for this quarter, but it was cancelled due to Hurricane Isaac. The class will be combined with the Baton Rouge class. |
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| The ED will conduct a minimum of twelve (12) Underground Storage Tank training sessions. | UST | For more information on this project, please contact: | Status/Updates:  Three classes were conducted in July and three classes were conducted in September for a total of six classes this quarter. The ED may discontinue the UST training sessions during this year and require Respondents to attend the operator training classes that are offered. A decision has not been made yet. |
| Cheryl Easley  P: (225) 219-3713  E: [Cheryl.Easley@la.gov](mailto:Cheryl.Easley@la.gov) |
| The ED will conduct a minimum of five (5) NetDMR Online Reporting trainings. | WATER | For more information on this project, please contact: | Status/Updates:  Two NetDMR training classes were conducted this quarter.  July 12, 2012 - Baton Rouge, LA  August 1, 2012 - Jennings, LA |
| Tyler Ginn  P: (225) 219-3931  E: [Tyler.Ginn@la.gov](mailto:Tyler.Ginn@la.gov) |
| 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. | WATER | For more information on this project, please contact: | Status/Updates:  Three (3) municipalities were added to the MSAP program. The Department also attended the LRWA conference in Alexandria and made new contacts. |
| Wayne Slater  P: (225) 219-3729  E: [Wayne.Slater@la.gov](mailto:Wayne.Slater@la.gov) |
|  | **Regional Enforcement Actions** | | |
| The ED will implement the Regional Enforcement Actions Policy | ALL MEDIA | For more information on this project, please contact: | Status/Updates:  The ED will initiate issuance of Regional Enforcement Actions during the 1st Quarter of FY 2012-2013; beginning with the Acadiana Regional Office (ARO) and Southwest Regional Office (SWRO). Initial meeting to discuss procedures is scheduled for October 18, 2012 between personnel of the Inspection Division (HQ), ARO, SWRO, and the ED. Changes, if deemed necessary, to the Regional Action templates will also be addressed during the 1st Quarter of FY 2012-2013. The ED will examine the possibility of adding more Regional Enforcement Actions to cover additional violations that could potentially be addressed at the Regional Level. NOTE: The addressing of changes to the templates and examination of adding more Regional Enforcement Actions will be a continuing process. |
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|  | **General Compliance Orders** | | |
| The ED will review the feasibility of developing General Compliance Orders to coincide with selected General Permits | WATER | 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 | ALL MEDIA | For more information on this project, please contact: | Status/Updates:  The ED continues to evaluate proposed revisions to incorporate additional violations into the Expedited Penalty regulations. Meetings have been held to discuss consistency among media. It is anticipated that approved changes will be made during the 2012-2013 fiscal year. |
| Craig Easley  P: (225) 219-3735  E: [Craig.Easley@la.gov](mailto: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. | ALL MEDIA | For more information on this project, please contact: | Status/Updates:  On-going |
| Celena J. Cage  P: (225) 219-3712  E: [Celena.Cage@la.gov](mailto:Celena.Cage@la.gov) |