

**STATE OF LOUISIANA**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**IN THE MATTER OF:**

**CITY OF DONALDSONVILLE**

**AI # 41277**

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

\* **Settlement Tracking No.**  
\* **SA-WE-23-0039**  
\*  
\* **Enforcement Tracking No.**  
\* **WE-CN-19-00445A**  
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**SETTLEMENT AGREEMENT**

The following Settlement Agreement is hereby agreed to between City of Donaldsonville (“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 governmental entity that owns and/or operates a sanitary wastewater treatment facility located in Paincourtville, Assumption Parish, Louisiana (“the Facility”).

**II**

On November 25, 2020, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. WE-CN-19-00445A (Exhibit 1).

**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 THIRTEEN THOUSAND SEVEN HUNDRED AND NO/DOLLARS (\$13,700.00), of which One Thousand Nine Hundred Six and 02/100 Dollars (\$1,906.02) represents the Department's enforcement costs, in settlement of the claims set forth in this Settlement Agreement. The total amount of money expended by Respondent on cash payments to the Department 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), permit record(s), the Amended Consolidated Compliance Order & Notice of Potential Penalty and this Settlement Agreement 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 Settlement 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 Settlement Agreement in any action by the Department to enforce this Settlement Agreement.

VII

This Settlement Agreement 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 Agreement, the Department considered the factors for issuing civil penalties set forth in La. R. S. 30:2025(E) of the Act.

VIII

As required by law, the Department has submitted this Settlement Agreement to the Louisiana Attorney General for approval or rejection. The Attorney General's concurrence is appended to this Settlement Agreement.

IX

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

X

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 Settlement 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 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 attached hereto.

XI

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

XII

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.

CITY OF DONALDSONVILLE

BY: Leroy J. Sullivan Sr.  
(Signature)

LEROY J. SULLIVAN SR.  
(Printed)

TITLE: MAYOR

THUS DONE AND SIGNED in duplicate original before me this 17 day of September, 20 23, at Donaldsonville, Louisiana.

[Signature]

NOTARY PUBLIC (ID # 154542)



Charles Spencer Long II  
Notary Public  
Notary ID No. 154542  
Ascension Parish, Louisiana

(stamped or printed)

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

BY: Aurelia S. Giacometto  
Aurelia S. Giacometto, Secretary

THUS DONE AND SIGNED in duplicate original before me this 12<sup>th</sup> day of March, 20 24, at Baton Rouge, Louisiana.

Jill C. Clark  
NOTARY PUBLIC (ID # 91143)  
La. Bar No. 33050



(stamped or printed)

Approved: [Signature]  
Celena J. Cage, Assistant Secretary

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE <span style="float: right;">AMENDED</span> ENFORCEMENT DIVISION <span style="float: right;">CONSOLIDATED COMPLIANCE ORDER &amp;</span> POST OFFICE BOX 4312 <span style="float: right;">NOTICE OF POTENTIAL PENALTY</span> BATON ROUGE, LOUISIANA 70821-4312			
Enforcement Tracking No. WE-CN-19-00445A		Certified Mail No. 7019 1120 0000 2352 0551	
Agency Interest (AI) No. 41277		Contact Name Scott B. Pierce	
Alternate ID No. LA0043931		Contact Phone No. (225) 219-3723	
Respondent:	City of Donaldsonville		Facility Name: Donaldsonville WWTF
	c/o Honorable Leroy Sullivan, Mayor		Physical Location: 7760 LA Hwy. 70
	P. O. Box 470		
	Donaldsonville, LA 70346		City, State, Zip: Paincourtville, LA 70393
		Parish: Ascension and Assumption	
This AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY is issued by the Louisiana Department of Environmental Quality (the Department), under the authority granted by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001, et seq., and particularly by La. R.S. 30:2025(C), 30:2050.2 and 30:2050.3(B). This AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY replaces CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-19-00445 issued on October 30, 2019, in its entirety.			
<b>FINDINGS OF FACT</b>			
An authorized representative of the Department inspected the abovementioned facility or conducted a file review of the facility to determine the degree of compliance with regulations promulgated in the Louisiana Administrative Code, Title 33. The State regulatory citations for the violation(s) identified during the inspection and/or file review are indicated below.			
I.	The Respondent owns and/or operates a sanitary wastewater treatment facility located at 7760 LA Hwy. 70, Paincourtville, Assumption Parish, Louisiana. The Respondent was issued Louisiana Pollutant Discharge Elimination System (LPDES) Permit LA0043931 on October 16, 2013, with an effective date of December 1, 2013, and expiration date of November 30, 2018. The Respondent submitted a renewal application on or about July 30, 2018, and LPDES Permit LA0043931 was administratively continued until it was reissued on May 31, 2019, with an effective date of July 1, 2019. LPDES Permit LA0043931 will expire on June 30, 2024. Under the terms and conditions of LPDES Permit LA0043931, the Respondent is permitted to discharge treated sanitary wastewater into the Mississippi River, all waters of the state.  On or about November 19, 2016, and November 21, 2017, the Department issued COMPLIANCE ORDERS WE-C-16-00896 and WE-C-17-00827, respectively, to the Respondent for violations of the Water Quality Regulations and LPDES Permit LA0043931. COMPLIANCE ORDERS WE-C-16-00896 and WE-C-17-00827 are final actions. The Department received responses for both actions on July 30, 2018.		
	<b>Date of Violation</b>	<b>Description of Violation</b>	
II.	Inspection(s) & File Review 6/14/2019 9/23/2019 10/28/2020	The Respondent failed to submit Discharge Monitoring Reports (DMRs) in a timely manner. Specifically, the inspection conducted on June 14, 2019, and a subsequent file review conducted on or about September 23, 2019, revealed that the Respondent failed to submit monthly DMRs from September 2018 through September 2019, the 3 <sup>rd</sup> quarter 2019 DMR, the second semi-annual 2018 and first semi-annual 2019 DMRs, and the 2018 annual DMR. (LPDES Permit LA0043931 (Submittal/Action Requirements, pg. 2 of 4, and Standard Conditions, Sections A.2 and D.4) , La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.L.4) A file review conducted on or about October 28, 2020, revealed that the DMRs were then submitted via responses dated December 4, 2019, and March 1, 2020.	
III.	File Review 9/23/2019	The Respondent failed to submit DMRs in a timely manner. The Respondent is required to submit monthly DMRs no later than the 28th day of the month (i.e., April, July, October, January) following a quarterly monitoring period, semiannual DMRS no later than the 15 <sup>th</sup> day of the month (i.e., June and January) following each semi-annual monitoring period, and annual DMRs no later than the 15th day of the month (i.e., January) following each annual monitoring period. Specifically, the Respondent did not submit timely DMRs for the following: monthly DMRS for August through December 2017, January through March 2018, May 2018, June 2018 and August 2018; Semi-annual DMRs for the second half of 2017 and first half of 2018; as well as annual DMR for the 2017 toxicity monitoring period. (LPDES Permit LA0043931 (Submittal/Action Requirements, pg. 2 of 4, and Standard Conditions, Sections A.2 and D.4) , La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.L.4) Responses dated December 4, 2019, and March 1, 2020, adequately addressed this violation.	
IV.	Inspection(s) & File Review 6/14/2019 9/23/2019 10/28/2020	The Respondent failed to comply with LPDES Permit LA0043931. Specifically, a review of DMRs between August 2017 and September 2020, revealed that the Respondent reported exceedances of permit effluent limitations for TSS, Fecal Coliform, and BOD5. See Attachment "A". (LPDES Permit LA0043931 (Effluent Limitations and Monitoring Requirements, pg. 1 of 4, and Standard Conditions, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A) On October 19, 2020, the Department met with the Respondent via conference call to discuss compliance with the effluent limitations of the permit. During the meeting, the Respondent discussed the proposal of a wet well cleaning project that should address the current issues with the limits. On or about October 26, 2020, the Respondent submitted a schedule proposal for completion of the wet well cleaning project. After a review and further discussion with the Respondent, the Department has incorporated an approved wet well cleaning schedule in this amended action.	
V.	File Review 9/23/2019	A file review conducted by the Department revealed that the Respondent failed to timely reapply for a permit 180 days before the expiration date of the permit. (LPDES Permit LA0043931 (Standard Conditions, Sections A.2 and A.5) La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, and LAC 33:IX.2501.D) Responses dated December 4, 2019, and March 1, 2020, adequately addressed this violation.	



VI.	Inspection(s) 6/14/2019	The Respondent failed to comply with LPDES permit LA0043931. Specifically, in accordance with LPDES Permit LA0043931, the Respondent failed to conduct annual inspections as required by the permit and the Storm Water Pollution Prevention Plan (SWPPP) for calendar year 2018. The SWPPP was prepared on August 1, 2018, and certified by the Mayor on September 7, 2018. The prepared SWPPP requires monthly inspections. Monthly inspections are not being conducted as well. (LPDES Permit LA0043931 (Other Conditions, Sections M.3 and M.4.e, Standard Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.A) Responses dated December 4, 2019, and March 1, 2020, adequately addressed this violation.
VII.	Inspection(s) 6/14/2019	The Respondent failed to properly operate and maintain its sanitary wastewater treatment facility. Specifically, five (5) of the ten (10) aerators installed in the treatment pond were not operational at the time of the inspection. (LPDES Permit LA0043931 (Standard Conditions, Sections A.2 and B.3.a), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.E) Responses dated December 4, 2019, March 1, 2020, and August 7, 2020, adequately addressed this violation.
VIII.	Inspection(s) 6/14/2019	The Respondent failed to maintain monitoring records as required by LPDES Permit LA0043931. Specifically, of the DMRs submitted to the Department within the past three (3) years, there were no copies of these DMRs available for review at the time of the inspection. (LPDES Permit LA0043931 (Standard Conditions, Sections A.2 and C.3), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.J.2) Responses dated December 4, 2019, and March 1, 2020, adequately addressed this violation.

**ORDER**

Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below:

I.	To take, immediately upon receipt of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain compliance with the Water Quality Regulations. This shall include, but not be limited to; correcting <u>all</u> of the violations described in the "Findings of Fact" portion.
II.	To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER, a written report that includes a detailed description of the circumstances surrounding the cited violation(s) and actions taken or to be taken to achieve compliance with the "Order" portion of this COMPLIANCE ORDER. This report and all other reports or information required to be submitted to the Enforcement Division by this COMPLIANCE ORDER shall be submitted to the Department at the address specified in this document.
III.	The Respondent shall accomplish the tasks and comply with the schedule of activities, included as Attachment "B", or any amendment of that schedule approved in writing by the Department.
IV.	The Respondent shall submit progress reports to the Enforcement Division following each calendar quarter until the completion of the aforementioned schedule. The Respondent shall submit each progress report within fifteen (15) days following the end of the calendar quarter. The first progress report is due on January 15, 2021. Additionally, if an activity cannot be completed by the due date specified in the schedule, the Respondent shall submit a certification of non-compliance to the Department within fifteen (15) days after the scheduled due date. If the Respondent reports non-compliance with a scheduled event, the certification shall include a discussion of the cause of the delay, an anticipated date of completion, and a discussion of any impairment of a subsequent due date. Upon completion of all scheduled events, the Respondent shall submit a final certification stating that all activities have been achieved.

**RIGHT TO APPEAL**

I.	The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this COMPLIANCE ORDER. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this COMPLIANCE ORDER.
II.	The request for an adjudicatory hearing shall specify the provisions of the COMPLIANCE ORDER on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are located in the upper left-hand corner of the first page of this document and should be directed to the address specified in this document.
III.	Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this COMPLIANCE ORDER may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Division of Administrative Law's (DAL) Procedural Rules. The Department may amend or supplement this COMPLIANCE ORDER prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.
IV.	This COMPLIANCE ORDER shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.
V.	The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this COMPLIANCE ORDER shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this COMPLIANCE ORDER becoming a permanent part of its compliance history.
VI.	Civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this COMPLIANCE ORDER and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.
VII.	For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

**NOTICE OF POTENTIAL PENALTY**

I.	Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.
II.	Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Scott B. Pierce at (225) 219-3723 within ten (10) days of receipt of this NOTICE OF POTENTIAL PENALTY.

III. The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

IV. This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

**CONTACTS AND SUBMITTAL OF INFORMATION**

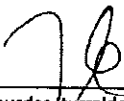
<b>Enforcement Division:</b> Louisiana Department of Environmental Quality Office of Environmental Compliance Water Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Scott B. Pierce	<b>Hearing Requests:</b> Department of Environmental Quality Office of the Secretary Post Office Box 4302 Baton Rouge, Louisiana 70821-4302 Attn: Hearings Clerk, Legal Division Re: Enforcement Tracking No. WE-CN-19-00445A Agency Interest No. 41277
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<b>Water Permits Division (if necessary):</b> Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Attn: Water Permits Division	<b>Physical Address (if hand delivered):</b> Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802
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**HOW TO REQUEST CLOSURE OF THIS AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

- To appeal the **AMENDED CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY**, the Respondent must follow the guidelines set forth in the "Right to Appeal" portion of this **AMENDED CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY**.
- To request closure of the **COMPLIANCE ORDER** portion, the Respondent must demonstrate compliance with the "Order" portion of this **AMENDED COMPLIANCE ORDER** by completing the attached "**AMENDED CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form and returning it to the address specified.
  - o Before requesting closure of this **COMPLIANCE ORDER** portion, please contact the Financial Services Division at 225-219-3865 or email them at [\\_DEQ-WWWFinancialServices@la.gov](mailto:_DEQ-WWWFinancialServices@la.gov) to determine if you owe outstanding fees.
- To expedite closure of the **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein.
  - o The Department assesses civil penalties based on LAC 33:1.Subpart1.Chapter7.
  - o The Respondent may offer a settlement amount but the Department is under no obligation to enter into settlement negotiations. It is decided upon on a discretionary basis.
  - o The settlement offer amount may be entered on the attached "**AMENDED CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form. The Respondent must include a justification of the offer.
  - o **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.
  - o Before requesting closure of the **NOTICE OF POTENTIAL PENALTY** portion, please contact the Financial Services Division at 225-219-3865 or email them at [\\_DEQ-WWWFinancialServices@la.gov](mailto:_DEQ-WWWFinancialServices@la.gov) to determine if you owe outstanding fees.

If you have questions or need more information, you may contact Scott B. Pierce at (225) 219-3723 or [scott.pierce@la.gov](mailto:scott.pierce@la.gov).


  
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 Lourdes Lurralde  
 Assistant Secretary  
 Office of Environmental Compliance

Date: 11-25-2020

ecc: Public Health Chief Officer  
 Office of Public Health  
 Department of Health and Hospitals

- Attachment(s)  
 - Request to Close  
 - Attachments "A" and "B"



LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE		AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE		
ENFORCEMENT DIVISION POST OFFICE BOX 4312 BATON ROUGE, LOUISIANA 70821-4312				
Enforcement Tracking No.	WE-CN-19-00445A	Contact Name	Scott B. Pierce	
Agency Interest (AI) No.	41277	Contact Phone No.	(225) 219-3723	
Alternate ID No.	LA0043931			
Respondent:	City of Donaldsonville	Facility Name:	Donaldsonville WWTF	
	c/o Honorable Leroy Sullivan, Mayor	Physical Location:	7760 LA Hwy. 70	
	P. O. Box 470			
	Donaldsonville, LA 70346	City, State, Zip:	Paincourtville, LA 70393	
		Parish:	Ascension and Assumption	
<b>STATEMENT OF COMPLIANCE</b>				
<b>STATEMENT OF COMPLIANCE</b>			Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph II of the "Order" portion of the AMENDED COMPLIANCE ORDER.				
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:				
<b>SETTLEMENT OFFER (OPTIONAL)</b>				
<i>(check the applicable option)</i>				
_____	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.			
_____	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY WE-CN-19-00445A, the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.			
_____	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY WE-CN-19-00445A, the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional)= \$ _____</li> <li>• <b>DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.</b></li> </ul>			
	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY WE-CN-19-00445A and has attached a justification of its offer and a description of any BEPs if included in settlement offer.			
<b>CERTIFICATION STATEMENT</b>				
I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.				
Respondent's Signature		Respondent's Printed Name		Respondent's Title
Respondent's Physical Address		Respondent's Phone #		Date
<b>MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:</b>				
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Scott B. Pierce				

If you have questions or need more information, you may contact Scott B. Pierce at (225) 219-3723 or scott.pierce@la.gov.

## ATTACHMENT "A"

## Donaldsonville, City of - Wastewater Treatment Facility - LA0043931

MP End Date	Outfall	Parameter	Limit	DMR Value	Units
12/31/2017	002-A	Solids, total suspended -- WKLY AVG	45	46.5	mg/L
12/31/2017	002-A	Coliform, fecal general -- MOAV GEO	200	361.13	#/100mL
12/31/2017	002-A	Coliform, fecal general -- WKAV GEO	400	5221.11	#/100mL
01/31/2018	002-A	Coliform, fecal general -- MOAV GEO	200	530	#/100mL
01/31/2018	002-A	Coliform, fecal general -- WKAV GEO	400	1974	#/100mL
02/28/2018	002-A	Coliform, fecal general -- MOAV GEO	200	1474.74	#/100mL
02/28/2018	002-A	Coliform, fecal general -- WKAV GEO	400	6000	#/100mL
03/31/2018	002-A	Coliform, fecal general -- MOAV GEO	200	1277.32	#/100mL
03/31/2018	002-A	Coliform, fecal general -- WKAV GEO	400	4240.64	#/100mL
08/31/2018	002-A	BOD, 5-day, 20 deg. C -- WKLY AVG	45	45.5	mg/L
10/31/2018	002-A	Coliform, fecal general -- WKAV GEO	400	1865	#/100mL
11/30/2018	002-A	Coliform, fecal general -- WKAV GEO	400	800	#/100mL
12/31/2018	002-A	Coliform, fecal general -- MOAV GEO	200	272	#/100mL
12/31/2018	002-A	Coliform, fecal general -- WKAV GEO	400	2900	#/100mL
01/31/2019	002-A	Coliform, fecal general -- MOAV GEO	200	1360	#/100mL
01/31/2019	002-A	Coliform, fecal general -- WKAV GEO	400	6000	#/100mL
02/28/2019	002-A	Solids, total suspended -- MO AVG	375	593	lb/d
02/28/2019	002-A	Solids, total suspended -- MO AVG	30	40	mg/L
02/28/2019	002-A	Solids, total suspended -- WKLY AVG	45	68	mg/L
02/28/2019	002-A	Coliform, fecal general -- MOAV GEO	200	3592	#/100mL
02/28/2019	002-A	Coliform, fecal general -- WKAV GEO	400	6000	#/100mL
03/31/2019	002-A	BOD, 5-day, 20 deg. C -- MO AVG	375	611	lb/d
03/31/2019	002-A	BOD, 5-day, 20 deg. C -- MO AVG	30	39	mg/L
03/31/2019	002-A	BOD, 5-day, 20 deg. C -- WKLY AVG	45	116	mg/L
03/31/2019	002-A	Coliform, fecal general -- MOAV GEO	200	2986	#/100mL
03/31/2019	002-A	Coliform, fecal general -- WKAV GEO	400	6000	#/100mL
04/30/2019	002-A	Coliform, fecal general -- WKAV GEO	400	4600	#/100mL
05/31/2019	002-A	Coliform, fecal general -- MOAV GEO	200	222	#/100mL
05/31/2019	002-A	Coliform, fecal general -- WKAV GEO	400	1068	#/100mL
06/30/2019	002-A	Coliform, fecal general -- WKAV GEO	400	615	#/100mL
07/31/2019	001-A	pH -- INST MIN	6	<1	SU
07/31/2019	001-A	Coliform, fecal general -- MOAV GEO	200	288	#/100mL
07/31/2019	001-A	Coliform, fecal general -- WKAV GEO	400	6000	#/100mL
08/31/2019	001-A	Coliform, fecal general -- MOAV GEO	200	535	#/100mL
08/31/2019	001-A	Coliform, fecal general -- WKAV GEO	400	935	#/100mL
09/30/2019	001-A	Coliform, fecal general -- WKAV GEO	400	1009	#/100mL
10/31/2019	001-A	Coliform, fecal general -- MOAV GEO	200	307	#/100mL
10/31/2019	001-A	Coliform, fecal general -- WKAV GEO	400	1978	#/100mL
11/30/2019	001-A	Coliform, fecal general -- WKAV GEO	400	2360	#/100mL
12/31/2019	001-A	BOD, 5-day, 20 deg. C -- MO AVG	375	553	lb/d
12/31/2019	001-A	BOD, 5-day, 20 deg. C -- WKLY AVG	45	52	mg/L
12/31/2019	001-A	Solids, total suspended -- MO AVG	375	381	lb/d
12/31/2019	001-A	Coliform, fecal general -- WKAV GEO	400	4655	#/100mL
01/31/2020	001-A	Coliform, fecal general -- WKAV GEO	400	9273	#/100mL
02/29/2020	001-A	BOD, 5-day, 20 deg. C -- MO AVG	375	565	lb/d
02/29/2020	001-A	BOD, 5-day, 20 deg. C -- MO AVG	30	32	mg/L
02/29/2020	001-A	BOD, 5-day, 20 deg. C -- WKLY AVG	45	56	mg/L

03/31/2020	001-A	BOD, 5-day, 20 deg. C -- WKLY AVG	45	50	mg/L
03/31/2020	001-A	Coliform, fecal general -- MOAV GEO	200	354	#/100mL
03/31/2020	001-A	Coliform, fecal general -- WKAV GEO	400	2902	#/100mL
04/30/2020	001-A	BOD, 5-day, 20 deg. C -- WKLY AVG	45	48	mg/L
06/30/2020	001-A	BOD, 5-day, 20 deg. C -- MO AVG	375	618	lb/d
09/30/2020	001-A	BOD, 5-day, 20 deg. C -- WKLY AVG	45	54	mg/L

**ATTACHMENT "B"**

**WET WELL CLEANING PROJECT COMPLIANCE SCHEDULE**

<b>Milestone</b>	<b>Completion Date</b>
<b>Complete Preparation of Scope of Work &amp; Specifications for Wet Well Cleaning</b>	<b>November 16, 2020</b>
<b>Begin Bidding Process</b>	<b>November 17, 2020</b>
<b>Initiate Wet Well Cleaning</b>	<b>January 11, 2021</b>
<b>Complete Wet Well Cleaning</b>	<b>January 25, 2021</b>
<b>Achieve Full Compliance with LPDES Permit LA0043931</b>	<b>March 1, 2021</b>