

On February 15, 2008, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. WE-CN-06-0225A (Exhibit 2).

On August 19, 2009, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. WE-CN-06-0225B (Exhibit 3).

On February 22, 2012, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. WE-CN-11-01515 (Exhibit 4).

On December 17, 2013, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. WE-CN-11-01515A (Exhibit 5).

On November 26, 2013, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. WE-CN-13-00771 (Exhibit 6).

On May 22, 2014, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. WE-CN-13-00771A (Exhibit 7).

On November 14, 2014, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. WE-CN-13-00771B (Exhibit 8).

On May 26, 2015, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. WE-CN-13-00771C (Exhibit 9).

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 FORTY-THOUSAND AND NO/100 DOLLARS (\$40,000.00), of which Four Thousand Five Hundred Sixty-Six and 87/100 Dollars (\$4,566.87) 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 Consolidated Compliance Orders & Notices of Potential Penalty, Amended Consolidated Compliance Orders & Notices 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 Bienville 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 thirty (30) 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.

HOUSE OF RAEFORD FARMS OF
LOUISIANA, L.L.C.

BY: *Jeremy Paul*
(Signature)

Jeremy Paul
(Printed)

TITLE: Complex Manager

THUS DONE AND SIGNED in duplicate original before me this 1st day of
November, 2023, at Arcadia, LA.

Candace Crossman
NOTARY PUBLIC (ID # 064459)

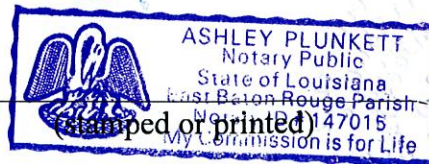
(stamped or printed)

LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY

BY: *Aurelia S. Guicometto*
Aurelia S. Guicometto, Secretary

THUS DONE AND SIGNED in duplicate original before me this 22nd day of
February, 2024, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # _____)



Approved: *Celena J. Cage*
Celena J. Cage, Assistant Secretary



State of Louisiana

Department of Environmental Quality



KATHLEEN BABINEAUX BLANCO
GOVERNOR

August 30, 2006

MIKE D. McDANIEL, Ph.D.
SECRETARY

CERTIFIED MAIL (7004 1160 0000 3794 8088)
RETURN RECEIPT REQUESTED

HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C.
c/o J. Graves Theus, Jr
Agent of Service
2001 Mac Arthur Dr.
Alexandria, LA 71301

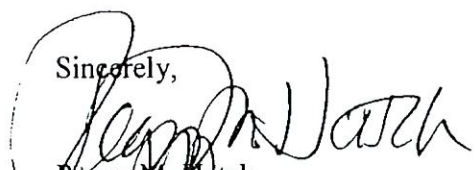
**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. WE-CN-06-0225
AGENCY INTEREST NO. 25163**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** for the violations described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Wayne R. Slater at (225) 219-3778.

Sincerely,

Peggy M. Hatch
Administrator
Enforcement Division

PMH/WRS/wrs
Alt ID No. LA0002844
Attachment

c: Charlie Jackson, HR & E Manager
House of Raeford Farms



**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE**

IN THE MATTER OF	*	
	*	
HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. BIENVILLE PARISH ALT ID NO. LA0002844	*	ENFORCEMENT TRACKING NO.
	*	
	*	WE-CN-06-0225
	*	
	*	AGENCY INTEREST NO.
	*	
PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, <u>ET SEQ.</u>	*	25163
	*	
	*	

**CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** 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).

FINDINGS OF FACT

I.

The Respondent owns and/or operates a poultry processing plant located at 3867 Second St. in Arcadia, Bienville Parish, Louisiana. The Respondent is authorized to discharge certain qualities and quantities of wastewater into an unnamed ditch, thence into an unnamed tributary

of Brinson Creek, thence into Brinson Creek, thence into Black Lake Creek, all waters of the state, under authority of Louisiana Pollutant Discharge Elimination System (LPDES) permit LA0002844, which became effective on September 1, 2004, and which expires on August 31, 2009.

II.

The Respondent was issued **AMENDED COMPLIANCE ORDER WE-C-04-1065A** on or about February 24, 2006 for violations of LPDES permit LA0002844 effluent limitations and for an unauthorized discharge into waters of the state. The Order required the Respondent to immediately take any and all steps to meet and maintain compliance with LPDES permit LA0002844 and to submit a written report to include the circumstances of the cited violations. The Respondent submitted a written response on or about March 15, 2006. **AMENDED COMPLIANCE ORDER WE-C-04-1065A** is a final action of the Department and not subject to further review.

III.

An inspection conducted by the Department on or about May 2, 2006, revealed that the Respondent failed to collect representative samples as required in LPDES permit LA0002844. Specifically, the Respondent's LPDES permit requires that CBOD, TSS, and Ammonia samples at outfall 001 be collected as a 6-hour composite-flow proportioned sample. Although the Respondent was collecting the samples as a 6-hour composite; the samples were not being composited proportioned to flow. The failure to collect representatives samples is in violation of **AMENDED COMPLIANCE ORDER WE-C-04-1065A**, LPDES permit LA0002844 (Part I, Part II, Section F, and Part III, Sections A.2 and C.2), La. R.S. 30:2076 (A)(1)(b), La. R.S. 30:2076 (A)(3), LAC 33:IX.501.A, LAC 33:IX.2701.A, and LAC 33:IX.2701.J.1.

III.

An inspection conducted by the Department on or about May 2, 2006, and a subsequent file review conducted on or about July 12, 2006, revealed the following effluent violations, as reported by the Respondent on Discharge Monitoring Reports (DMRs):

Date	Outfall	Parameter	Sample Value	Permit Limit
Jan. 2006	001A	Disolved Oxygen (DO) Minimum	1.2 mg/L	4.0 mg/L
		TSS Monthly Average	236.8 lbs/day	150 lbs/day
		TSS Daily Max	423.4 lbs/day	225 lbs/day
		Ammonia Monthly Average	416.0 lbs/day	20 lbs/day
		Ammonia Daily Max	727.2 lbs/day	40 lbs/day
		Ammonia Monthly Average	90.4 mg/L	4 mg/L
		Ammonia Daily Max	113.1 mg/L	8 mg/L
		Fecal Coliform Monthly Average	278.5 col/100mL	200 col/100mL
		Fecal Coliform Daily Max	TNTC	400 col/100mL
		Whole Effluent Toxicity	0%	90%
Feb. 2006	001A	Ammonia Monthly Average	686.4 lbs/day	20 lbs/day
		Ammonia Daily Max	843.6 lbs/day	40 lbs/day
		Ammonia Monthly Average	119.7 mg/L	4 mg/L
		Ammonia Daily Max	133.1 mg/L	8 mg/L
		Fecal Coliform Monthly Average	911 col/100mL	200 col/100mL
		Fecal Coliform Daily Max	2000 col/100mL	400 col/100mL
		CBOD Daily Max	No Response	100 lbs/day
March 2006	001A	TSS Daily Max	288 lbs/day	225 lbs/day
		Ammonia Monthly Average	360.9 lbs/day	20 lbs/day
		Ammonia Daily Max	740.8 lbs/day	40 lbs/day
		Ammonia Monthly Average	66.6 mg/L	4 mg/L
		Ammonia Daily Max	105.7 mg/L	8 mg/L
		Fecal Coliform Monthly Average	>686 col/100mL	200 col/100mL
		Fecal Coliform Daily Max	TNTC	400 col/100mL
		CBOD Monthly Average	69.5 lbs/day	65 lbs/day
		CBOD Daily Max	144.1 lbs/day	100 lbs/day
		CBOD Monthly Average	14.0 mg/L	13 mg/L
		CBOD Daily Max	28.8 mg/L	20 mg/L
		Whole Effluent Toxicity Retest #1	0%	90%
April 2006	001A	TSS Monthly Average	158.1 lbs/day	150 lbs/day
		TSS Daily Max	331.5 lbs/day	225 lbs/day
		Ammonia Monthly Average	182.7 lbs/day	20 lbs/day
		Ammonia Daily Max	317.0 lbs/day	40 lbs/day
		Ammonia Monthly Average	24.5 mg/L	4 mg/L
		Ammonia Daily Max	44.2 mg/L	8 mg/L
		Fecal Coliform Monthly Average	>683 col/100mL	200 col/100mL
		Fecal Coliform Daily Max	TNTC	400 col/100mL
		CBOD Monthly Average	129.5 lbs/day	65 lbs/day
		CBOD Daily Max	269.3 lbs/day	100 lbs/day

		CBOD Daily Max	30.6 mg/L	20 mg/L
		<i>Ceriodaphnia dubia</i> lethality Retest #2	51%	90%
		<i>Ceriodaphnia dubia</i> growth Retest #2	51%	90%
May 2006	001A	Ammonia Daily Max	8.4 mg/L	8 mg/L
		Fecal Coliform Daily Max	700 col/100ml	400 col/100mL
		CBOD Monthly Average	142.1 lbs/day	65 lbs/day
		CBOD Daily Max	416.6 lbs/day	100 lbs/day
		CBOD Monthly Average	24.7 mg/L	13 mg/L
		CBOD Daily Max	72.4 mg/L	20 mg/L
		June 2006	001A	Ammonia Monthly Average
Ammonia Daily Max	511.5 lbs/day			40 lbs/day
Ammonia Monthly Average	25.8 mg/L			4 mg/L
Ammonia Daily Max	53.8 mg/L			8 mg/L
Fecal Coliform Monthly Average	705 col/100mL			200 col/100mL
Fecal Coliform Daily Max	4350 col/100mL			400 col/100mL
Whole Effluent Toxicity Retest #3	0%			90%
July 2006	001A	Ammonia Daily Max	51.9 lbs/day	40 lbs/day
		Ammonia Daily Max	8.3 mg/L	8 mg/L
		CBOD Monthly Average	103.4 lbs/day	65 lbs/day
		CBOD Daily Max	363.2 lbs/day	100 lbs/day
		CBOD Daily Max	20.6 mg/L	20 mg/L
		Whole Effluent Toxicity Retest #5	0%	90%

Each effluent excursion is in violation of **AMENDED COMPLIANCE ORDER WE-C-04-1065A**, LPDES permit LA0002844 (Part I, and Part III, Section A.2), 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.2701.A.

IV.

Further file review conducted by the Department revealed that the Respondent's percent coefficient of variation was 223.6% for Retest #1 of the Toxicity Tests conducted in April 2006. LPDES permit LA0002844 requires the percent coefficient of variation between replicates to be 40% or less. This is in violation of **AMENDED COMPLIANCE ORDER WE-C-04-1065A**, LPDES permit LA0002844 (Part I, Part II, Section L.2.a.vi, and Part III, Section A.2), 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.2701.A.

V.

In October 2005, the Respondent began a bioaugmentation project at their anaerobic lagoon in order to reduce the amount of solids that have accumulated in the lagoon. The Respondent also installed two-40 horse power blowers in the aerated lagoon and are operating them on a 24-hour/7-day basis in order to facilitate the removal of ammonia and reduce the CBOD concentration.

COMPLIANCE ORDER

Based on the foregoing, the Respondent is hereby ordered:

I.

To immediately take, upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with LPDES permit LA0002844.

II.

To comply with the following schedule:

October 2005	Began Bioaugmentation Project
May 2007	Complete Bioaugmentation Project
July 2007	Facility Fully Operational and Achieving Final Effluent Limits

The Respondent shall submit monthly progress reports to the Department commencing on October 1, 2006, concerning the above-referenced project. The first report shall include a summary of the project since commencement of the activities to date.

III.

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 violations 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:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attention: Wayne R. Slater
Enforcement Tracking No. WE-CN-06-0225
AI No. 25163

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

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 right-hand corner of the first page of this document and should be directed to the following:

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-06-0225
Agency Interest No. 25163

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 Department's Rules of Procedure. 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 twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more that 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 Wayne R. Slater at (225) 219-3778 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

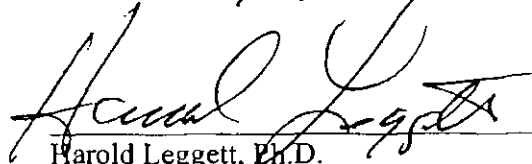
The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty

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.

IV.

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

Baton Rouge, Louisiana, this 30 day of August, 2006.


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

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Wayne R. Slater

c: Mr. Charles Faultry
U.S Environmental Protection Agency



BOBBY JINDAL
Governor

HAROLD LEGGETT, PH.D.
Secretary

Louisiana Department of Environmental Quality
Office of Environmental Compliance

February 15, 2008

CERTIFIED MAIL (7004 1160 0000 3795 9930)
RETURN RECEIPT REQUESTED

HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C.

c/o J. Graves Theus, Jr.
Agent of Service
2001 Mac Arthur Dr.
Alexandria, LA 71301


**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. WE-CN-06-0225A
AGENCY INTEREST NO. 25163**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** for the violations described therein.

Any questions concerning this action should be directed to Wayne R. Slater at (225) 219-3791.

Sincerely,


Peggy M. Hatch
Assistant Secretary

PMH/WRS/wts
Alt ID No. LA0002844
Attachment

c: Charlie Jackson, HR&E Manager
House of Raeford Farms



STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF

HOUSE OF RAEFORD FARMS
OF LOUISIANA, L.L.C.
BIENVILLE PARISH
ALT ID NO. LA0002844

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

*
*
* ENFORCEMENT TRACKING NO.
*
* WE-CN-06-0225A
*
* AGENCY INTEREST NO.
*
* 25163
*
*

AMENDED
CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The Louisiana Department of Environmental Quality (the Department) hereby amends the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** issued to **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** on August 30, 2006, in the above-captioned matter as follows:

I.

The Department hereby amends paragraph III on page 3 of the Findings of Fact to read as follows:

"III.

Inspections conducted by the Department on or about May 2, 2006, and June 27, 2007, and a subsequent file review conducted on or about January 17, 2008, revealed the following effluent violations, as reported by the Respondent on Discharge Monitoring Reports (DMRs):

Date	Outfall	Parameter	Sample Value	Permit Limit
Jan. 2006	001A	Disolved Oxygen (DO) Minimum	1.2 mg/L	4.0 mg/L
		TSS Monthly Average	236.8 lbs/day	150 lbs/day
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		Ammonia Monthly Average	416.0 lbs/day	20 lbs/day
		Ammonia Daily Max	727.2 lbs/day	40 lbs/day
		Ammonia Monthly Average	90.4 mg/L	4 mg/L
		Ammonia Daily Max	113.1 mg/L	8 mg/L
		Fecal Coliform Monthly Average	278.5 col/100mL	200 col/100mL
		Fecal Coliform Daily Max	TNTC	400 col/100mL
Feb. 2006	001A	Ammonia Monthly Average	686.4 lbs/day	20 lbs/day
		Ammonia Daily Max	843.6 lbs/day	40 lbs/day
		Ammonia Monthly Average	119.7 mg/L	4 mg/L
		Ammonia Daily Max	133.1 mg/L	8 mg/L
		Fecal Coliform Monthly Average	911 col/100mL	200 col/100mL
		Fecal Coliform Daily Max	2000 col/100mL	400 col/100mL
		CBOD Daily Max	No Response	100 lbs/day
	TX1	<i>Ceriodaphnia dubia</i> lethality	0%	90%
		<i>Ceriodaphnia dubia</i> growth	0%	90%
		<i>Pimephales p.</i> lethality	0%	90%
		<i>Pimephales p.</i> growth	0%	90%
March 2006	001A	TSS Daily Max	288 lbs/day	225 lbs/day
		Ammonia Monthly Average	360.9 lbs/day	20 lbs/day
		Ammonia Daily Max	740.8 lbs/day	40 lbs/day
		Ammonia Monthly Average	66.6 mg/L	4 mg/L
		Ammonia Daily Max	105.7 mg/L	8 mg/L
		Fecal Coliform Monthly Average	>686 col/100mL	200 col/100mL
		Fecal Coliform Daily Max	TNTC	400 col/100mL
		CBOD Monthly Average	69.5 lbs/day	65 lbs/day
		CBOD Daily Max	144.1 lbs/day	100 lbs/day
		CBOD Monthly Average	14.0 mg/L	13 mg/L
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	TX1	<i>Ceriodaphnia dubia</i> lethality	0%	90%
		<i>Ceriodaphnia dubia</i> growth	0%	90%
<i>Pimephales p.</i> lethality		0%	90%	
		<i>Pimephales p.</i> growth	0%	90%

April 2006	001A	TSS Monthly Average	158.1 lbs/day	150 lbs/day
		TSS Daily Max	331.5 lbs/day	225 lbs/day
		Ammonia Monthly Average	182.7 lbs/day	20 lbs/day
		Ammonia Daily Max	317.0 lbs/day	40 lbs/day
		Ammonia Monthly Average	24.5 mg/L	4 mg/L
		Ammonia Daily Max	44.2 mg/L	8 mg/L
		Fecal Coliform Monthly Average	683 col/100mL	200 col/100mL
		Fecal Coliform Daily Max	TNTC	400 col/100mL
		CBOD Monthly Average	129.5 lbs/day	65 lbs/day
		CBOD Daily Max	269.3 lbs/day	100 lbs/day
			30.6 mg/L	20 mg/L
		TX1	<i>Ceriodaphnia dubia</i> lethality	0%
	<i>Ceriodaphnia dubia</i> growth		51%	90%
May 2006	001A	Ammonia Daily Max	8.4 mg/L	8 mg/L
		Fecal Coliform Daily Max	700 col/100ml	400 col/100mL
		CBOD Monthly Average	142.1 lbs/day	65 lbs/day
		CBOD Daily Max	416.6 lbs/day	100 lbs/day
		CBOD Monthly Average	24.7 mg/L	13 mg/L
	CBOD Daily Max	72.4 mg/L	20 mg/L	
	TX1	<i>Ceriodaphnia dubia</i> lethality	0%	90%
		<i>Ceriodaphnia dubia</i> growth	0%	90%
June 2006	001A	Ammonia Monthly Average	237.4 lbs/day	20 lbs/day
		Ammonia Daily Max	511.5 lbs/day	40 lbs/day
		Ammonia Monthly Average	25.8 mg/L	4 mg/L
		Ammonia Daily Max	53.8 mg/L	8 mg/L
		Fecal Coliform Monthly Average	705 col/100mL	200 col/100mL
	Fecal Coliform Daily Max	4350 col/100mL	400 col/100mL	
	TX1	<i>Ceriodaphnia dubia</i> lethality	29%	90%
July 2006	001A	Ammonia Daily Max	51.9 lbs/day	40 lbs/day
		Ammonia Daily Max	8.3 mg/L	8 mg/L
		CBOD Monthly Average	103.4 lbs/day	65 lbs/day
		CBOD Daily Max	363.2 lbs/day	100 lbs/day
			20.6 mg/L	20 mg/L
	TX1	<i>Ceriodaphnia dubia</i> lethality	51%	90%
August 2006	001A	Ammonia Monthly Average	70.3 lbs/day	20 lbs/day
		Ammonia Daily Max	283.7 lbs/day	40 lbs/day
		Ammonia Monthly Average	10.89 mg/L	4 mg/L
		Ammonia Daily Max	45 mg/L	8 mg/L
		TX1	<i>Ceriodaphnia dubia</i> lethality	0%
	<i>Ceriodaphnia dubia</i> growth		0%	90%
Sept. 2006	001A	Ammonia Monthly Average	113 lbs/day	20 lbs/day
		Ammonia Daily Max	236 lbs/day	40 lbs/day
		Ammonia Monthly Average	21.64 mg/L	4 mg/L
		Ammonia Daily Max	43.4 mg/L	8 mg/L
		TX1	<i>Ceriodaphnia dubia</i> lethality	29%

		<i>Ceriodaphnia dubia</i> growth	0%	90%
		<i>Pimephales p.</i> lethality	0%	90%
		<i>Pimephales p.</i> growth	0%	90%
Oct. 2006	001A	Ammonia Monthly Average	112.7 lbs/day	20 lbs/day
		Ammonia Daily Max	405 lbs/day	40 lbs/day
		Ammonia Monthly Average	12.01 mg/L	4 mg/L
		Ammonia Daily Max	39.9 mg/L	8 mg/L
		Disolved Oxygen (DO) Minimum	3.67 mg/L	4.0 mg/L
	TX1	<i>Ceriodaphnia dubia</i> growth	29%	90%
Nov. 2006	001A	Ammonia Monthly Average	87.8 lbs/day	20 lbs/day
		Ammonia Daily Max	267.3 lbs/day	40 lbs/day
		Ammonia Monthly Average	13.6 mg/L	4 mg/L
		Ammonia Daily Max	41.2 mg/L	8 mg/L
	TX1	<i>Ceriodaphnia dubia</i> lethality	38%	90%
		<i>Ceriodaphnia dubia</i> growth	29%	90%
		<i>Pimephales p.</i> lethality	38%	90%
		<i>Pimephales p.</i> growth	38%	90%
Dec. 2006	001A	Ammonia Monthly Average	70.4 lbs/day	20 lbs/day
		Ammonia Daily Max	154.8 lbs/day	40 lbs/day
		Ammonia Monthly Average	10.95 mg/L	4 mg/L
		Ammonia Daily Max	23.56 mg/L	8 mg/L
		Disolved Oxygen (DO) Minimum	0.2 mg/L	4.0 mg/L
			Fecal Coliform Monthly Average	240 col/100mL
	TX1	<i>Ceriodaphnia dubia</i> growth	38%	90%
Jan. 2007	001A	Disolved Oxygen (DO) Minimum	3.96 mg/L	4.0 mg/L
		Fecal Coliform Daily Max	624 col/100mL	400 col/100mL
	TX1	<i>Ceriodaphnia dubia</i> growth	29%	90%
Feb. 2007	001A	Ammonia Monthly Average	74.1 lbs/day	20 lbs/day
		Ammonia Daily Max	226.2 lbs/day	40 lbs/day
		Ammonia Monthly Average	11.38 mg/L	4 mg/L
		Ammonia Daily Max	29.9 mg/L	8 mg/L
	TX1	<i>Ceriodaphnia dubia</i> lethality	51%	90%
<i>Ceriodaphnia dubia</i> growth		0%	90%	
March 2007	001A	Ammonia Monthly Average	22.9 lbs/day	20 lbs/day
		Ammonia Daily Max	77.1 lbs/day	40 lbs/day
		Ammonia Daily Max	9.4 mg/L	8 mg/L
		TSS Monthly Average	184.5 lbs/day	150 lbs/day
		TSS Daily Max	234 lbs/day	225 lbs/day
	TX1	<i>Ceriodaphnia dubia</i> lethality	0%	90%
<i>Ceriodaphnia dubia</i> growth		0%	90%	
April 2007	001A	Ammonia Daily Max	43.8 lbs/day	40 lbs/day
	TX1	<i>Ceriodaphnia dubia</i> growth	0%	90%
May 2007	001A	Ammonia Monthly Average	24.92 lbs/day	20 lbs/day
		Ammonia Daily Max	113.2 lbs/day	40 lbs/day
		Ammonia Daily Max	14.27 mg/L	8 mg/L

June 2007	001A	Ammonia Monthly Average	191.1 lbs/day	20 lbs/day
		Ammonia Daily Max	328.4 lbs/day	40 lbs/day
		Ammonia Monthly Average	24.6 mg/L	4 mg/L
		Ammonia Daily Max	34.6 mg/L	8 mg/L
	TX1	<i>Ceriodaphnia dubia</i> lethality	0%	90%
		<i>Ceriodaphnia dubia</i> growth	0%	90%
		<i>Pimephales p.</i> lethality	0%	90%
July 2007	001A	Ammonia Monthly Average	164.4 lbs/day	20 lbs/day
		Ammonia Daily Max	331.3 lbs/day	40 lbs/day
		Ammonia Monthly Average	26.54 mg/L	4 mg/L
		Ammonia Daily Max	49.35 mg/L	8 mg/L
		TSS Daily Max	230.2 lbs/day	225 lbs/day
		CBOD Daily Max	105.2 lbs/day	100 lbs/day
August 2007	001A	Ammonia Monthly Average	57.5 lbs/day	20 lbs/day
		Ammonia Daily Max	175.1 lbs/day	40 lbs/day
		Ammonia Monthly Average	12.01 mg/L	4 mg/L
		Ammonia Daily Max	28.57 mg/L	8 mg/L
	TX1	<i>Ceriodaphnia dubia</i> growth	29%	90%
Oct. 2007	001A	TSS Daily Max	389 lbs/day	225 lbs/day

Each effluent excursion is in violation of **AMENDED COMPLIANCE ORDER WE-C-04-1065A**, LPDES permit LA0002844 (Part I, and Part III, Section A.2), 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.2701.A.”

II.

The Department hereby inserts the following paragraph into the Findings of Fact:

“VI.

A file review conducted by the Department on or about January 18, 2008, revealed that the Respondent failed to report effluent monitoring results on DMRs as required in LPDES LA0002844 as follows:

Date	Outfall	Parameter
June 2006	TX1	<i>Pimephales p.</i> lethality Retest #3
		<i>Pimephales p.</i> growth Retest #3
Feb. 2007	001A	CBOD loading Daily Max

Sept. 2007	TX1	<i>Ceriodaphnia dubia</i> lethality Retest #3
		<i>Ceriodaphnia dubia</i> growth Retest #3
		<i>Pimephales p.</i> lethality Retest #3
		<i>Pimephales p.</i> growth Retest #3
Oct. 2007	001A	CBOD loading Daily Max

Each failure to report effluent monitoring results in violation of **AMENDED COMPLIANCE ORDER WE-C-04-1065A**, LPDES permit LA0002844 (Part I and Part III, Section A.2), 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.2701.A.”

III.

The Department hereby inserts the following paragraph into the Findings of Fact:

“VII.

An inspection conducted by the Département on or about June 27, 2007, revealed that the Respondent failed to properly operate and maintain all facilities and systems of treatment and control which are installed or used to achieve compliance with LPDES permit LA0002844. Specifically, several diffusers were inoperable in the aeration basin, and the skimmer pump in the clarifier was not operating properly. The Respondent submitted correspondence dated August 10, 2007, indicating that they were aware of the diffuser problem and have been replacing the ten diffuser headers since September 2006. Two remaining headers were scheduled to be replaced. The failure to operate and maintain all facilities and systems of treatment and control is in violation of **AMENDED COMPLIANCE ORDER WE-C-04-1065A**, LPDES permit LA0002844 (Part III, Section A.2 and B.3.a), 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.2701.A and E.”

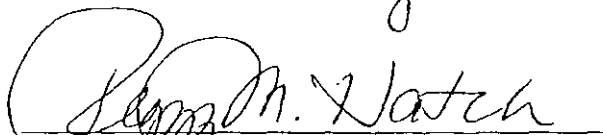
IV.

The Department incorporates all of the remainder of the original **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-06-0225** and **AGENCY INTEREST NO. 25163** as if reiterated herein.

V.

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

Baton Rouge, Louisiana, this 15th day of February, 2008.



Peggy M. Hatch
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: H. Tyler Ginn

c: Ms. Carol Peters-Wagnon
U.S. Environmental Protection Agency



BOBBY JINDAL
GOVERNOR

HAROLD LEGGETT, PH.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

August 19, 2009

CERTIFIED MAIL (7005 1820 0002 2094 4259)
RETURN RECEIPT REQUESTED

HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C.
c/o Randall L. Wilmore
Agent of Service
2001 Mac Arthur Dr.
Alexandria, LA 71301

**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. WE-CN-06-0225B
AGENCY INTEREST NO. 25163**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** for the violations described therein.

Any questions concerning this action should be directed to Wayne R. Slater at (225) 219-3791.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Iturralde".

Lourdes Iturralde
Administrator
Enforcement Division

LI/WRS/wrs
Alt ID No. LA0002844
Attachment



c: Charlie Jackson, HR&E Manager
House of Raeford Farms
P.O. Box 707
Arcadia, LA 71001

Ms. Carol Peters-Wagnon
U.S. Environmental Protection Agency

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF	*	
	*	
HOUSE OF RAEFORD FARMS	*	ENFORCEMENT TRACKING NO.
OF LOUISIANA, L.L.C.	*	
BIENVILLE PARISH	*	WE-CN-06-0225B
ALT ID NO. LA0002844	*	
	*	AGENCY INTEREST NO.
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	25163
ENVIRONMENTAL QUALITY ACT,	*	
La. R.S. 30:2001, <u>ET SEQ.</u>	*	

AMENDED
CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The Louisiana Department of Environmental Quality (the Department) hereby amends the **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** issued to **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** on February 15, 2008, in the above-captioned matter as follows:

I.

The Department hereby amends paragraph I of the Findings of Fact to read as follows:

“1.

The Respondent owns and/or operates a poultry processing plant located at 3867 Second St. in Arcadia, Bienville Parish, Louisiana. The Respondent is authorized to discharge certain qualities and quantities of wastewater into an unnamed ditch, thence into an unnamed tributary of Brinson Creek, thence into Brinson Creek, thence into Black Lake Creek, all waters of the state, under authority of Louisiana Pollutant Discharge Elimination System (LPDES) permit LA0002844, which became effective on September 1, 2004, and which expires on August 31, 2009. The Respondent submitted an application for the renewal of LPDES permit LA0002844

on or about January 30, 2009. The Department determined that the application was administratively complete on or about February 5, 2009; therefore, LPDES permit LA0002844 will be continued past the expiration date until LPDES permit LA0002844 is reissued by the Department or until Respondent is otherwise notified in writing by the Department.”

II.

The Department hereby amends paragraph III of the Findings of Fact to add the following effluent violations based on an inspection conducted on or about April 9, 2008, and a file review conducted on or about June 17, 2009:

Date	Outfall	Parameter	Sample Value	Permit Limit
Dec. 2007	001A	CBOD Daily Max	106.4 lbs/day	100 lbs/day
Jan. 2008	001A	TSS Monthly Average	167.6 lbs/day	150 lbs/day
		TSS Daily Max	297.7 lbs/day	225 lbs/day
		Fecal Coliform Monthly Average	350 col/100ml	200 col/100ml
Feb. 2008	001A	Ammonia Monthly Average	22.3 lbs/day	20 lbs/day
		Ammonia Daily Max	48.9 lbs/day	40 lbs/day
		Fecal Coliform Monthly Average	1254 col/100ml	200 col/100ml
		Fecal Coliform Daily Max	1254 col/100ml	400 col/100ml
March 2008	TX1Q	Whole Effluent Lethality Monthly Average Minimum	0%	90%
		Whole Effluent Lethality 7-Day Minimum	0%	90%
	001A	TSS Daily Max	242.9 lbs/day	225 lbs/day
		Fecal Coliform Daily Max	616 col/100ml	400 col/100ml
		CBOD Daily Max	136.5 lbs/day	100 lbs/day
April 2008	001A	TSS Monthly Average	154.3 lbs/day	150 lbs/day
		TSS Daily Max	270 lbs/day	225 lbs/day
June 2008	001A	TSS Monthly Average	182.8 lbs/day	150 lbs/day
		TSS Daily Max	354.9 lbs/day	225 lbs/day
Dec. 2008	001A	Ammonia Monthly Average	93 lbs/day	20 lbs/day
		Ammonia Daily Max	420.1 lbs/day	40 lbs/day
		Ammonia Monthly Average	16.6 mg/L	4 mg/L
		Ammonia Daily Max	74.3 mg/L	8 mg/L
Jan. 2009	001A	TSS Monthly Average	161.2 lbs/day	150 lbs/day
		TSS Daily Max	370.1 lbs/day	225 lbs/day
Feb. 2009	001A	TSS Daily Max	333 lbs/day	225 lbs/day
		Ammonia Monthly Average	63.3 lbs/day	20 lbs/day
		Ammonia Daily Max	244.9 lbs/day	40 lbs/day
		Ammonia Monthly Average	12.9 mg/L	4 mg/L
		Ammonia Daily Max	50.2 mg/L	8 mg/L

March 2009	001A	Ammonia Daily Max	185.2 lbs/day	40 lbs/day
May 2009	001A	TSS Monthly Average	283.4 lbs/day	150 lbs/day
		TSS Daily Max	370.1 lbs/day	225 lbs/day
June 2009	001A	Ammonia Monthly Average	34.35 lbs/day	20 lbs/day
		Ammonia Daily Max	133.9 lbs/day	40 lbs/day
		Ammonia Monthly Average	4.959 mg/L	4 mg/L
		Ammonia Daily Max	19.3 mg/L	8 mg/L

III.

The Department incorporates all of the remainder of **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-06-0225A** and **AGENCY INTEREST NO. 25163** as if reiterated herein.

IV.

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

Baton Rouge, Louisiana, this 19th day of August, 2009.



Peggy M. Hatch
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Wayne R. Slater



BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

EDMS
Wayne
Dawn

February 22, 2012

CERTIFIED MAIL (7004 2510 0005 5768 9865)
RETURN RECEIPT REQUESTED

HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C.
c/o Randall L. Witmore
Agent of Service
2001 Mac Arthur Dr.
Alexandria, LA 71301

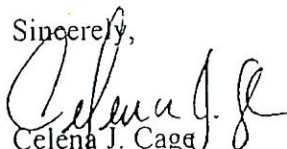
**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. WE-CN-11-01515
AGENCY INTEREST NO. 25163**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** for the violations described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Wayne R. Slater at (225) 219-3729.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/WRS/wrs
Alt ID No. LA0002844
Attachment

c: Kevin Pittman, Safety Manager
House of Raeford Farms



**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE**

IN THE MATTER OF

**HOUSE OF RAEFORD FARMS
OF LOUISIANA, L.L.C.
BIENVILLE PARISH
ALT ID NO. LA0002844**

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

*
*
* **ENFORCEMENT TRACKING NO.**
*
* **WE-CN-11-01515**
*
* **AGENCY INTEREST NO.**
*
* **25163**
*

**CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** 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).

FINDINGS OF FACT

I.

The Respondent owns and/or operates a poultry processing plant located at 3867 Second St. in Arcadia, Bienville Parish, Louisiana. The Respondent is authorized to discharge certain qualities and quantities of wastewater into local drainage, thence into an unnamed tributary of Brinson Creek, thence into Brinson Creek, thence into Black Lake Creek, all waters of the state, under authority of Louisiana Pollutant Discharge Elimination System (LPDES) permit LA0002844, which became effective on August 1, 2010, and which expires on July 31, 2015. Previously, the Respondent was authorized to discharge into waters of the state under LPDES permit LA0002844, which became effective on September 1, 2004, and which expired on August 31, 2009. The Respondent did submit a renewal

application on or about January 16, 2009; therefore, LPDES permit LA0002844 was administratively continued.

II.

An inspection conducted by the Department on or about May 18, 2010, revealed the following violations:

- A. The Respondent failed to have a certified thermometer in a refrigerator that contained samples used for compliance monitoring,
- B. The Respondent failed to maintain a calibration log for the pH meter used for compliance monitoring,
- C. The Respondent failed to record the time on the laboratory chain of custody that Fecal Coliform samples were collected that are used for compliance monitoring, and
- D. The Respondent failed to submit the fourth quarter 2009 Biomonitoring DMR in a timely manner.

The violations listed in A-B above, are in violation of LPDES permit LA0002844 (Part III, Sections A.2 and C.5), La. R.S. 30:2076 (A)(3), LAC 33:IX.2701.E. The violation listed in C above, is in violation of LPDES permit LA0002844 (Part I and Part III, Sections A.2 and D.4), La. R.S. 30:2076 (A)(3), LAC 33:IX.2701.J.3. The violation listed in D above, is in violation of LPDES permit LA0002844 (Part I and Part III, Sections A.2 and D.4), La. R.S. 30:2076 (A)(3), LAC 33:IX.2701.L.4.d. On or about August 10, 2010, the Respondent did inform the Department that a certified thermometer was subsequently installed in the sample refrigerator; that the pH calibration records are now recorded on the Daily Wastewater Check Form and retained for seven (7) years; and that the times that the Fecal Coliform samples are taken are now being noted on the chain of custody.

III.

An inspection conducted by the Department on or about September, 28, 2011, and a subsequent file review conducted on or about January 5, 2012, revealed the following violations for effluent exceedances as reported by the Respondent on Discharge Monitoring Reports (DMRs):

Date	Outfall	Parameter	Permit Limit	Sample Value
Feb-10	001A	Fecal Monthly Average Geo.	200 cols/100mL	600 cols/100mL
		Fecal Weekly Average Geo	400 cols/100mL	600 cols/100mL
	001A	TSS Daily Maximum	225 lb/d	237.5 lb/d
Mar-10	001A	TSS Daily Maximum	225 lb/d	266.4 lb/d

	TX1Q	WET 7 Day Minimum	90 %	51 %
		WET Monthly Average Minimum	90 %	51 %
Sep-10	TX1Q	WET 7 Day Minimum	94 %	70 %
		WET Monthly Average Minimum	94 %	70 %
Nov-10	001CE	WET 7 Day Minimum	94 %	75%
		WET Monthly Average Minimum	94 %	75%
Dec-10	001CE	WET 7 Day Minimum	94 %	0%
		WET Monthly Average Minimum	94 %	0%
Jan-Mar 11	001PI	WET 7 Day Minimum	94 %	0%
		WET Monthly Average Minimum	94 %	0%
Mar-11	001PI	WET 7 Day Minimum	94 %	0%
		WET Monthly Average Minimum	94 %	0%
Apr-11	001A	Ammonia Daily Maximum	8 mg/L	70.2 mg/L
		Ammonia Monthly Average	4 mg/L	24.54 mg/L
	001PI	WET 7 Day Minimum	94 %	0%
		WET Monthly Average Minimum	94 %	0%
May-11	001PI	WET 7 Day Minimum	94 %	0%
		WET Monthly Average Minimum	94 %	0%
Jun-11	001A	Fecal Monthly Average Geo	200 cols/100mL	336 cols/100mL
		Fecal Weekly Average Geo	400 cols/100mL	1000 cols/100mL
		TSS Daily Maximum	30 mg/L	106 mg/L
Jun-11	001A	TSS Monthly Average	20 mg/L	45.1 mg/L
	001PI	WET 7 Day Minimum	94 %	1 %
		WET Monthly Average Minimum	94 %	1 %
Jul-11	001A	Ammonia Daily Maximum	8 mg/L	11 mg/L
		TSS Daily Maximum	30 mg/L	54.8 mg/L
		TSS Monthly Average	20 mg/L	24.6 mg/L
	001PI	WET 7 Day Minimum	94 %	0%
		WET Monthly Average Minimum	94 %	0%
Aug-11	001A	Fecal Monthly Average Geo	200 cols/100mL	910 cols/100mL
		Fecal Weekly Average Geo	400 cols/100mL	1600 cols/100mL
		Ammonia Daily Maximum	8 mg/L	25.4 mg/L
		Ammonia Monthly Average	4 mg/L	6.437 mg/L
		pH Instantaneous Minimum	6 SU	5.39 SU

		TSS Daily Maximum	30 mg/L	96 mg/L
		TSS Monthly Average	20 mg/L	31 mg/L
	001PI	WET 7 Day Minimum	94 %	0%
		WET Monthly Average Minimum	94 %	0%
Sep-11	001A	Fecal Monthly Average Geo	200 cols/100mL	>33.1 cols/100mL
		Fecal Weekly Average Geo	400 cols/100mL	TNTC
		TSS Daily Maximum	30 mg/L	256 mg/L
		TSS Monthly Average	20 mg/L	116 mg/L
Nov-11	001PI	WET 7 Day Minimum	94 %	0%
		WET Monthly Average Minimum	94 %	0%
Dec-11	001PI	WET 7 Day Minimum	94 %	40%
		WET Monthly Average Minimum	94 %	40%

Each effluent exceedance is in violation of LPDES permit LA0002844 (Part I, and Part III, Section A.2), La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, and LAC 33:IX.501.D.

III.

Further inspection conducted by the Department on or about September 28, 2011, revealed that the Respondent failed to collect representative samples as required in LPDES permit LA0002844. Specifically, the Respondent's LPDES permit requires that Whole Effluent Toxicity (WET) 24-hour composite samples at outfall 001 to be collected in proportion to flow. The Respondent was collecting the WET samples as six (6) grab samples over a 24-hour period that are not combined in proportion to flow. The failure to collect representative samples is in violation of LPDES permit LA0002844 (Part I, Part II, Section F, and 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.J.1.

V.

The file review conducted by the Department on or about January 5, 2012, also revealed that the Respondent failed to submit a complete and accurate DMR. Specifically, the DMR for December 2010, did not report the result for Fecal Coliform at outfall 001A. The failure to submit a complete and accurate DMR is in violation of LPDES permit LA0002844 (Part I, Part II, Section F, and 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.L.4.d.

VI.

The file review conducted by the Department on or about January 5, 2012, also revealed failure of biomonitoring tests for seven (7) day chronic growth and reproduction for *Pimephales promeles* and *Ceriodaphnia dubia*. Specifically, failures were noted for outfall TX1Q for every quarterly monitoring period in 2009.

COMPLIANCE ORDER

Based on the foregoing, the Respondent is hereby ordered:

I.

To immediately take, upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with LPDES permit LA0002844, including but not limited to, collecting representative samples of all parameters, meeting permit effluent limits, and submitting complete and accurate DMRs.

II.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Water Quality Regulations.

III.

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:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Wayne R. Slater
Re: Enforcement Tracking No. WE-CN-11-01515
Agency Interest No. 25163

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

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 right-hand corner of the first page of this document and should be directed to the following:

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-11-01515
Agency Interest No. 25163

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 Department's Rules of Procedure. 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 twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, 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 Wayne R. Slater at (225) 219-3729 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

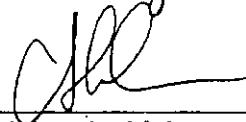
The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement 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.

IV.

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

Baton Rouge, Louisiana, this 22 day of February, 2012.



Cheryl Sonnier Nolan
Assistant Secretary
Office of Environmental Compliance

CSN/WRS/wrs

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Wayne R. Slater



BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

December 17, 2013

CERTIFIED MAIL (7004 2510 0005 5768 2323)
RETURN RECEIPT REQUESTED

HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C.
c/o Randall L. Witmore
Agent of Service
2001 Mac Arthur Dr.
Alexandria, LA 71301

**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. WE-CN-11-01515A
AGENCY INTEREST NO. 25163**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** for the violations described therein.

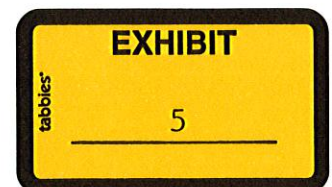
Any questions concerning this action should be directed to Wayne R. Slater at (225) 219-3729.

Sincerely,

A handwritten signature in black ink, appearing to read "Celena J. Cage".

Celena J. Cage
Administrator
Enforcement Division

CJC/WRS/wrs
Alt ID No. LA0002844
Attachment



**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE**

IN THE MATTER OF	*	
	*	
HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. BIENVILLE PARISH ALT ID NO. LA0002844	*	ENFORCEMENT TRACKING NO.
	*	
	*	WE-CN-11-01515A
	*	
	*	AGENCY INTEREST NO.
PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, ET SEQ.	*	
	*	25163
	*	

**AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY**

The Louisiana Department of Environmental Quality (the Department) hereby amends the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-11-01515** issued to **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** on February 22, 2012, in the above-captioned matter as follows:

I.

The Department hereby deletes paragraph V of the Findings of Fact in its entirety.

II.

The Department hereby deletes paragraph VI of the Findings of Fact in its entirety.

III.

The Department incorporates all of the remainder of the original **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-11-01515** and **AGENCY INTEREST NO. 25163** as if reiterated herein.

IV.

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

Baton Rouge, Louisiana, this 17 day of December, 2013.



Cheryl Sonnier Nolan
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, LA 70821-4312
Attention: Wayne R. Slater



BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

November 26, 2013

CERTIFIED MAIL (7004 2510 0005 5768 2316)
RETURN RECEIPT REQUESTED

HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C.
c/o Randall L. Witmore
Agent of Service
2001 Mac Arthur Dr.
Alexandria, LA 71301

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. WE-CN-13-00771
AGENCY INTEREST NO. 25163**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** for the violations described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Wayne R. Slater at (225) 219-3729.

Sincerely,

A handwritten signature in black ink, appearing to read "Celena J. Cage".

Celena J. Cage
Administrator
Enforcement Division

CJC/WRS/wrs
Alt ID No. LA0002844
Attachment



**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE**

IN THE MATTER OF	*	
	*	
HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. BIENVILLE PARISH ALT ID NO. LA0002844	*	ENFORCEMENT TRACKING NO.
	*	
	*	WE-CN-13-00771
	*	
PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, ET SEQ.	*	AGENCY INTEREST NO.
	*	
	*	25163
	*	

CONSOLIDATED

COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** 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).

FINDINGS OF FACT

I.

The Respondent owns and/or operates a poultry processing plant located at 3867 Second St. in Arcadia, Bienville Parish, Louisiana. The Respondent is authorized to discharge certain qualities and quantities of wastewater into local drainage, thence into an unnamed tributary of Brinson Creek, thence into Brinson Creek, thence into Black Lake Creek, all waters of the state, under authority of Louisiana Pollutant Discharge Elimination System (LPDES) permit LA0002844, which became effective on August 1, 2010, and which expires on July 31, 2015.

II.

The Respondent was issued **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-11-01515** on or about February 22, 2012 for violations of LPDES permit LA0002844 effluent limitations and for various reporting and monitoring deficiencies. The

c: Carrie Castille, Ph.D.
Associate Commissioner
P.O. Box 631
Baton Rouge, LA 70821

Order required the Respondent to immediately take any and all steps to meet and maintain compliance with LPDES permit LA0002844 and to submit a written report to include the circumstances of the cited violations. The Respondent submitted the written report, which included a sampling protocol and schedule for a Toxicity Reduction Evaluation (TRE) plan to be undertaken to determine the reason for the consistent failure of the sub-lethal portion of the chronic *Ceriodaphnia dubia* test, on or about May 22, 2012. **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-11-01515** is a final action of the Department and not subject to further review.

III.

A file review conducted by the Department on or about October 3, 2013, revealed the following violations for effluent exceedances as reported by the Respondent on Discharge Monitoring Reports (DMRs):

Date	Outfall	Parameter	Permit Limit	Sample Value
03/31/2012	001PI	WET 7 Day Minimum	94 %	70 %
		WET Monthly Average Minimum	94 %	70 %
01/31/2013	001PI	WET 7 Day Minimum	94 %	0
		WET Monthly Average Minimum	94 %	0
02/28/2013	001A	Ammonia Monthly Average	4 mg/L	7.81 mg/L
	001PI	WET 7 Day Minimum	94 %	40 %
		WET Monthly Average Minimum	94 %	40 %
04/30/2013	001A	Ammonia Daily Maximum	8 mg/L	11.5 mg/L
		Ammonia Monthly Average	4 mg/L	11 mg/L
		pH Instantaneous Minimum	6 SU	5.04 SU
		TSS Daily Maximum	30 mg/L	31.3 mg/L
		TSS Monthly Average	20 mg/L	28.7 mg/L
	001PI	WET 7 Day Minimum	94 %	0
		WET Monthly Average Minimum	94 %	0
05/31/2013	001A	Ammonia Daily Maximum	8 mg/L	12.5 mg/L
		Ammonia Monthly Average	4 mg/L	6.63 mg/L
	001PI	WET 7 Day Minimum	94 %	30
		WET Monthly Average Minimum	94 %	30
06/30/2013	001A	Ammonia Daily Maximum	8 mg/L	10.2 mg/L
		pH Instantaneous Minimum	6 SU	4.5 SU
	001PI	WET 7 Day Minimum	94 %	53 %
		WET Monthly Average Minimum	94 %	53 %

07/31/2013	001A	Ammonia Daily Maximum	8 mg/L	45.9 mg/L
		Ammonia Monthly Average	4 mg/L	19.4 mg/L
07/31/2013	001A	pH Instantaneous Minimum	6 SU	4.02 SU
	001P1	WET 7 Day Minimum	94 %	70 %
		WET Monthly Average Minimum	94 %	70 %
08/31/2013	001A	Ammonia Daily Maximum	8 mg/L	35.1 mg/L
	001A	Ammonia Monthly Average	4 mg/L	14.2 mg/L
		TDS Monthly Average	832 mg/L	1242 mg/L
	001P1	WET 7 Day Minimum	94 %	0
		WET Monthly Average Minimum	94 %	0
09/30/2013	001A	Ammonia Daily Maximum	8 mg/L	62.4 mg/L
		Ammonia Monthly Average	4 mg/L	23.9 mg/L
		TDS Monthly Average	832 mg/L	1597 mg/L
		TSS Daily Maximum	30 mg/L	112 mg/L
		TSS Monthly Average	20 mg/L	43.6 mg/L

Each effluent exceedance is in violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-11-01515**, LPDES permit LA0002844 (Part I, and Part III, Section A.2), La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, and LAC 33:IX.501.D.

IV.

A file review conducted by the Department on or about October 3, 2013, revealed that the Respondent failed to submit Discharge Monitoring Reports (DMRs) to the Department in a timely manner. Specifically, the Respondent did submit the May 2013 DMR for outfall 001P1 on or about October 11, 2013. The due date for this DMR was June 15, 2013. The failure to submit a DMR in a timely manner is in violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-11-01515**, LPDES permit LA0002844 (Part I, and Part III, Section A.2), La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, and LAC 22:IX.2701.L.4.

COMPLIANCE ORDER

Based on the foregoing, the Respondent is **hereby ordered**:

I.

To immediately take, upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with LPDES permit LA0002844, including but not limited to, meeting permit effluent limits and timely submitting DMRs.

II.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Water Quality Regulations.

III.

To contact the Enforcement Division within thirty (30) days after receipt of this **COMPLIANCE ORDER** to schedule a meeting to discuss the compliance status of the facility. Please contact Wayne R. Slater at (225) 219-3729 or wayne.slater@la.gov.

IV.

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**. Included in this report shall be a compilation of the findings of the TRE referenced in Findings of Fact paragraph II to date. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Wayne R. Slater
Re: Enforcement Tracking No. WE-CN-13-00771
Agency Interest No. 25163

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

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 right-hand corner of the first page of this document and should be directed to the following:

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-13-00771
Agency Interest No. 25163

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 Department's Rules of Procedure. 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 twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, 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 Wayne R. Slater at (225) 219-3729 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.

IV.

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

Baton Rouge, Louisiana, this 26 day of November, 2013.



Cheryl Sonnier Nolan
Assistant Secretary
Office of Environmental Compliance

CSN/WRS/wrs

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Wayne R. Slater



BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

May 22, 2014

CERTIFIED MAIL (7004 2510 0005 5763 3783)
RETURN RECEIPT REQUESTED

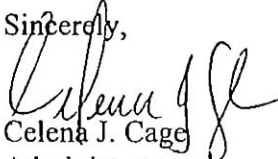
HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C.
c/o Randall L. Witmore
Agent of Service
2001 Mac Arthur Dr.
Alexandria, LA 71301

**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. WE-CN-13-00771A
AGENCY INTEREST NO. 25163**

Dear Sir:

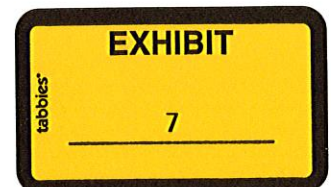
Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** for the violations described therein.

Any questions concerning this action should be directed to Wayne R. Slater at 225-219-3729 or wayne.slater@la.gov.

Sincerely,

Celenia J. Cage
Administrator
Enforcement Division

CJC/WRS/wrs
Alt ID No. LA0002844
Attachment

c: Mark Van Benthuisen, Complex Manager
P.O. Box 707
Arcadia, LA 71001



**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE**

<p>IN THE MATTER OF</p> <p>HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. BIENVILLE PARISH ALT ID NO. LA0002844</p> <p>PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, ET SEQ.</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>ENFORCEMENT TRACKING NO.</p> <p>WE-CN-13-00771A</p> <p>AGENCY INTEREST NO.</p> <p>25163</p>
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**AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY**

The Louisiana Department of Environmental Quality (the Department) hereby amends the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-13-00771** issued to **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** on November 26, 2013, in the above-captioned matter as follows:

I.

The Department hereby amends paragraph III of the Findings of Fact to read as follows:

“III

A file review conducted by the Department on or about May 22, 2014, revealed the following violations for effluent exceedances as reported by the Respondent on Discharge Monitoring Reports (DMRs):

Date	Outfall	Parameter	Permit Limit	Sample Value
03/31/2012	001PI	WET 7 Day Minimum	94 %	70 %
		WET Monthly Average Minimum	94 %	70 %
01/31/2013	001PI	WET 7 Day Minimum	94 %	0
		WET Monthly Average Minimum	94 %	0

02/28/2013	001A	Ammonia Monthly Average	4 mg/L	7.81 mg/L
	001PI	WET 7 Day Minimum	94 %	40 %
		WET Monthly Average Minimum	94 %	40 %
04/30/2013	001A	Ammonia Daily Maximum	8 mg/L	11.5 mg/L
		Ammonia Monthly Average	4 mg/L	11 mg/L
		pH Instantaneous Minimum	6 SU	5.04 SU
		TSS Daily Maximum	30 mg/L	31.3 mg/L
		TSS Monthly Average	20 mg/L	28.7 mg/L
	001PI	WET 7 Day Minimum	94 %	0
		WET Monthly Average Minimum	94 %	0
05/31/2013	001A	Ammonia Daily Maximum	8 mg/L	12.5 mg/L
		Ammonia Monthly Average	4 mg/L	6.63 mg/L
	001PI	WET 7 Day Minimum	94 %	30
		WET Monthly Average Minimum	94 %	30
06/30/2013	001A	Ammonia Daily Maximum	8 mg/L	10.2 mg/L
		pH Instantaneous Minimum	6 SU	4.5 SU
	001PI	WET 7 Day Minimum	94 %	53 %
		WET Monthly Average Minimum	94 %	53 %
07/31/2013	001A	Ammonia Daily Maximum	8 mg/L	45.9 mg/L
		Ammonia Monthly Average	4 mg/L	19.4 mg/L
07/31/2013	001A	pH Instantaneous Minimum	6 SU	4.02 SU
	001PI	WET 7 Day Minimum	94 %	70 %
		WET Monthly Average Minimum	94 %	70 %
08/31/2013	001A	Ammonia Daily Maximum	8 mg/L	35.1 mg/L
	001A	Ammonia Monthly Average	4 mg/L	14.2 mg/L
		TDS Monthly Average	832 mg/L	1242 mg/L
	001PI	WET 7 Day Minimum	94 %	0
		WET Monthly Average Minimum	94 %	0
09/30/2013	001A	Ammonia Daily Maximum	8 mg/L	62.4 mg/L
		Ammonia Monthly Average	4 mg/L	23.9 mg/L
		TDS Monthly Average	832 mg/L	1597 mg/L
		TSS Daily Maximum	30 mg/L	112 mg/L
		TSS Monthly Average	20 mg/L	43.6 mg/L
10/31/2013	001A	TDS Monthly Average	832 mg/L	1490 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	0 %
		W.E.T. Monthly Average Minimum	94 %	0 %

11/30/2013	001A	Ammonia Daily Maximum	8 mg/L	20.7 mg/L
		Ammonia Monthly Average	4 mg/L	6.69 mg/L
		TDS Monthly Average	832 mg/L	1191 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	30 %
		W.E.T. Monthly Average Minimum	94 %	30 %
12/31/2013	001A	TDS Monthly Average	832 mg/L	1244 mg/L
01/31/2014	001A	Ammonia Daily Maximum	8 mg/L	14.1 mg/L
		Ammonia Monthly Average	4 mg/L	6.66 mg/L
		TDS Monthly Average	832 mg/L	1120 mg/L
		TSS Daily Maximum	30 mg/L	57 mg/L
		TSS Monthly Average	20 mg/L	38.7 mg/L

Each effluent exceedance is in violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-11-01515**, LPDES permit LA0002844 (Part I, and Part III, Section A.2), La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, and LAC 33:IX.501.D.”

II.

The Department hereby adds the following paragraph to the Findings of Fact to read as follows:

“V.

A file review conducted by the Department on or about May 8, 2014, revealed that the Respondent failed to sample outfalls 001CE and 001PI during January 2014. The DMR for outfall 001A for the January 2014 monitoring period shows a discharge and the appropriate parameters sampled. The DMR for outfalls 001CE and 001PI has the box checked indicating no discharge. A letter from the Respondent dated February 17, 2014, to the Department stated that the biomonitoring sampling for outfalls 001CE and 001PI is scheduled a month in advance and when a local gas company called to commence receiving the Respondent’s effluent; there wasn’t time to pull the required sample. The Respondent discharged during the monitoring period. The failure to sample outfalls 001CE and 001PI is in violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-11-01515**, LPDES permit LA0002844 (Part I, and Part III, Section A.2), La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, and LAC 22:IX.2701.L.4.”

III.

The Department incorporates all of the remainder of the original **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-13-00771** and **AGENCY INTEREST NO. 25163** as if reiterated herein.

IV.

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

Baton Rouge, Louisiana, this 22 day of May, 2014.



Cheryl Sonnier Nolan
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, LA 70821-4312
Attention: Wayne R. Slater

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

November 14, 2014

CERTIFIED MAIL (7004 2510 0005 5763 3943)
RETURN RECEIPT REQUESTED

HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C.
c/o Randall L. Witmore
Agent of Service
2001 Mac Arthur Dr.
Alexandria, LA 71301

**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. WE-CN-13-00771B
AGENCY INTEREST NO. 25163**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** for the violations described therein.

Any questions concerning this action should be directed to Wayne R. Slater at 225-219-3729 or wayne.slater@la.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Celena J. Cage".

Celena J. Cage
Administrator
Enforcement Division

CJC/WRS/wrs
Alt ID No. LA0002844
Attachment

c: Mark Van Benthuyzen, Complex Manager
P.O. Box 707
Arcadia, LA 71001



STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF

HOUSE OF RAEFORD FARMS
OF LOUISIANA, L.L.C.
BIENVILLE PARISH
ALT ID NO. LA0002844

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

*
*
* ENFORCEMENT TRACKING NO.
*
* WE-CN-13-00771B
*
* AGENCY INTEREST NO.
* 25163
*

AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY

The Louisiana Department of Environmental Quality (the Department) hereby amends the **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-13-00771A** issued to **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** on May 22, 2014, in the above-captioned matter as follows:

I.

The Department hereby amends paragraph III of the Findings of Fact to read as follows:

“III

A file review conducted by the Department on or about October 22, 2014, revealed the following violations for effluent exceedances as reported by the Respondent on Discharge Monitoring Reports (DMRs):

Date	Outfall	Parameter	Permit Limit	Sample Value
03/31/2012	001PI	WET 7 Day Minimum	94 %	70 %
		WET Monthly Average Minimum	94 %	70 %
01/31/2013	001PI	WET 7 Day Minimum	94 %	0
		WET Monthly Average Minimum	94 %	0

02/28/2013	001A	Ammonia Monthly Average	4 mg/L	7.81 mg/L
	001PI	WET 7 Day Minimum	94 %	40 %
		WET Monthly Average Minimum	94 %	40 %
04/30/2013	001A	Ammonia Daily Maximum	8 mg/L	11.5 mg/L
		Ammonia Monthly Average	4 mg/L	11 mg/L
		pH Instantaneous Minimum	6 SU	5.04 SU
		TSS Daily Maximum	30 mg/L	31.3 mg/L
		TSS Monthly Average	20 mg/L	28.7 mg/L
	001PI	WET 7 Day Minimum	94 %	0
		WET Monthly Average Minimum	94 %	0
05/31/2013	001A	Ammonia Daily Maximum	8 mg/L	12.5 mg/L
		Ammonia Monthly Average	4 mg/L	6.63 mg/L
	001PI	WET 7 Day Minimum	94 %	30
		WET Monthly Average Minimum	94 %	30
06/30/2013	001A	Ammonia Daily Maximum	8 mg/L	10.2 mg/L
		pH Instantaneous Minimum	6 SU	4.5 SU
	001PI	WET 7 Day Minimum	94 %	53 %
		WET Monthly Average Minimum	94 %	53 %
07/31/2013	001A	Ammonia Daily Maximum	8 mg/L	45.9 mg/L
		Ammonia Monthly Average	4 mg/L	19.4 mg/L
		pH Instantaneous Minimum	6 SU	4.02 SU
	001PI	WET 7 Day Minimum	94 %	70 %
		WET Monthly Average Minimum	94 %	70 %
08/31/2013	001A	Ammonia Daily Maximum	8 mg/L	35.1 mg/L
		Ammonia Monthly Average	4 mg/L	14.2 mg/L
		TDS Monthly Average	832 mg/L	1242 mg/L
	001PI	WET 7 Day Minimum	94 %	0
		WET Monthly Average Minimum	94 %	0
09/30/2013	001A	Ammonia Daily Maximum	8 mg/L	62.4 mg/L
		Ammonia Monthly Average	4 mg/L	23.9 mg/L
		TDS Monthly Average	832 mg/L	1597 mg/L
		TSS Daily Maximum	30 mg/L	112 mg/L
		TSS Monthly Average	20 mg/L	43.6 mg/L
10/31/2013	001A	TDS Monthly Average	832 mg/L	1490 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	0 %
		W.E.T. Monthly Average Minimum	94 %	0 %

11/30/2013	001A	Ammonia Daily Maximum	8 mg/L	20.7 mg/L
		Ammonia Monthly Average	4 mg/L	6.69 mg/L
		TDS Monthly Average	832 mg/L	1191 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	30 %
		W.E.T. Monthly Average Minimum	94 %	30 %
12/31/2013	001A	TDS Monthly Average	832 mg/L	1244 mg/L
01/31/2014	001A	Ammonia Daily Maximum	8 mg/L	14.1 mg/L
		Ammonia Monthly Average	4 mg/L	6.66 mg/L
		TDS Monthly Average	832 mg/L	1120 mg/L
		TSS Daily Maximum	30 mg/L	57 mg/L
		TSS Monthly Average	20 mg/L	38.7 mg/L
04/30/2014	001A	TDS Monthly Average	832 mg/L	1384 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	0 %
		W.E.T. Monthly Average Minimum	94 %	0 %
05/31/2014	001A	TDS Monthly Average	832 mg/L	1390 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	40 %
		W.E.T. Monthly Average Minimum	94 %	40 %
06/30/2014	001A	TDS Monthly Average	832 mg/L	1362 mg/L
		TSS Daily Maximum	30 mg/L	49.5 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	0
		W.E.T. Monthly Average Minimum	94 %	0
07/31/2014	001A	DO Minimum	4 mg/L	2.31 mg/L
		pH Instantaneous Minimum	6 SU	5.1 SU
		TDS Monthly Average	832 mg/L	1223 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	53 %
		W.E.T. Monthly Average Minimum	94 %	53 %
08/31/2014	001A	DO Minimum	4 mg/L	2.22 mg/L
		TDS Monthly Average	832 mg/L	1128 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	53 %
		W.E.T. Monthly Average Minimum	94 %	53 %
09/30/2014	001A	Fecal Coliform Monthly Average	400 cols/100ml	3060 cols/100ml
		TDS Monthly Average	832 mg/L	897.5 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	30 %
		W.E.T. Monthly Average Minimum	94 %	30 %

Each effluent exceedance is in violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-11-01515A**, LPDES permit LA0002844 (Part I, and Part III, Section A.2), La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, and LAC 33:IX.501.D.”

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **AMENDED COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations added in this **AMENDED COMPLIANCE ORDER** and actions taken or to be taken to achieve compliance with the Order Portion of this **AMENDED COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **AMENDED COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: **Wayne R. Slater**
Re: **Enforcement Tracking No. WE-CN-13-00771B**
Agency Interest No. 25163

III.

The Department incorporates all of the remainder of the original **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-13-00771A** and **AGENCY INTEREST NO. 25163** as if reiterated herein.

IV.

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

Baton Rouge, Louisiana, this 14 day of March, 2014.



Cheryl Sonnier Nolan
Assistant Secretary
Office of Environmental Compliance

CSN/WRS/wrs

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, LA 70821-4312
Attention: Wayne R. Slater

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

May 26, 2015

CERTIFIED MAIL (7004 2510 0005 5768 2477)
RETURN RECEIPT REQUESTED

HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C.
c/o Randall L. Witmore
Agent of Service
2001 Mac Arthur Dr.
Alexandria, LA 71301

RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. WE-CN-13-00771C
AGENCY INTEREST NO. 25163

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** for the violations described therein.

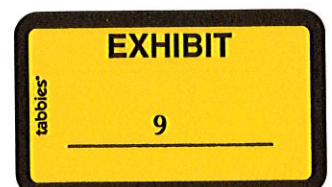
Any questions concerning this action should be directed to Wayne R. Slater at 225-219-3729 or wayne.slater@la.gov.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/WRS/wrs
Alt ID No. LA0002844
Attachment

via email: Mark Van Benthuyzen, Complex Manager, Arcadia Processing Plant
Charles R. Plummer, PPM Consultants



**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE**

<p>IN THE MATTER OF</p> <p>HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. BIENVILLE PARISH ALT ID NO. LA0002844</p> <p>PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, ET SEQ.</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>ENFORCEMENT TRACKING NO.</p> <p style="text-align: center;">WE-CN-13-00771C</p> <p>AGENCY INTEREST NO.</p> <p style="text-align: center;">25163</p>
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**AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY**

The Louisiana Department of Environmental Quality (the Department) hereby amends the **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-13-00771B** issued to **HOUSE OF RAEFORD FARMS OF LOUISIANA, L.L.C. (RESPONDENT)** on November 14, 2014, in the above-captioned matter as follows:

I.

The Department hereby adds the following effluent violations to the table in paragraph III of the Findings of Fact:

Date	Outfall	Parameter	Permit Limit	Sample Value
10/31/2014	001A	Ammonia Monthly Average	4 mg/L	4.54 mg/L
		Nitrogen Daily Maximum	147 mg/L	256 mg/L
		TDS Monthly Average	832 mg/L	1237 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	0 %
		W.E.T. Monthly Average Minimum	94 %	0 %
11/30/2014	001A	Nitrogen Monthly Average	103 mg/L	125 mg/L
		Nitrogen Daily Maximum	147 mg/L	200 mg/L
		TDS Monthly Average	832 mg/L	958.5 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	30 %

11/30/2014	001PI	W.E.T. Monthly Average Minimum	94 %	30 %
12/31/2014	001A	Nitrogen Monthly Average	103 mg/L	146 mg/L
		Nitrogen Daily Maximum	147 mg/L	162 mg/L
		TDS Monthly Average	832 mg/L	999 mg/L
	001PI	W.E.T. 7 Day Minimum	94 %	30 %
		W.E.T. Monthly Average Minimum	94 %	30 %
01/31/2015	001A	Fecal Coliform Monthly Average Geometric	200 #/100ml	324 #/100ml
	001PI	W.E.T. 7 Day Minimum	94 %	0 %
		W.E.T. Monthly Average Minimum	94 %	0 %
03/31/2015	001A	TDS Monthly Average	832 mg/L	1135 mg/L

Each effluent exceedance listed above is in violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY WE-CN-13-00771B**, LPDES permit LA0002844 (Part I, and Part III, Section A.2), La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, and LAC 33:IX.501.D.

II.

On March 24, 2015, the Respondent submitted a schedule of upgrades to the wastewater treatment facilities to address the non-compliance issues presented in paragraph III of the Findings of Fact.

III.

The Department hereby inserts the following paragraph into the Order section to read as follows:

“V.

The **RESPONDENT** shall comply with the following repair and upgrade schedule:

MILESTONE	COMPLETION DATE
Design and Approval of Anoxic Basin	July 1, 2015
Construction Bidding	September 1, 2015
Begin Construction	October 1, 2015
End Construction	December 31, 2015
Startup and Optimization	February 1, 2016
Achieve Effluent Limits	March 1, 2016

The Respondent shall accomplish these tasks and comply with this schedule or any amendment of this schedule approved in writing by the Department. The Respondent shall submit quarterly progress reports until completion of the proposed improvements. The Respondent shall submit each progress report within fifteen (15) days following the end of the calendar quarter. The first progress report is due

July 15, 2015. 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.”

IV.

The **RESPONDENT** shall submit to the Enforcement Division, within thirty (30) days after receipt of this **AMENDED COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations added in this **AMENDED COMPLIANCE ORDER** and actions taken or to be taken to achieve compliance with the Order Portion of this **AMENDED COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **AMENDED COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Wayne R. Slater
Re: Enforcement Tracking No. WE-CN-13-00771C
Agency Interest No. 25163

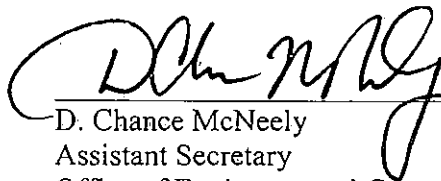
V.

The Department incorporates all of the remainder of the original **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-13-00771B** and **AGENCY INTEREST NO. 25163** as if reiterated herein.

VI.

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

Baton Rouge, Louisiana, this 26 day of May, 2015.



D. Chance McNeely
Assistant Secretary
Office of Environmental Compliance

DCM/WRS/wrs

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, LA 70821-4312
Attention: Wayne R. Slater