

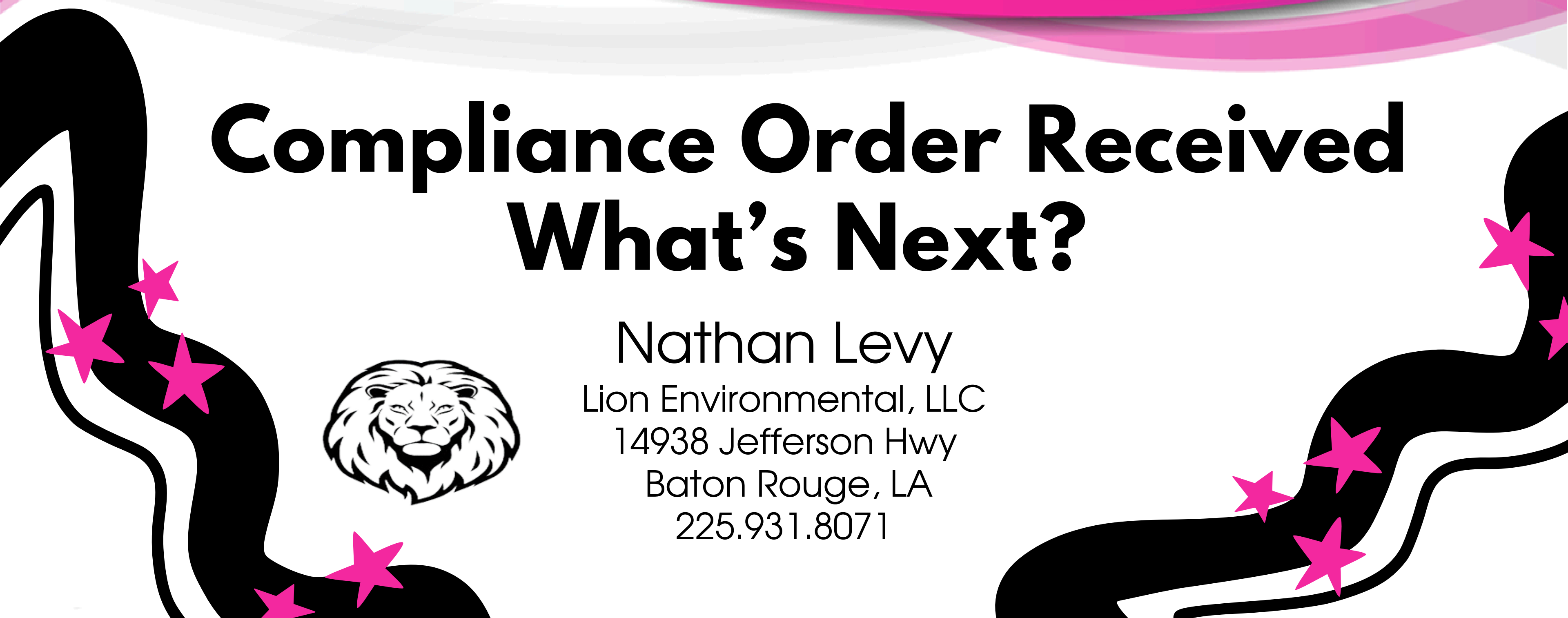


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Compliance Order Received What's Next?



Nathan Levy
Lion Environmental, LLC
14938 Jefferson Hwy
Baton Rouge, LA
225.931.8071



LADEQ Compliance Order Delivery

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- Usually a follow up Notice of Deficiency after a site visit.
- Almost always includes details and issues from a few months to a year in the past.
- Will include a reference to a previous Compliance Order if it was not satisfactorily closed based on “current” LADEQ standards.

Contents of Compliance Order

- Definition of “Respondent” and Facility Name
 - Make sure it references your facility and has the correct address
 - Should indicate the person ultimately responsible for response
 - Make sure it includes a LADEQ contact name *with* phone number

Contents of Compliance Order

- Definition of “Respondent” and Facility Name
- Findings of Fact
 - Describes the historical information about your facility in terms of physical location, past & current NPDES permits including effective date and expiration date.
 - Could include information concerning sludge permit with appropriate dates.
 - Will reference any Notice of Deficiencies and past Compliance Orders during the current evaluation or “look back” period.

Contents of Compliance Order

- Definition of “Respondent” and Facility Name
- Findings of Fact
- Description of Violation in the Findings of Fact
 - Reference to past inspections that uncovered issues that may or may not be violations.
 - Describe specific noncompliant events in past year or more such as NPDES exceedances and site failure to comply with permit.
 - If an error has been found in the DMR calculations, this will be cited as a failure to comply with conditions of the NPDES permit.
 - If your permit requires a sludge report, a Municipal Water Pollution Plan (MWPP), a Mercury Minimization Program Plan (MMPP), or a Stormwater Pollution Prevention Plan (SWPPP) and it was not on site at the time of inspection that will be noted as a violation.
 - Other odd but not so obvious citations.

Contents of Compliance Order

- Definition of “Respondent” and Facility Name
- Findings of Fact
- Description of Violation in the Findings of Fact
- Order
 - To immediately take the appropriate steps to comply with **all** of the Violations in the Findings of Fact.
 - Produce within 30 days **all** of the documents that were not found in the site visit.
 - To submit within 30 days a detailed plan that includes the root cause of the failure to comply with conditions of the NPDES permit. This document must include a detailed action plan to achieve compliance.
 - Submit evidence that **all** the requirements of “Plans” are being accomplished such as SWPPP annual monitoring and training and mercury sampling has occur as required by the MMPP
 - May request a meeting to discuss going forward once a plan has been submitted.

LADEQ Compliance Order Action Items

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LADEQ Compliance Order Action Items

- Read it very Slowly and Carefully – Twice!
- Take notes along the way keeping them in the same order as the Violations & Findings of Fact.
- Establish real steps your facility can do to attempt to come into permit compliance.
- Draft a set of goals to discuss.

LADEQ Compliance Order Action Items

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- Identify vendors to supply the products and services needed to achieve the goals.

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- Identify vendors to supply the products and services needed to achieve the goals.
- Evaluate cost of these goals and estimate timelines. Then double them!

LADEQ Compliance Order Respond to LADEQ

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LADEQ Compliance Order

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- Go over the response multiple times making sure all points are addressed.
- Make sure your facts are correct.
- Make sure your timeline is achievable.
- Make sure you have copies of all the documents requested.

LADEQ Compliance Order Safety Net

- Top right-hand corner of most Compliance Orders is the LADEQ contact. Verified early on!

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- Top right-hand corner of most Compliance Orders is the LADEQ contact. Verified early on!
- As 30 days approaches, draft an email requesting a 30-day extension detailing some of the action items being discussed and investigated and put the specific day you expect to deliver the report.

LADEQ Compliance Order Safety Net

- Mark your calendar and get it done!

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- Make a full copy for your files.

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- Make a full copy for your files.
- Send entire packet by registered mail with all documents included. **Email is not allowed.**

LADEQ Compliance Order Safety Net

Questions?

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