

The Department of Environmental Quality:

A Philosophy of Assistance, Efficiency and Change



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

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We're from the government and here to help.....



Hal

Damon

Steve



Accomplishments of the Department:

- **Implementation of the Expedited Penalty Program.**
- **Sustained response for hurricanes Katrina and Rita.**
- **Solid Waste Initiative/Illegal dumping.**
- **Development of a compliance assistance philosophy.**
- **Development of regional approach to Surveillance, Enforcement and SB/Community Assistance. (Keeping the Playing Field Level)**
- **Strengthen relationships with EPA, OSHA, DOJ, AG and other (LMA, LRWA, La Sheriffs Association) partners.**

Expedited Penalty (XP) Program





Act 1196 of 2003 Session

Directed the Department to set up Program

- Program would address minor and moderate violations**
- Penalty total cannot exceed \$1,500 for one violation/\$3,000 for two or more violations**



What is the XP agreement?

- **The Department agrees to assess a smaller monetary penalty to settle a violation.**
- **The facility agrees to correct the violation within 30 days, and they cannot appeal the action.**
- **May require attendance at Compliance School.**

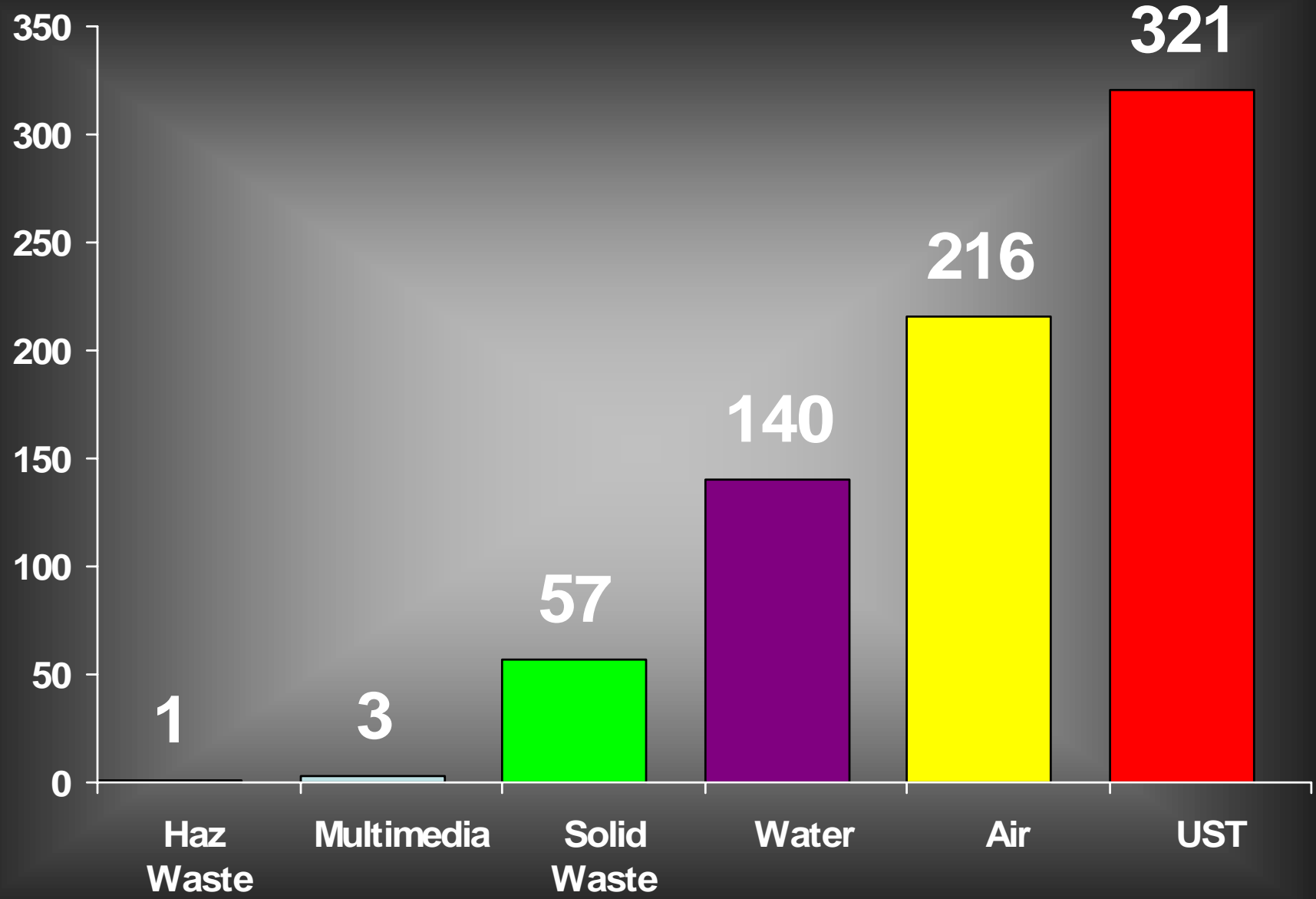


What the XP agreement isn't!

- **Smaller penalties for repeat violations**
- **Paying the smaller penalty if violations per inspection exceed the \$3,000 total for XP.**

EXPEDITED PENALTIES ISSUED BY MEDIA

2004- Present



Hurricanes Response





Aerial Surveillance

DONE!!!





Fort Jackson Hazardous Waste/Materials Staging Area





Levee Breach in New Orleans



DONE???

#1 Issue is Demolition, Debris Management and Removal



More Challenges???



More Challenges???





Solid Waste Initiative & Illegal Dumping

- **Statewide Issue-Focus began before storms (civil & criminal enforcement)**
- **NO Area- Focus on post-Katrina disposal practices.**
- **Statewide effort with local partners.**
- **C&D sites, special focus to get all on same level playing field!**

Compliance Assistance



Compliance Assistance: The Problem



- **“We’re just a small business!”**



- **“This is DEQ’s fault! No one told me how to do it right.”**



- **“I’ve been doing this for 10 years and no one even inspected me.”**

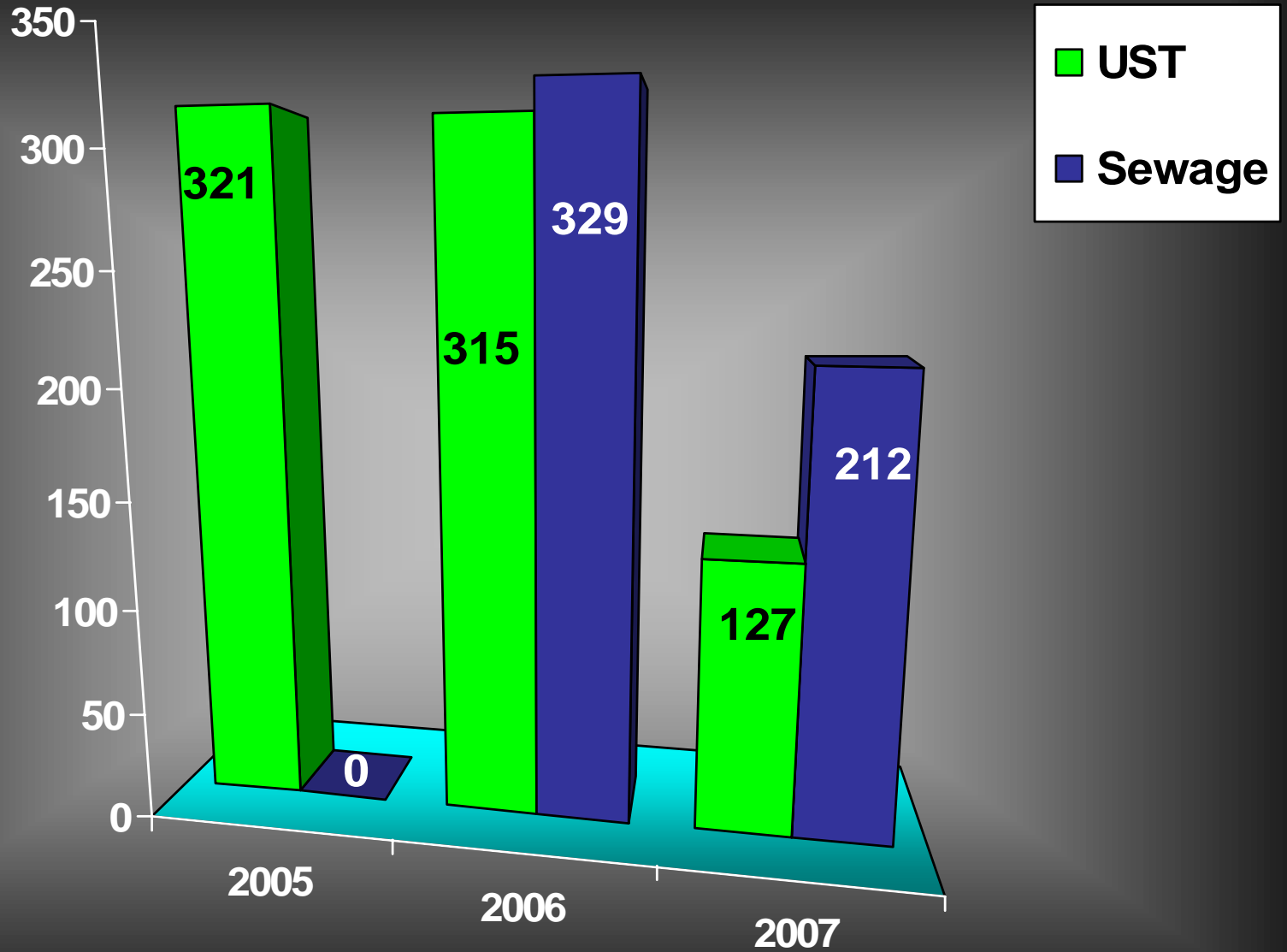


Compliance Assistance: Initial Concept

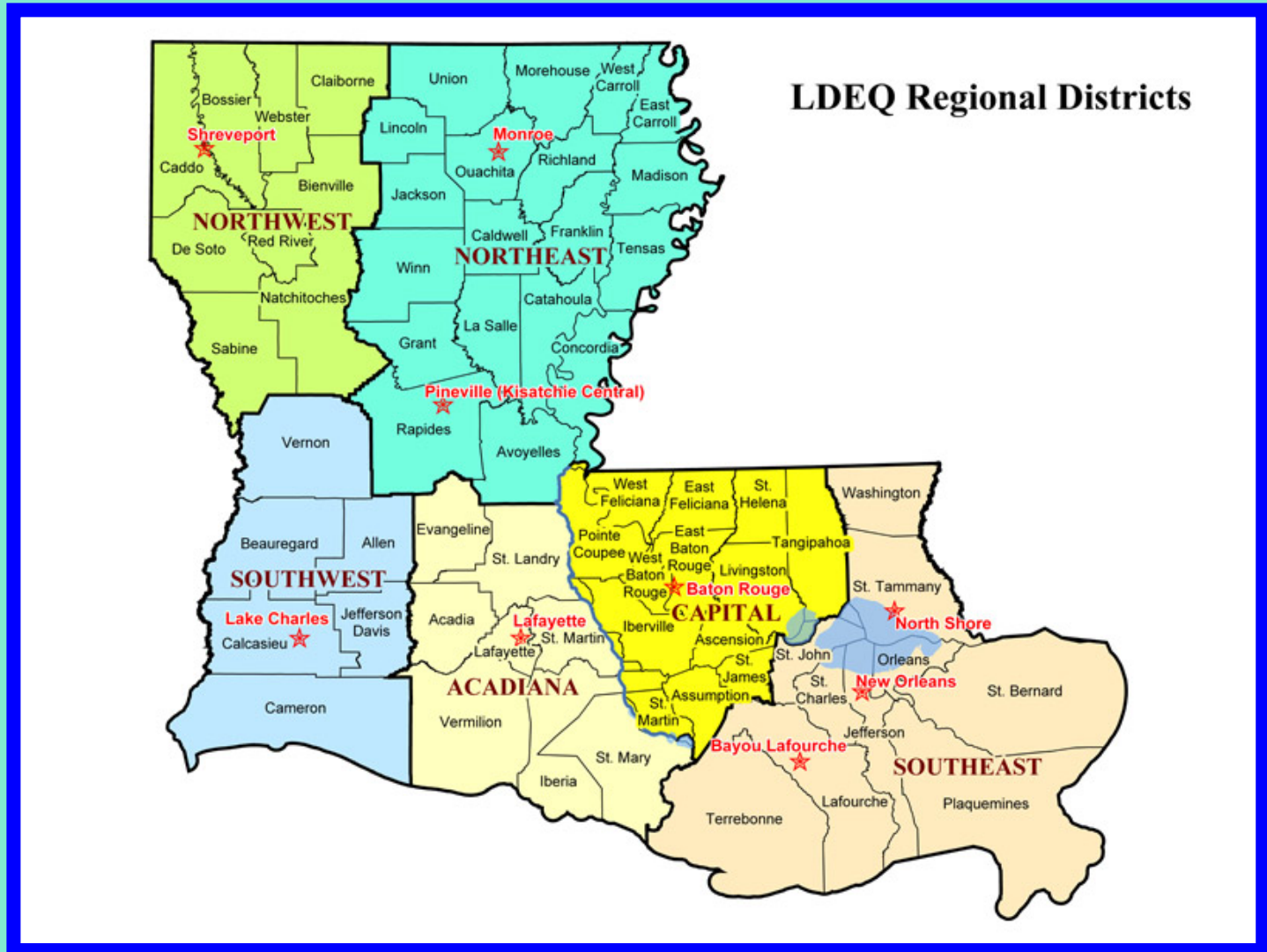
- **Design a booklet for UST and small wastewater treatment operators that explains the basics of each regulatory program in layman's terms**
- **Develop classroom training that presents an overview of the UST and Water regulations**
- **Promote communication between the owner/operators and Department personnel**
- **Part of XP program in some instances**

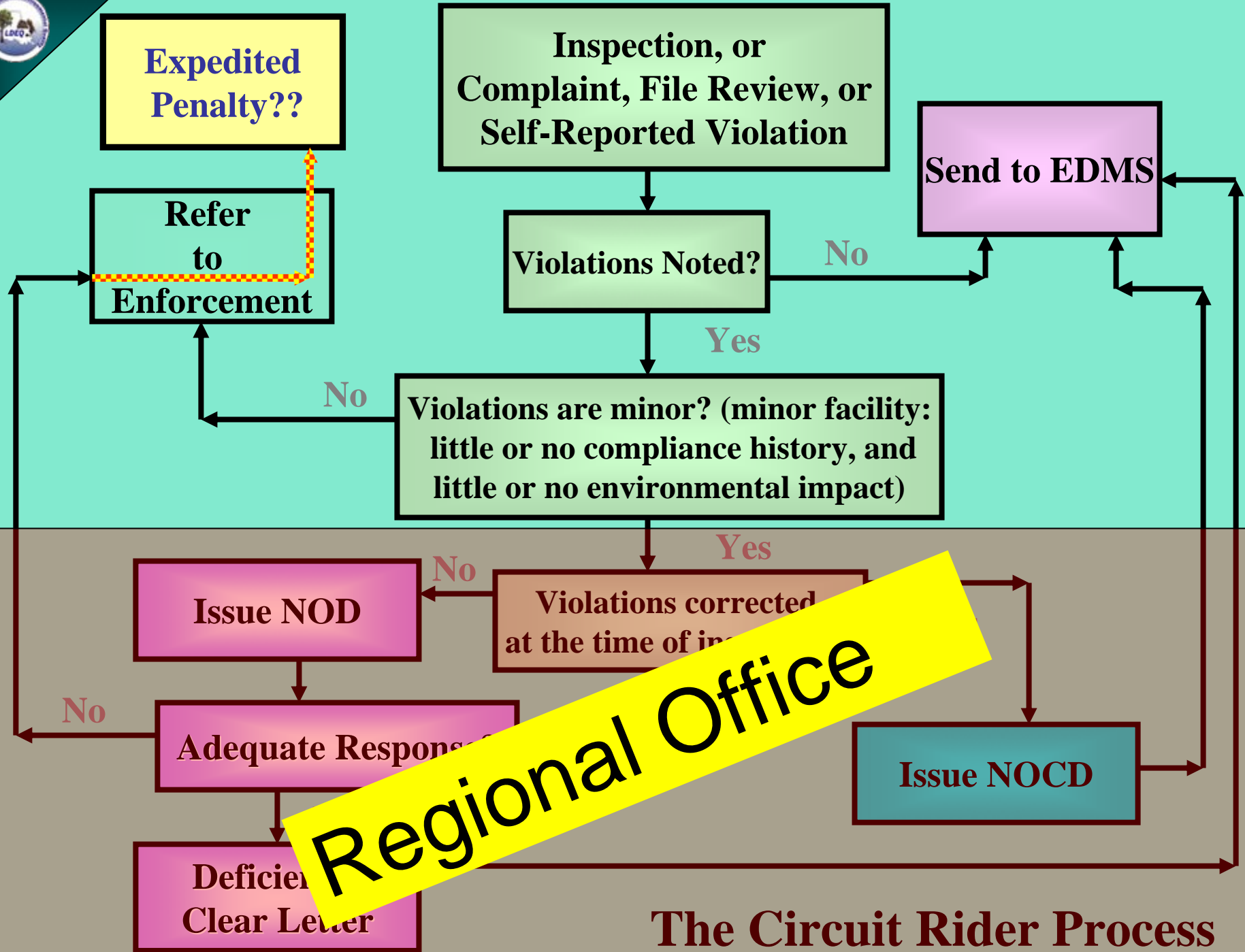
NUMBER OF COMPLIANCE ASSISTANCE ATTENDEES

2005- Present



Regional Surveillance and Enforcement “Circuit Rider”

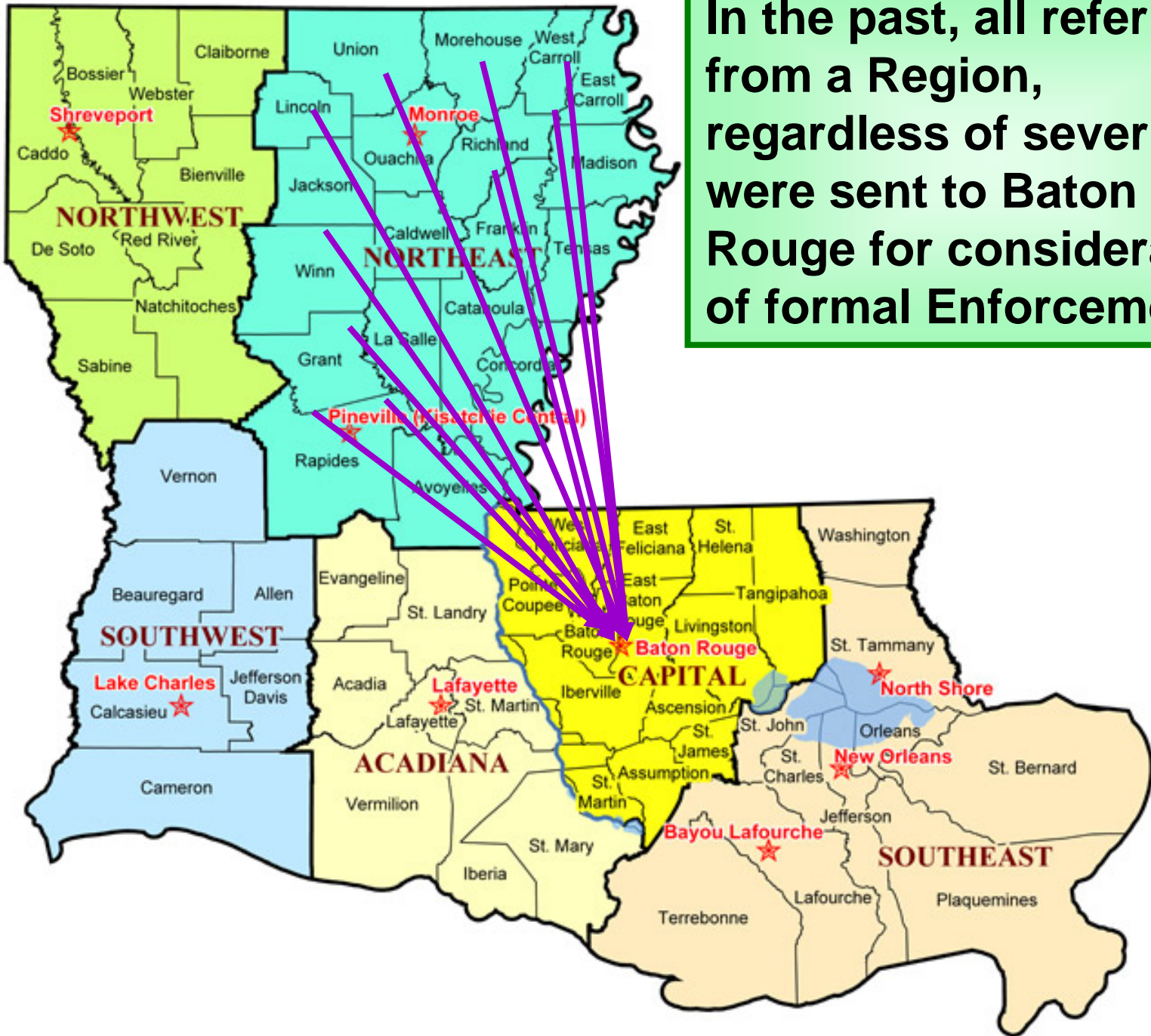




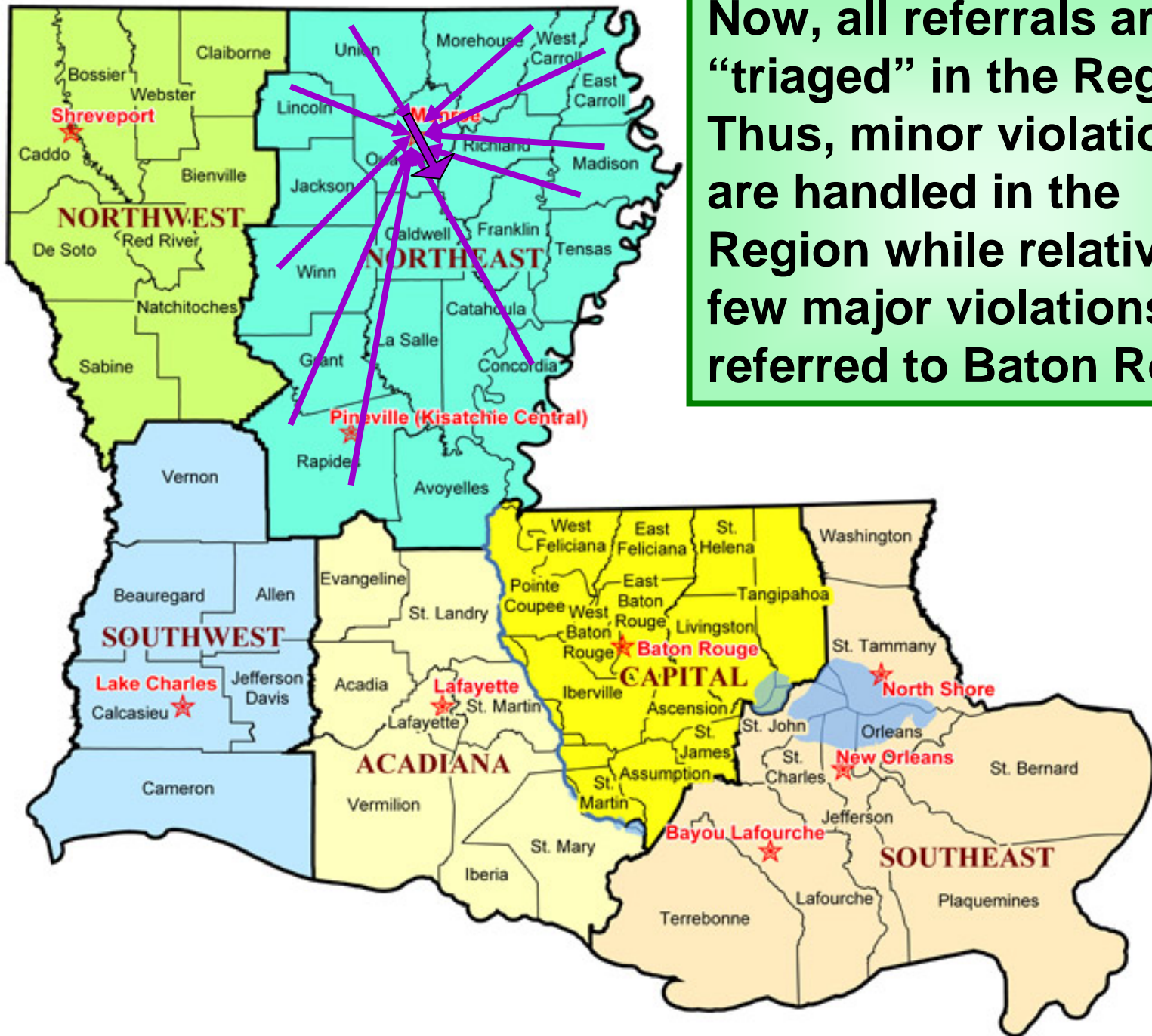
Regional Office

The Circuit Rider Process

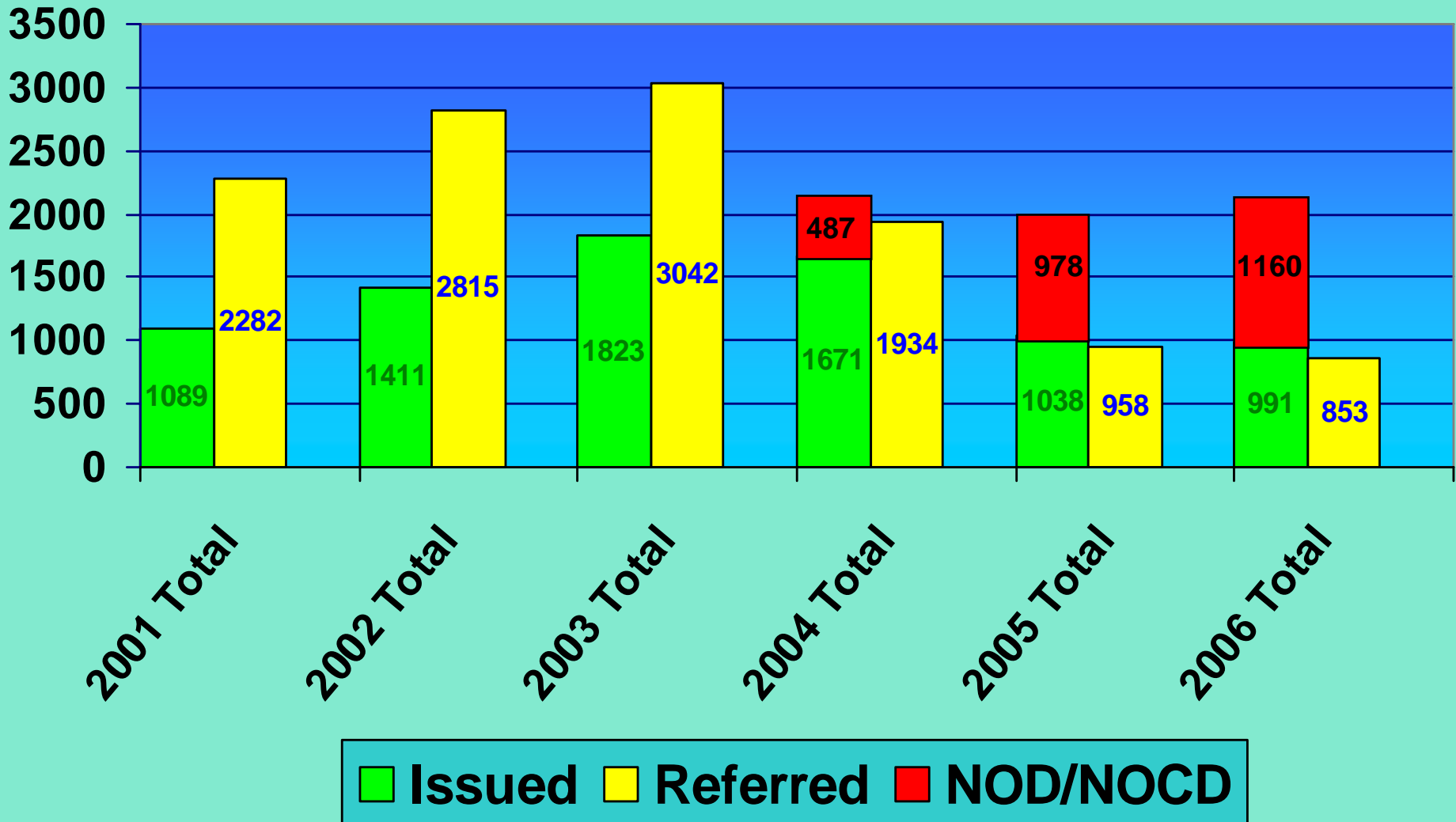
In the past, all referrals from a Region, regardless of severity, were sent to Baton Rouge for consideration of formal Enforcement



Now, all referrals are “triaged” in the Region. Thus, minor violations are handled in the Region while relatively few major violations are referred to Baton Rouge.



Enforcement Actions vs. Referrals (not including settlements)





Teamwork & Partners

- EPA HQ & Region
- EPA CID
- DOJ
- OSHA
- Attorney General
- State Agencies
- LMA
- LRWA
- La Sheriff's Association
- Local Government

Keeping the “playing field level” (Keeping the Dogs of Pollution on a Leash)



**The Leash is Only as Good as Its Weakest Link
(Teamwork & Partners are critical to success at LDEQ!)**



What Next?

- 1. Hurricane(s) legacy on La Coast and New Orleans.**
- 2. Sustaining Assistance and “front-loading”.**
- 3. Keeping the playing field level!**