



# **Office of Environmental Compliance**

## **2013 Update**

**Cheryl Sonnier Nolan**

**Assistant Secretary**

**October 29, 2013**

# Regulation Update



# Asbestos Regulations

- Stakeholders requested clarification of various parts of Chapters 27 and 51
- Also requested language related to asbestos-contaminated debris (post-Katrina/Rita)
- Potpourri Notices for both revisions published Oct. 10, 2013 for changes pursuant to Public Comments. Hearing date is 11/25/2013.

# Lead Statutes and Regulations

- Three Bills from 2012 Session
  - SB200 = Act 733
  - SB201 = Act 734
  - SB211 = Act 736
- Rules enacting this legislation were final on June 30, 2013

# RECAP






- Revisions are underway
- Preliminary drafts of Appendix D and Appendix G have been completed, and are posted on the DEQ website
- LDEQ is seeking input on revisions
- Intent is to allow input early in the process through informal comments
- The formal rule-making process will occur once draft revisions are completed

# Ambient Air Monitoring Sites

- SO<sub>2</sub> - The Additional monitor is installed and operational at Shreveport
- One Near Road NO<sub>2</sub> Site - goal is to have the site up and running by 1/1/2014.
  - Currently working with DOTD to finalize the permit to begin setting up the site
  - Equipment has been purchased
- Ozone – by 05/31/2014 will have an additional site in Lafayette area. We are still working with EPA on the plan for this site.

# Proposed Near-Road NO2 Site

## Legend

-  *NO2 Site*
-  *New Orleans and Vicinity*
-  *Regions*
-  *Waterbody*
-  *Parish Boundary*

**Proposed  
Near-Road  
NO2 site**



0 3 6 12 18 24 30 Miles



# Enforcement Update

- NetDMR
- Regional Compliance Orders
- Solid Waste Certification of Compliance
- Penalty Workgroup Update
- A Few Words About Settlements



# NetDMR

- Electronic Reporting for DMR data
- NetDMR became available for use by states and regions on June 29, 2009, and was immediately implemented by LDEQ.
- Free hands-on training available from LDEQ
  - Next class - December 12 in Baton Rouge
- Webinar training also offered periodically by EPA
- Requiring NetDMR in enforcement actions to address noncompliance issues

# Regional Compliance Orders

- 5 Standardized forms
  - 2 water
  - 1 waste tires
  - 1 illegal dumping & open burning
  - 1 UST
- Applicability determined in Regions by Circuit Rider, Regional Attorney and Regional Mgr
- Reviewed and signed Electronically

# Regional Compliance Orders

- Provides instructions on how to request Closure of the Order
- Designed to address common, minor violations that can be addressed in a relatively short timeframe
- Goal to reduce the time frame from violation discovery to correction
- Implementation of pilot phase began in December 2012

# Solid Waste Certification of Compliance

- First year that these are due
- Due by Oct 1
- Covers 07/01 through 06/30
- We are receiving and reviewing the certifications received
- Appropriate Enforcement will be initiated for instances of noncompliance

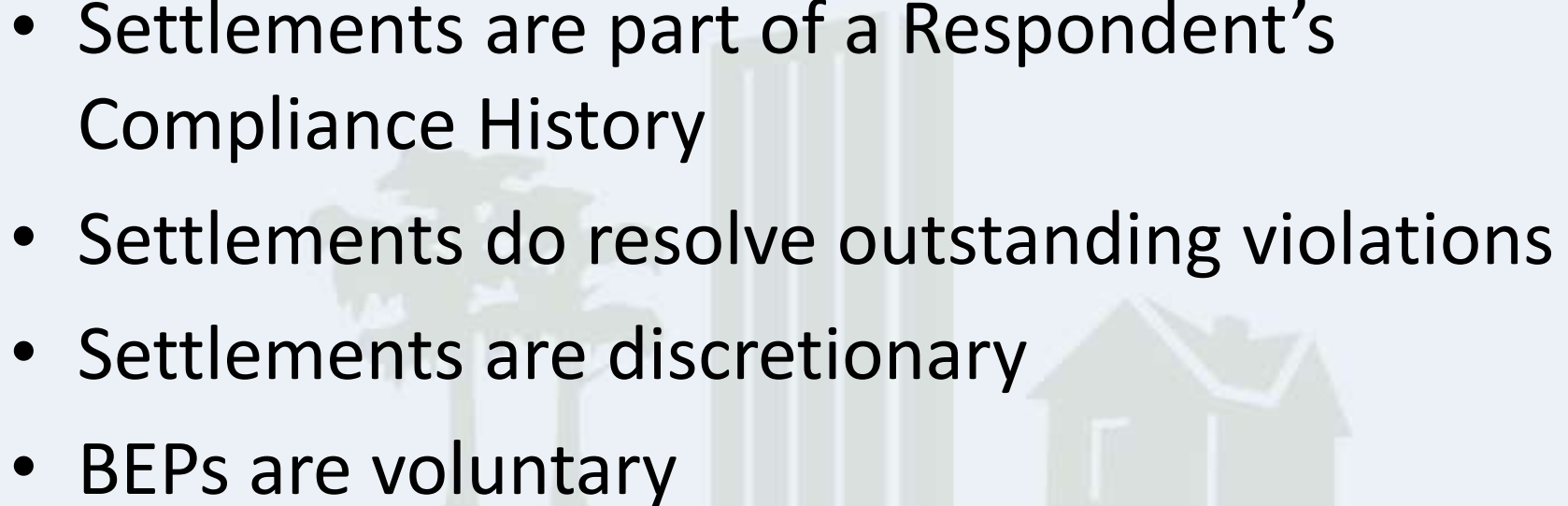
# Penalty Workgroup Update

- Stakeholder group began meeting Dec 2012
- Statutory changes not pursued in 2013
- Draft regulations nearing completion
  - 15% increase of matrix values, except Major/Major
  - \$100 still minimum of Minor/Minor
  - Clarifies that environment is considered as part of property for purposes of degree of risk
  - Allows DEQ the option to accept an affidavit stating Respondent has revenue to comply and pay fine

# Penalty Workgroup Update

- XP regulations
  1. Drafting new violations for consideration as XP
  2. Will be updating penalty amounts after matrix is revised to be consistent with categories.

# A Few Words About Settlements

- A Settlement is a type of Enforcement Action
  - Settlements are part of a Respondent's Compliance History
  - Settlements do resolve outstanding violations
  - Settlements are discretionary
  - BEPs are voluntary
- 
- A faint, light-colored illustration of a landscape is visible in the background. It shows a winding path leading towards a house on the right and several trees on the left. The illustration is semi-transparent and serves as a decorative backdrop for the text.

# A Few Words About Settlements

- Continuing to work with IT to establish an online BEP library
- Looking at how to recoup costs that the department (mainly Legal) incurs after an offer has been accepted
- Considering cost-effectiveness and timeliness of settlements to resolve certain enforcement actions in lieu of issuing a penalty



# Other Ongoing OEC Activities

- Hurricane Activities
  - Katrina
  - Isaac
- BP
- Bayou Corne
- Lawtell Train Derailment
- DHH Drinking Water Task Force

# OEC Personnel Changes

- Inspection Division Administrator
  - **Tom Killeen**
- Assessment Division Administrator
  - **Evita Lagard**
- Regional Manager – ARO/SWRO
  - **Billy Eakin**
- Emergency Response Manager
  - **Bryan Riche**

# OEC Personnel Changes

- Water Enforcement Manager
  - **Angela Marse**
- Waste Enforcement Manager
  - **Nicole Anthony**
- Waste Enforcement DCL B
  - **Craig Easley**

# OEC Personnel Changes

- Enforcement Database DCL B
  - **Keith Jordan**
- Inspection Eng 6 DCL
  - **Yanfu Zhao**
- Supervisor Water Enforcement/PCU
  - **Kathy Huddle**

# Contacts

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# Questions?

