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## Air/Stormwater Enforcement: Louisiana Department of Environmental Quality and Belle Chasse Construction Company Enter into Compliance Order & Notice of Potential Penalty

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The Louisiana Department of Environmental Quality (“LDEQ”) and River Construction, Inc. (“RCI”) entered into a March 31st Consolidated Compliance Order & Notice of Potential Penalty (“Order”) addressing alleged violations of the Clean Water Act and Louisiana air regulations. See MM-CN-11-00759.

The Order provides that RCI owns and/or operates a sand blasting and painting facility located in Belle Chasse, Louisiana.

RCI is stated to not operate under an air permit no have a Louisiana Pollutant Discharge Elimination System (“LPDES”) permit or other authority to discharge waste and/or other substances to waters of the state.

An inspection is stated to have indicated that the facility was operating without an air permit. Further, the facility is stated to have a 500 gpd mechanical sewage treatment plant that discharges to a lateral ditch on the west side of the property. This is characterized as unauthorized discharge of sanitary wastewaters into waters of the state. The Order further provides that RCI failed to prepare and/or implement an adequate plan that meets the regulatory Spill Prevention Control requirement.

A file review by LDEQ is stated to have indicated that RCI failed to apply for an LPDES permit. The inspection is stated to have also identified the following alleged violations:

- Engaging in the open burning of solid waste.
- Causing and/or allowing the deposition of regulated solid waste without a permit and/or other authority from LDEQ.
- Failure to keep containers of used oil closed.
- Failure to label a container storing used oil with words “Used Oil.”

The Order requires that RCI undertake a number of measures pursuant to a Compliance Order addressing SPC, used oil, LPDES, stormwater, and other issues.

The Order provides the issuance of a penalty assessment is being considered for the alleged violations.  
The opportunity to provide written comments is noted.

A copy of the Order can be found [here](#).