



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 6 § 1445 Ross Avenue, Suite 1200 § Dallas, Texas 75202-2733
St. Mary Parish, Wards 5 & 8 - Sludge - Settlement Agreement
Docket Number: CWA-06-2008-2035, NPDES Permit Number: LAL068381

St. Mary Parish, Wards 5 & 8 (Respondent) is a "person," within the meaning of Section 502(5) of the Clean Water Act (Act), 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

against Respondent for any other past, present, or future civil or criminal violation of the Act or of any other federal statute or regulation, and does not waive its right to issue a compliance order for the violation described herein. EPA has determined this CAFO to be in the public interest, and Respondent agrees.

The Environmental Protection Agency (Complainant) finds that Respondent has committed the following violation:

This CAFO is binding on the parties signing below and effective upon filing with the Regional Hearing Clerk.

Respondent failed to submit timely annual sludge monitoring reports for calendar years 2001, 2004, 2005 and 2006, in violation of 40 C.F.R. § 503.18(a) and Section 405(e) of the Act, 33 U.S.C. § 1345(e).

APPROVED BY EPA:

7-17-09
Date

[Signature]

John Blevins
Director
Compliance Assurance and Enforcement Division

FILED
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REGIONAL HEARING CLERK
EPA REGION VI

EPA finds, and Respondent admits, that Respondent is subject to Section 405(e) of the Act, 33, U.S.C. § 1345(e), and that EPA has jurisdiction over the allegations and any person who discharges pollutants from a point source to waters of the United States. Respondent neither admits nor denies the allegation(s) specified herein.

APPROVED BY RESPONDENT in accordance with 40 C.F.R. § 122.22:

EPA is authorized to enter into this Consent Agreement and Final Order (CAFO) under the authority vested in the Administrator of EPA by Section 309(g)(2)(A) of the Act, 33 U.S.C. § 1319(g)(2)(A), and by 40 C.F.R. § 22.13(b). The parties enter into this CAFO in order to settle the civil violation specified herein for a civil penalty of two thousand dollars (\$2,000.00). Respondent consents to the assessment of this penalty, and waives the right to contest the allegations specified herein, and waives the right to appeal.

Name (print): RAFAEL LOPEZ

Title (print): CHAIRMAN
(1-1-09 EHRU 12-31-09)

Signature: Rafael Lopez

Respondent hereby certifies, subject to civil and criminal penalties for making a false statement to the United States government, that it has corrected all deficiencies identified herein, and to the best of its knowledge, is in compliance with the National Pollutant Discharge Elimination System permitting program. Respondent understands that within thirty (30) days after filing of this CAFO with the Regional Hearing Clerk, it must send a bank, cashier's or certified check for the amount specified above, payable to the "Treasurer, United States of America" to:

Public Notice of and reasonable opportunity to comment on the proposed issuance of this CAFO was provided pursuant to Section 309(g)(4)(A) of the Act, 33 U.S.C. § 1319(g)(4)(A), and EPA received no comments concerning this matter.

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P. O. Box 979077
St. Louis, MO 63197-9000

Having determined that this CAFO is authorized by law and is in the public interest, it is so ordered:

July 20, 2009
Date

Respondent shall write the docket number assigned to this matter on the penalty payment check. Respondent shall also send a photocopy of the check to the address at the top of this document.

[Signature]
Regional Judicial Officer
U.S. EPA, Region 6

This CAFO settles the civil penalty claims brought against Respondent for the CWA violation described herein. However, EPA does not waive its right to take any enforcement action



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

CERTIFICATE OF SERVICE

I certify that the foregoing Administrative Penalty Order was served on the following person, in the manner specified, on the date below:

Original hand-delivered:

Regional Hearing Clerk (6RC-D)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Copy by certified mail
Return receipt requested:

Mr. Rafael Lopez, Chairman
St. Mary Parish, Wards 5 & 8
P. O. Box 181
Berwick, LA 70342

Copy by mail:

Ms. Joette Kenaly
Enforcement Manager
P.O. Box 4312
Baton Rouge, LA 70821

Dated

July 21, 2009

Jackie Samuel