



REGION 6

DALLAS, TX 75270

September 12, 2025

TRANSMITTED VIA E-MAIL

The Honorable Shelly Horton, Jr.
Town of Benton
105 Sibley Street
Benton, Louisiana 71006
bentonmayor11@gmail.com

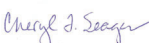
Re: Administrative Order Docket Number: CWA-06-2025-1791
Town of Benton, Palmetto Park Wastewater Treatment Plant
NPDES Permit: LA0102890

Dear Mayor Horton:

Enclosed is an Administrative Order (AO) issued to the Town of Benton for violations of the Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.) and the Louisiana Pollutant Discharge Elimination System (LPDES) Permit (permit) conditions. Violations were identified during a review of the permit file and discharge monitoring reports submitted for the Palmetto Park Wastewater Treatment Plant. The violations alleged are for failure to meet permit effluent limits. The EPA requests that you immediately confirm receipt of this e-mail and the attached order by a response e-mail to mcelroy.damon@epa.gov.

This AO does not assess a monetary penalty; however, it does require compliance with applicable federal regulations. The first compliance deadline is within thirty days of the effective date of the AO. The Environmental Protection Agency is committed to ensuring compliance with the requirements of the NPDES program and my staff will assist you in any way possible. Please reference AO Docket Number CWA-06-2025-1791 and LPDES Permit Number LA0102890 on your response. If you have any questions, please contact Mr. Damon McElroy, P.E. of my staff, at (214) 665-7159 or mcelroy.damon@epa.gov.

Sincerely,

 Digitally signed by CHERYL
SEAGER
Date: 2025.09.12 10:42:41 -05'00'

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

Town of Benton, Palmetto Park Wastewater Treatment Plant

Enclosure(s)

ec: Ms. Naz Zanjani-Bachar
Enforcement, LDEQ
naz.zanjani-bachar@la.gov



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6

FINDINGS OF VIOLATION AND COMPLIANCE ORDER

Docket Number: CWA-06-2025-1791; NPDES Permit Number: LA0102890

STATUTORY AUTHORITY

The following findings are made, and Order issued, under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA), by Section 309(a) of the Clean Water Act (the Act), 33 U.S.C. § 1319(a). The Administrator of EPA delegated the authority to issue this Order to the Regional Administrator of EPA Region 6, who delegated this authority to the Director of the Enforcement and Compliance Assurance Division.

FINDINGS

1. The Town of Benton (Respondent) is a "person," as that term is defined at Section 502(5) of the Act, 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.
2. At all times relevant to this Order (all relevant times), Respondent owned or operated the Town of Benton Wastewater Treatment Facility (facility) located at 4624 Palmetto Road, Bossier City, Louisiana 71006, Bossier Parish, and was therefore an "owner or operator" within the meaning of 40 C.F.R. § 122.2.
3. At all relevant times, the facility acted as a "point source" of a "discharge" of "pollutants" with its final wastewater discharge to the receiving waters named Flat River Drainage Canal, thence to Flat River, thence to Red Chute Bayou (Subsegment 100406) which are "waters of the United States" within the meaning of Section 502 of the Act, 33 U.S.C. § 1362, and 40 C.F.R. § 122.2.
4. Because Respondent owned or operated a facility that acted as a point source of discharges of pollutants to waters of the United States, Respondent and the facility were subject to the Act and the National Pollutant Discharge Elimination System (NPDES) program.
5. Under Section 301 of the Act, 33 U.S.C. § 1311, it is unlawful for any person to discharge any pollutant from a point source to waters of the United States, except with the authorization of, and in compliance with, an NPDES permit issued pursuant to Section 402 of the Act, 33 U.S.C. § 1342.
6. Section 402(a) of the Act, 33 U.S.C. § 1342(a), provides that the Administrator of EPA may issue permits under the NPDES program for the discharge of pollutants from point sources to waters of the United States. Any such discharge is subject to the specific terms and conditions prescribed in the applicable permit.
7. Section 402 of the Act, 33 U.S.C. § 1342, authorizes states to request approval from EPA to administer their own permit programs for discharges into navigable waters within their jurisdiction. Pursuant to this provision, the State of Louisiana requested approval from EPA to administer its own permit program for discharges into navigable waters within Louisiana, and such approval was granted by EPA to LDEQ in August 1996. Therefore, pursuant to the State's permit program, the Louisiana Department on Environmental Quality (LDEQ) issued Louisiana Pollutant Discharge Elimination System (LPDES) permits. Violation of a LPDES permit is a violation of Section 301(a) of the Act, 33 U.S.C. § 1311(a).
8. Respondent applied for and was issued LPDES Permit No. LA0102890 (herein "the permit") under Section 402 of the Act, 33 U.S.C. § 1342, which became effective on June 1, 2018. At all relevant times, Respondent was authorized to discharge pollutants from the facility to waters of the United States only in compliance with the specific terms and conditions of the permit.
9. The permit includes "Monitoring and Reporting Requirements" that require Respondent to sample and test its effluent and monitor its compliance with permit conditions according to specific procedures, to determine the facility's compliance or noncompliance with the permit and applicable regulations. The permit also requires Respondent to file with LDEQ certified Discharge Monitoring Reports (DMRs) of the results of monitoring, and Noncompliance Reports when appropriate.
10. The permit contains "Effluent Limitations and Monitoring Requirements" that place certain limitations on the quality and quantity of effluent discharged by Respondent. The relevant discharge limitations are specified in Attachment A, which is incorporated herein by reference.
12. Certified DMRs filed by Respondent with LPDES in compliance with the permit show discharges of pollutants from the facility that exceed the permitted effluent limitations established in the permit, as specified in Attachment B, which is incorporated herein by reference.
13. On December 18, 2023, EPA issued Administrative Order (AO) Docket Number CWA-06-2024-1717, which cited previous effluent limit violations from January 2020 through September 2023. The AO required Respondent to eliminate cited violations or submit a plan to eliminate violations.

14. On August 26, 2025, Respondent agreed to and submitted a plan of action with a schedule to bring the facility into compliance. The plan is incorporated into this Order below.
15. Each instance in which Respondent discharged pollutants to waters of the United States in amounts exceeding the effluent limitations contained in the permit is a violation of the permit and Section 301 of the Act, 33 U.S.C. § 1311.

SECTION 309(a)(3) COMPLIANCE ORDER

16. Based on the foregoing Findings and pursuant to the authority of Section 309(a)(3) of the Act, 33 U.S.C. § 1319(a)(3), EPA hereby orders Respondent to take the following action:

A. Respondent shall complete the following Schedule of Activities Table to achieve compliance with the requirements of the Permit and the Act.

Schedule of Activities Table:

Town of Benton Palmetto Park WWTP new connection to “North WWTP” Project to achieve LA0102890 compliance	
Project Activity	Completion Date
Award Contract	January 2026
Complete project construction	February 2027
Submit final Sanitary Sewer compliance report and achieve Permit compliance	June 2027

B. In addition to the Project Reports specified in the table above, within forty-five (45) days after the completion date for each Project Activity, Respondent shall submit a Project Completion Report to EPA outlining the project status that shall contain the following information:

- 1) a detailed description of the Project as implemented;
- 2) certification that the Project has been fully implemented pursuant to the provisions of this Order; and,
- 3) explanation for delays, if applicable, and proposed remedial actions.

C. In the Project Completion Report submitted to EPA pursuant to this Order, Respondent shall, by its officers, sign and certify under penalty of law that the information contained in such report is true, accurate, and not misleading by signing the following statement:

I certify under penalty of law that I have examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

D. Any information or correspondence submitted by Respondent to EPA under this Order shall be submitted, via e-mail, to the following:

Mr. Damon McElroy, P.E.
mcelroy.damon@epa.gov

GENERAL PROVISIONS

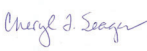
Respondent may seek federal judicial review of the Order pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

Issuance of this Section 309(a)(3) Compliance Order shall not be deemed an election by EPA to waive any administrative, judicial, civil, or criminal action to seek penalties, fines or other relief under the Act for the violations cited herein, or other violations that become known to EPA. EPA reserves the right to seek any remedy available under the law that it deems appropriate.

Failure to comply with this Section 309(a)(3) Compliance Order or the Act may result in further administrative action, or a civil judicial action initiated by the United States Department of Justice.

This Order does not constitute a waiver or modification of the terms or conditions of Respondent’s NPDES permit, which remain in full force and effect. Compliance with the terms and conditions of this Order does not relieve Respondent of its obligation to comply with any applicable federal, state, or local law or regulation.

The effective date of this Order is the date it is received by Respondent.

 Digitally signed by CHERYL SEAGER
Date: 2025.09.12 10:36:53 -05'00'

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

Attachment A – Effluent Limitations

Town of Benton

Palmetto Park WWTP

NPDES Number LA0102890

Effluent Characteristics	Discharge Limitations for Outfall 001				
	Loading (lbs/day)		Concentration (mg/l), unless noted		
	30-Day Avg.	7-Day Avg.	30-Day Avg.	7-Day Avg.	Daily Max.
Ammonia Nitrogen, Total, (N)	17	N/A	5	10	N/A
Carbonaceous Biochemical Oxygen Demand, 5 Day (CBOD)	33	N/A	10	15	N/A
Fecal Coliform		N/A	200 Col/100 ml	400 Col/100 ml	N/A
Total Suspended Solids, (TSS)	50	N/A	15	23	N/A

Attachment B**Town of Benton Wastewater Treatment Facility
Permit LA0102890****Effluent Violations Table:**

Monitoring Period End Date	Parameter Desc	Limit Parameter	Limit Unit	Limit Value	DMR Value
09/30/2023	BOD, carbonaceous	Mo. Avg.	lb/d	33	37.5
09/30/2023	Coliform, fecal	Mo. Avg.	#/100mL	200	3700
09/30/2023	Coliform, fecal	Wkly. Avg.	#/100mL	400	8560
09/30/2023	Total Suspended Solids	Mo. Avg.	lb/d	50	98.8
09/30/2023	Total Suspended Solids	Mo. Avg.	mg/L	15	25
09/30/2023	Total Suspended Solids	Wkly. Avg.	mg/L	23	24.4
09/30/2023	Ammonia Nitrogen	Mo. Avg.	lb/d	17	35.6
09/30/2023	Ammonia Nitrogen	Mo. Avg.	mg/L	5	20.9
09/30/2023	Ammonia Nitrogen	Wkly. Avg.	mg/L	10	20.9
10/31/2023	Coliform, fecal	Wkly. Avg.	#/100mL	400	752
10/31/2023	Total Suspended Solids	Mo. Avg.	mg/L	15	23.7
10/31/2023	Total Suspended Solids	Wkly. Avg.	mg/L	23	24.9
11/30/2023	Total Suspended Solids	Mo. Avg.	lb/d	50	114
11/30/2023	Total Suspended Solids	Mo. Avg.	mg/L	15	31.6
11/30/2023	Total Suspended Solids	Wkly. Avg.	mg/L	23	33.4
12/31/2023	BOD, carbonaceous	Mo. Avg.	mg/L	10	13
12/31/2023	Total Suspended Solids	Mo. Avg.	mg/L	15	41.7
12/31/2023	Total Suspended Solids	Wkly. Avg.	mg/L	23	44
12/31/2023	Ammonia Nitrogen	Mo. Avg.	lb/d	17	29.9
12/31/2023	Ammonia Nitrogen	Mo. Avg.	mg/L	5	15.8
12/31/2023	Ammonia Nitrogen	Wkly. Avg.	mg/L	10	15.8
01/31/2024	BOD, carbonaceous	Mo. Avg.	mg/L	10	10.8
01/31/2024	Total Suspended Solids	Mo. Avg.	lb/d	50	64.1
01/31/2024	Total Suspended Solids	Mo. Avg.	mg/L	15	29.5
01/31/2024	Total Suspended Solids	Wkly. Avg.	mg/L	23	28.3
02/29/2024	Total Suspended Solids	Mo. Avg.	mg/L	15	18.2
03/31/2024	BOD, carbonaceous	Mo. Avg.	mg/L	10	16.4
03/31/2024	BOD, carbonaceous	Wkly. Avg.	mg/L	15	16.5
03/31/2024	Total Suspended Solids	Mo. Avg.	mg/L	15	38.9
03/31/2024	Total Suspended Solids	Wkly. Avg.	mg/L	23	38
03/31/2024	Ammonia Nitrogen	Mo. Avg.	lb/d	17	22.9
03/31/2024	Ammonia Nitrogen	Mo. Avg.	mg/L	5	12.6
03/31/2024	Ammonia Nitrogen	Wkly. Avg.	mg/L	10	12.6
04/30/2024	BOD, carbonaceous	Mo. Avg.	mg/L	10	14
04/30/2024	Coliform, fecal general	Wkly. Avg.	#/100mL	400	556

Monitoring Period End Date	Parameter Desc	Limit Parameter	Limit Unit	Limit Value	DMR Value
04/30/2024	Total Suspended Solids	Mo. Avg.	lb/d	50	73.5
04/30/2024	Total Suspended Solids	Mo. Avg.	mg/L	15	34.3
04/30/2024	Total Suspended Solids	Wkly. Avg.	mg/L	23	34.4
05/31/2024	BOD, carbonaceous	Mo. Avg.	mg/L	10	11.5
05/31/2024	Solids, total suspended	Mo. Avg.	mg/L	15	35.2
05/31/2024	Solids, total suspended	Wkly. Avg.	mg/L	23	34.6
06/30/2024	BOD, carbonaceous	Mo. Avg.	mg/L	10	10.8
06/30/2024	Total Suspended Solids	Mo. Avg.	mg/L	15	19
06/30/2024	Ammonia Nitrogen	Mo. Avg.	lb/d	17	19.6
06/30/2024	Ammonia Nitrogen	Mo. Avg.	mg/L	5	8.89
07/31/2024	Total Suspended Solids	Mo. Avg.	mg/L	15	18.4
08/31/2024	BOD, carbonaceous	Mo. Avg.	lb/d	33	37.8
08/31/2024	BOD, carbonaceous	Mo. Avg.	mg/L	10	10.8
09/30/2024	Ammonia Nitrogen	Mo. Avg.	lb/d	17	42.4
09/30/2024	Ammonia Nitrogen	Mo. Avg.	mg/L	5	18.6
09/30/2024	Ammonia Nitrogen	Wkly. Avg.	mg/L	10	18.6
12/31/2024	Solids, total suspended	Mo. Avg.	lb/d	50	55.3
12/31/2024	Ammonia Nitrogen	Mo. Avg.	lb/d	17	13
12/31/2024	Ammonia Nitrogen	Mo. Avg.	mg/L	5	23.1
12/31/2024	Ammonia Nitrogen	Wkly. Avg.	mg/L	10	23.1
03/31/2025	BOD, carbonaceous	Mo. Avg.	lb/d	33	55.2
03/31/2025	BOD, carbonaceous	Mo. Avg.	mg/L	10	12.2
03/31/2025	BOD, carbonaceous	Wkly. Avg.	mg/L	15	16.6
03/31/2025	Solids, total suspended	Mo. Avg.	lb/d	50	66.6
03/31/2025	Solids, total suspended	Mo. Avg.	mg/L	15	17.8
03/31/2025	Ammonia Nitrogen	Mo. Avg.	lb/d	17	29.1
03/31/2025	Ammonia Nitrogen	Mo. Avg.	mg/L	5	23
03/31/2025	Ammonia Nitrogen	Wkly. Avg.	mg/L	10	23
04/30/2025	BOD, carbonaceous	Mo. Avg.	lb/d	33	50.7
04/30/2025	BOD, carbonaceous	Mo. Avg.	mg/L	10	10.5
04/30/2025	Solids, total suspended	Mo. Avg.	lb/d	50	94.6
04/30/2025	Solids, total suspended	Mo. Avg.	mg/L	15	27.7
06/30/2025	Ammonia Nitrogen	Mo. Avg.	mg/L	5	6.37