



REGION 6
DALLAS, TX 75270

June 3, 2025

TRANSMITTED VIA EMAIL

The Honorable Donna Bertrand
Mayor, Village of Estherwood
PO Box 167
Estherwood, LA 70534-0167

Re: Administrative Order, Docket Number: CWA-06-2025-1748
LPDES Permit Number: LA0064530

Dear Mayor Bertrand:

Enclosed is an Administrative Order (AO) issued to the Village of Estherwood Sewerage Treatment Facility for violations of the Clean Water Act (CWA), 33 U.S.C. § 1251 et seq., and the Louisiana Pollutant Discharge Elimination System (LPDES). Violations were identified during a review of the permit file and discharge monitoring reports submitted for the Estherwood Sewerage Treatment Facility. 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 to montoya.david01@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 (30) days of the effective date of the AO. The Environmental Protection Agency Region 6 is committed to ensuring compliance with the requirements of the National Pollutant Discharge Elimination System (NPDES) program and my staff will assist you in any way possible. Please reference AO Docket Number CWA-06-2025-1748 and LPDES Permit Number LA0064530 on your response.

If you have any questions, please contact Mr. David Montoya Jr., of my staff, at (214) 665-6478 or at montoya.david01@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl T. Seager".

Digitally signed by
Seager, Cheryl
Date: 2025.06.03
13:34:28 -05'00'

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

Enclosure

e.c. 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-06-2025-1748; Permit Number: LA0064530

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 (herein "the Act"), 33 U.S.C. § 1319(a). The Administrator of EPA has delegated the authority to issue this Order to the Regional Administrator of EPA Region 6, who has further delegated this authority to the Director of the Enforcement and Compliance Assurance Division.

FINDINGS

1. The Village of Estherwood (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), the Respondent was authorized to discharge from Estherwood Sewerage Treatment Facility (facility) located at 294 Cemetery Rd in Estherwood, Acadia Parish, Louisiana 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 wastewater to the receiving waters of Coulee Trief; thence into Bayou Plaquemine Brule; thence into the Mermentau River (Subsegment 050201) which are considered "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 is a point source of discharges of pollutants to waters of the U.S., 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 NPDES Permit No. LA0064530 (permit) under Section 402 of the Act, 33 U.S.C. § 1342, issued on April 1, 2022, which then became effective on May 1, 2022. At all relevant times of permit effectiveness, 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 also includes "Effluent Limitations and Monitoring Requirements" that require the Respondent to sample and test its effluent and monitor compliance with permit conditions according to specific procedures, in order to determine the facility's compliance or noncompliance with the permit and applicable regulations. The relevant discharge limitations are specified in Attachment A, which is incorporated herein by reference.
10. The permit requires Respondent to file certified Discharge Monitoring Reports (DMRs) of the results of monitoring. Certified DMRs filed by Respondent with EPA 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.
11. On April 23rd, 2025, Respondent agreed to contact and coordinate with the Southwest Environmental Finance Center (SWEFC) for assistance with compliance with all permit conditions, including Effluent Limitations and Monitoring and Reporting Requirements, and for assistance with applying for available funding. Assistance is available through the SWEFC. Information on the SWEFC is available on the web-address <https://swefc.unm.edu/home/>, or email at swefc@unm.edu, or by phone at 505-277-0644.

12. Each violation of the conditions of this permit or regulations described above is a violation of Section 301 of the Act, 33 U.S.C. § 1311.

SECTION 309(a)(3) COMPLIANCE ORDER

13. Based on the foregoing Findings and pursuant to the authority of Section 309(a)(3) of the Act, EPA hereby orders the Respondent to take the following actions:

A. Immediately take all measures as necessary to comply with permit conditions, including Effluent Limitations and Monitoring and Reporting Requirements, no later than thirty (30) days from the effective date of the Order.

B. Within thirty (30) days of the effective date of this Order, Respondent shall submit a list of the specific action taken to correct the Carbonaceous BOD, General Fecal Coliform, Total Ammonia Nitrogen, pH, and the Total Suspended Solids effluent violations.

C. Within thirty (30) days of the effective date of this Order, Respondent shall provide written certification to EPA Region 6 that the violations cited herein have been corrected and the facility is compliant with the requirements of the permit.

D. In the event the Respondent believes complete correction of the violations cited herein is not possible within thirty (30) days of the effective date of this Order, Respondent shall, within thirty (30) days of the effective date of this Order, submit a comprehensive written plan for the elimination of the cited violations within the shortest possible time. Such plan shall describe in detail the specific corrective actions to be taken and why such actions are sufficient to correct the violations. The plan shall include a detailed schedule for the elimination of the violations within the shortest possible time, as well as measures to prevent these or similar violations from recurring.

E. Any information or correspondence submitted by Respondent to EPA under this Order shall be submitted, via email, to the following:

Ms. Darlene Whitten-Hill
whitten-hill.darlene@epa.gov

and

Mr. David Montoya Jr.
montoya.david01@epa.gov

GENERAL PROVISIONS

Respondent may seek federal judicial review of this 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.

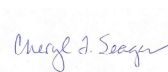
Failure to comply with this Section 309(a)(3) Compliance Order or the Act may result in further administrative action, or a civil judicial action initiated by the United States Department of Justice.

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 the Respondent.

June 3, 2025

Date



Digitally signed by
Seager, Cheryl
Date: 2025.06.03
13:33:34 -05'00'

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

Attachment A
Village of Estherwood
LPDES Permit ID: LA0064530

Effluent Parameter	Quality/Concentration Average	Quality/Concentration Maximum
<i>[December – February]</i> Carbonaceous Biological Oxygen Demand (BOD) [5-day, 20°C]	30 mg/L MO AVG	45 mg/L WKLY AVG
<i>[March – November]</i> Carbonaceous Biological Oxygen Demand (BOD) [5-day, 20°C]	10 mg/L MO AVG	15 mg/L WKLY AVG
General Fecal Coliform	200 colonies/100mL MOAV GEO	400 colonies/100mL WKAV GEO
<i>[December – February]</i> Total Ammonia Nitrogen	15 mg/L MO AVG	30 mg/L WKLY AVG
<i>[March – November]</i> Total Ammonia Nitrogen	10 mg/L MO AVG	20 mg/L WKLY AVG
pH	6.0 – Instant Minimum 9.0 – Instant Maximum	
Total Suspended Solids (TSS)	15 mg/L MO AVG	23 mg/L WKLY AVG

Attachment B
Village of Estherwood
LPDES Permit ID: LA0064530

Monitoring Period End Date	Parameter Description	Statistical Base	Limit Unit	Limit Value	DMR Value
8/31/2022	BOD, carbonaceous [5-day, 20 C]	MO AVG	mg/L	10	11
8/31/2022	Solids, total suspended	WKLY AVG	mg/L	23	49
8/31/2022	Solids, total suspended	MO AVG	mg/L	15	49
9/30/2022	BOD, carbonaceous [5-day, 20 C]	MO AVG	mg/L	10	12
9/30/2022	Coliform, fecal general	WKAV GEO	#/100mL	400	2419.6
9/30/2022	Coliform, fecal general	MOAV GEO	#/100mL	200	2419.6
9/30/2022	Solids, total suspended	WKLY AVG	mg/L	23	29
9/30/2022	Solids, total suspended	MO AVG	mg/L	15	29
11/30/2022	pH	INST MIN	SU	6	5.81
2/28/2023	Solids, total suspended	WKLY AVG	mg/L	23	80
2/28/2023	Solids, total suspended	MO AVG	mg/L	15	80
3/31/2023	Coliform, fecal general	WKAV GEO	#/100mL	400	1553.1
3/31/2023	Coliform, fecal general	MOAV GEO	#/100mL	200	1553.1
3/31/2023	Nitrogen, ammonia total [as N]	MO AVG	mg/L	10	22.5
3/31/2023	Nitrogen, ammonia total [as N]	WKLY AVG	mg/L	20	22.5
3/31/2023	Solids, total suspended	MO AVG	mg/L	15	21
7/31/2023	BOD, carbonaceous [5-day, 20 C]	MO AVG	mg/L	10	14
7/31/2023	Coliform, fecal general	MOAV GEO	#/100mL	200	2419.6
7/31/2023	Coliform, fecal general	WKAV GEO	#/100mL	400	2419.6
7/31/2023	Solids, total suspended	MO AVG	mg/L	15	18
10/31/2023	BOD, carbonaceous [5-day, 20 C]	MO AVG	mg/L	10	22
10/31/2023	BOD, carbonaceous [5-day, 20 C]	WKLY AVG	mg/L	15	22
10/31/2023	Nitrogen, ammonia total [as N]	MO AVG	mg/L	10	13
10/31/2023	Solids, total suspended	WKLY AVG	mg/L	23	57
10/31/2023	Solids, total suspended	MO AVG	mg/L	15	57
11/30/2023	Coliform, fecal general	MOAV GEO	#/100mL	200	238.2
11/30/2023	Nitrogen, ammonia total [as N]	MO AVG	mg/L	10	11
11/30/2023	Solids, total suspended	MO AVG	mg/L	15	25
11/30/2023	Solids, total suspended	WKLY AVG	mg/L	23	25

3/31/2024	Solids, total suspended	MO AVG	mg/L	15	27
3/31/2024	Solids, total suspended	WKLY AVG	mg/L	23	27
5/31/2024	BOD, carbonaceous [5-day, 20 C]	MO AVG	mg/L	10	16
5/31/2024	BOD, carbonaceous [5-day, 20 C]	WKLY AVG	mg/L	15	16
5/31/2024	Solids, total suspended	MO AVG	mg/L	15	16
6/30/2024	BOD, carbonaceous [5-day, 20 C]	MO AVG	mg/L	10	12
6/30/2024	Coliform, fecal general	WKAV GEO	#/100mL	400	2419.6
6/30/2024	Coliform, fecal general	MOAV GEO	#/100mL	200	2419.6
6/30/2024	Solids, total suspended	WKLY AVG	mg/L	23	33
6/30/2024	Solids, total suspended	MO AVG	mg/L	15	33
11/30/2024	BOD, carbonaceous [5-day, 20 C]	MO AVG	mg/L	10	13
11/30/2024	Nitrogen, ammonia total [as N]	MO AVG	mg/L	10	16
11/30/2024	Solids, total suspended	WKLY AVG	mg/L	23	27
11/30/2024	Solids, total suspended	MO AVG	mg/L	15	27
2/28/2025	Coliform, fecal general	MOAV GEO	#/100mL	200	2419.6
2/28/2025	Coliform, fecal general	WKAV GEO	#/100mL	400	2419.6
2/28/2025	Solids, total suspended	MO AVG	mg/L	15	26
2/28/2025	Solids, total suspended	WKLY AVG	mg/L	23	26