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ATTORNEYS AT LAW

LDEQ Initiates Unannounced Compliance Inspections

The Louisiana Department of Environmental Quality (“LDEQ”) has recently begun unannounced compliance inspections of facilities with Underground Storage Tanks (“USTs”). Pursuant to a federal mandate, LDEQ, in late 2007, published a series of “Red Tag” regulations directed at USTs and began implementation on April 15, 2008.

Upon finding a violation, Red Tag regulations allow LDEQ to prohibit anyone from delivering, depositing, or accepting products, such as fuel, into a UST. The finding of a violation will also usually result in the issuance of compliance orders, fines, and/or penalties.

In these unannounced inspections, LDEQ will be looking for UST compliance with various items, such as:

1. The 1998 UST upgrade requirements,
2. Current tank registration and unregistered USTs,
3. Overall operability and stability USTs, and
4. General compliance with LDEQ regulations.

If you receive a compliance order, warning letter, or any other notice of a potential violation as a result of an inspection, your attorneys should be notified immediately, as such notices are often accompanied by very short timelines for a response.



Emily Black Grey
Partner - Baton Rouge
Phone: 225.381.8011
Fax: 225.381.8029
Email: ebg@bswllp.com

Emily Black Grey is a Partner in the Baton Rouge office practicing primarily in Healthcare Law.



Micah A. Gautreaux
Associate—Baton Rouge
Phone: 225.381.8033
Fax: 225.387.5397
Email: mag@bswllp.com

Micah Gautreaux is an Associate with the Baton Rouge office practicing primarily in Environmental Law.