

ATTACHMENT D

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

November 19, 2010

CERTIFIED MAIL (7004 2510 0005 5763 9068)
RETURN RECEIPT REQUESTED

CITGO PETROLEUM CORPORATION
c/o C T Corporation System
Agent of Service
5615 Corporate Blvd. Ste 400B
Baton Rouge, LA 70808

**RE: NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-PP-09-0483
AGENCY INTEREST NO. 3766**

Dear Sir:

On or about April 28, 2009, an Air Compliance Inspection of **LAKE CHARLES TANK LOADING FACILITY** (Facility), owned and/or operated by **CITGO PETROLEUM CORPORATION (RESPONDENT)**, was performed to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Air Quality Regulations. The facility is located on Louisiana Highway 108 South in Sulphur, Calcasieu Parish, Louisiana. At the time of the inspection, the facility operated under Title V Permit No. 0520-00057-V1, issued on or about May 15, 2005. The facility currently operates under Title V Permit No. 0520-00057-V2, issued on or about September 21, 2009.

On or about March 9, 2010, a file review of the facility was performed to determine the degree of compliance with the Act and the Air Quality Regulations.

While the investigation by the Louisiana Department of Environmental Quality (the Department) is not yet complete, the following violations were noted during the course of the file review:

- A. In correspondence dated February 15, 2007, the Respondent submitted the facility's 2006 Annual Compliance Certification. The Respondent reported that Tank 14 (Texas Low Emission Diesel), a 12,000 gallon diesel additive tank, had been put into service on or about August 7, 2006 without prior approval by the Department. A Case by Case Insignificant Activity Form submitted by the Respondent, dated January 11, 2006, was received by the Department on or about January 11, 2007. The Activity Form describing the tank installation was approved by the Department on or about January 18,

Notice of Potential Penalty
CITGO Petroleum Corporation
Page 2

2007. The failure to submit the Case by Case Insignificant Activity Form prior to the installation of any emission source which will, or ultimately may, result in emission of air contaminants is a violation of LAC 33:III.501.C.1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

- B. The facility operated unpermitted Tank 14 (Texas Low Emission Diesel) from the in-service date of on or about August 7, 2006, until on or about January 18, 2007, when the Case by Case Insignificant Activity form was approved by the Department. Operation of any unpermitted emission source which will, or ultimately may, result in emission of air contaminants is a violation of LAC 33:III.501.C.2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violations described herein. Written comments may be filed regarding the violations and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

Prior to the issuance of any additional appropriate enforcement action, you may request a meeting with the Department to present any mitigating circumstances concerning the violations. If you would like to have such a meeting, please contact Mark E. Brown at (225) 219-3782 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

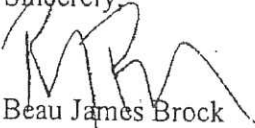
The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance in order to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violations to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify this statement.

For each violation described herein, the Department reserves the right to seek civil penalties and the right to seek compliance with its rules and regulations in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties and compliance.

Notice of Potential Penalty
CITGO Petroleum Corporation
Page 3

To reduce document handling, please refer to the **Enforcement Tracking Number** and **Agency Interest Number** on the front of this document on all correspondence in response to this action.

Sincerely,



Beau James Brock
Assistant Secretary

BJB/MEB/meb
Alt ID No. 00520-00057

c: CITGO Petroleum Corporation
Mr. Dan Harrington
Operations Manager
P.O. Box 1562
Lake Charles, LA 70602-1562

ATTACHMENT E

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

February 18, 2011

CERTIFIED MAIL (7006 0810 0003 0347 5606)
RETURN RECEIPT REQUESTED

CITGO PETROLEUM CORPORATION
c/o C T Corporation System
Agent for Service of Process
5615 Corporate Blvd., Ste. 400B
Baton Rouge, LA 70808

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. HE-CN-10-01316
AGENCY INTEREST NO. 1250**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **CITGO PETROLEUM CORPORATION (RESPONDENT)** for the violations described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Craig Easley at (225) 219-3735.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/KCE/kce
Alt ID No. LAD008080350
Attachment

STATE OF LOUISIANA
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF CITGO PETROLEUM CORPORATION CALCASIEU PARISH ALT ID NO. LAD008080350 PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, ET SEQ.	* * * * * * * * * *	ENFORCEMENT TRACKING NO. HE-CN-10-01316 AGENCY INTEREST NO. 1250
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CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **CITGO PETROLEUM CORPORATION (RESPONDENT)**, by the Louisiana Department of Environmental Quality (the Department), under the authority granted by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001, et seq., and particularly by La. R.S. 30:2025(C), 30:2050.2 and 30:2050.3(B).

FINDINGS OF FACT

I.

The Respondent owns and/or operates a petroleum refinery complex known to the Department as the CITGO Petroleum Corporation – Lake Charles Manufacturing Complex located at Louisiana Highway 108, Lake Charles, Calcasieu Parish, Louisiana. The facility is a large quantity generator of hazardous waste and operates under the EPA Identification Number LAD008080350. The facility is also a permitted hazardous waste treatment, storage, disposal (TSD) facility. The current hazardous waste post-closure permit LAD008080350-PC-2 became effective on July 27, 2007. In accordance, with its hazardous waste post-closure permit and the Hazardous Waste Regulations, the Respondent is required to provide financial assurance for the costs associated with the post-closure care of its hazardous waste management unit, the Retention/Neutralization Basin and Holding Basin 1.

II.

On or about September 30, 2010, the Department conducted a file review of records pertaining to the Respondent's permitted solid waste and hazardous waste management units in order to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Solid and Hazardous Waste Regulations. The following violations were noted as a result of the aforementioned file review:

- A. The Respondent failed to submit, via certified mail, notice to the Department within ninety (90) days after the end of the fiscal year for which the year-end financial data demonstrated that the Respondent no longer satisfied the Financial Test, Alternative 1 requirements specified in LAC 33:V.3711.F.1, in violation of LAC 33:V.3711.F.6. Specifically, during its review of the Respondent's financial assurance documentation dated March 31, 2010, the Department noted that the Respondent no longer satisfied two of the three financial ratios specified in and required by LAC 33:V.3711.F.1.a.i.
- B. The Respondent failed to provide alternate financial assurance within 120 days of the end of such fiscal year for which the year-end financial data demonstrated that the Respondent no longer satisfied the Financial Test, Alternative 1 requirements specified in LAC 33:V.3711.F.1, in violation of LAC 33:V.3711.F.6.

COMPLIANCE ORDER

Based on the foregoing, the Respondent is hereby ordered:

I.

To provide, within ninety (90) days of receipt of this **COMPLIANCE ORDER**, alternate financial assurance for the costs associated with the post-closure care of its hazardous waste management unit, the Retention/Neutralization Basin and Holding Basin 1, in accordance with LAC 33:V.3711.F.6.

II.

To submit, within thirty (30) days of receipt of this **COMPLIANCE ORDER**, itemized cost estimates for all environmental liabilities (i.e., solid waste closure and/or post-closure, hazardous waste closure and/or post-closure, and/or corrective action costs) declared in the Respondent's 2009 and 2010 Financial Test, Alternative 1 demonstrations.

III.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Hazardous Waste Regulations.

IV.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order. Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Craig Easley
Re: Enforcement Tracking No. HE-CN-10-01316
Agency Interest No. 1250

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for, an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. HE-CN-10-01316
Agency Interest No. 1250

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Department's Rules of Procedure. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

NOTICE OF POTENTIAL PENALTY

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Craig Easley at (225) 219-3735 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

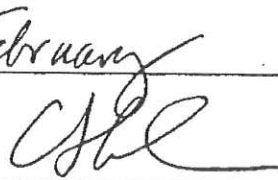
III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement.

IV.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 18 day of February, 2011.



Cheryl Sonnier Nolan
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Craig Easley

ATTACHMENT F



BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

September 30, 2011

CERTIFIED MAIL (7006 0810 0003 0347 5880)
RETURN RECEIPT REQUESTED

CITGO PETROLEUM CORPORATION
c/o C T Corporation System
Agent for Service of Process
5615 Corporate Blvd., Ste. 400B
Baton Rouge, LA 70808

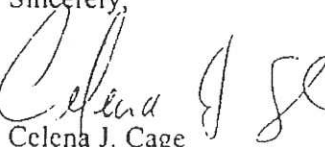
**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. HE-CN-11-01229
AGENCY INTEREST NO. 1250**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **CITGO PETROLEUM CORPORATION (RESPONDENT)** for the violation described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violation cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Craig Easley at (225) 219-3735.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/KCE/kce
Alt ID No. LAD008080350
Attachment

COMPLIANCE ORDER

Based on the foregoing, the Respondent is **hereby ordered**:

I.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a biennial used oil re-refiner report for the calendar year 2010 reporting period that addresses the content requirements specified in LAC 33:V.4055.B.1-3.

II.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Hazardous Waste Regulations.

III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violation and actions taken or to be taken to achieve compliance with the Order Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Craig Easley
Re: Enforcement Tracking No. HE-CN-11-01229
Agency Interest No. 1250

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. HE-CN-11-01229
Agency Interest No. 1250

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Department's Rules of Procedure. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty

in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

NOTICE OF POTENTIAL PENALTY

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Craig Easley at (225) 219-3735 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement.

IV.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 30 day of September, 2011.



Cheryl Sonnier Nolan
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Craig Easley

ATTACHMENT G



BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

November 10, 2015

CERTIFIED MAIL (7005 1820 0002 2361 4906)
RETURN RECEIPT REQUESTED

CITGO PETROLEUM CORPORATION

c/o C T Corporation System
Agent for Service of Process
3867 Plaza Tower Dr.
Baton Rouge, LA 70816

RE: COMPLIANCE ORDER
ENFORCEMENT TRACKING NO. AE-C-15-01258
AGENCY INTEREST NO. 1250

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **COMPLIANCE ORDER** is hereby served on **CITGO PETROLEUM CORPORATION (RESPONDENT)** for the violations described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **COMPLIANCE ORDER** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Dana Cefalu at 225.219.3093.

Sincerely,

Celena J. Caga
Administrator
Enforcement Division

CJC/DEC
Alt ID No. 0520-00016
Attachment

c: CITGO Petroleum Corporation
P.O. Box 1562
Lake Charles, LA 70602

**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE**

IN THE MATTER OF

**CITGO PETROLEUM CORPORATION
CALCASIEU PARISH
ALT ID NO. 0520-00016**

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ENFORCEMENT TRACKING NO.

AE-C-15-01258

AGENCY INTEREST NO.

**PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT,
La. R.S. 30:2001, ET SEQ.**

1250

COMPLIANCE ORDER

The following **COMPLIANCE ORDER** is issued to **CITGO PETROLEUM CORPORATION (RESPONDENT)** by the Louisiana Department of Environmental Quality (the Department), under the authority granted by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001, et seq., and particularly by La. R.S. 30:2025(C) and 30:2050.2.

FINDINGS OF FACT

I.

The Respondent owns and/or operates Lake Charles Manufacturing Complex (the Facility), a petroleum refinery, located at 4401 City Services LA Highway 108, Sulphur, Calcasieu Parish, Louisiana. The Facility operates or has operated under the authority of the following Title V Air Permits:

PERMIT	ISSUE DATE	EXPIRATION DATE
2796-V9	6/1/2015	3/27/2017
2935-V3	6/25/2013	7/18/2016
3010-V3	5/22/2014	4/16/2017
2930-V3	7/27/2011	7/27/2016
2908-V7	2/21/2013	7/6/2016
3009-V3	1/20/2015	6/16/2016
2920-V2	1/5/2011	1/5/2016
PSD-LA-643(M-3)	6/1/2015	n/a
PSD-LA-180(M-1)	7/27/2011	n/a
PSD-LA-577(M-1)	1/30/2009	n/a
PSD-LA-545(M-1)	12/2/2008	n/a
PSD-LA-570(M-1)	3/6/2009	n/a
PSD-LA-222(M-1)	1/5/2011	n/a

II.

In a meeting with the Department on or about October 23, 2015, the Respondent discussed future noncompliance with 40 CFR 60 Subpart Ja requirements. Specifically, the Respondent disclosed it will not be able to meet the compliance deadline of November 11, 2015. In correspondence dated October 27, 2015, the Respondent requested that the Department issue an order that incorporates an implementation schedule to achieve compliance by January 31, 2016. The Respondent submitted the proposed schedule, which included due dates for each action taken towards compliance, in an email dated October 29, 2015. Any instances of the Respondent failing to meet the regulatory requirements is a violation of 40 CFR 60 Subpart Ja, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

III.

In accordance with La. R.S. 30:2025(C)(3), the Department finds it necessary to issue an order requiring compliance within a specified timeframe, as the Respondent's failure to comply with 40 CFR 60 Subpart Ja for some of its emission sources will result in a violation.

COMPLIANCE ORDER

Based on the foregoing, the Respondent is **hereby ordered**:

I.

To complete the following milestones by the due dates below for compliance with 40 CFR 60 Subpart Ja by January 31, 2016:

MILESTONE	DUE DATE
Placement of equipment for continuous monitoring of emissions and flow as required by 40 CFR 60.107a	11/11/2015
Complete fabrication of B105 FGR System Knockout Drums	12/23/2015
Complete fabrication of B105 FGR System Liquid Seal Drums	12/30/2015
Complete fabrication of B105FGR System Risers	1/3/2016
Commence Startup/Commissioning of the B105 FGR System	1/15/2016
Remove from service flares B4, B5, B6, B7, B8, and B9	1/31/2016
B105 FGR System operational. Once B105 FGR System is operational the continuous monitoring of emissions and flow will also be in operation.	1/31/2016
Achieve full compliance with 40 CFR 60 Subpart Ja	2/29/2016

II.

To submit to the Enforcement Division monthly progress reports until the Facility is in full compliance with 40 CFR 60 Subpart Ja. The progress reports shall be postmarked by the thirtieth day of each month, and shall detail the actions taken by the Respondent during the preceding month to bring the Facility into compliance with 40 CFR 60 Subpart Ja.

III.

To submit to the Enforcement Division a summary report after the Facility achieves compliance with 40 CFR 60 Subpart Ja. The summary report shall list all instances of noncompliance with 40 CFR 60 Subpart Ja. This summary report shall be due within thirty (30) days of achieving the milestones listed in Paragraph II of this **COMPLIANCE ORDER**.

IV.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Air Regulations.

V.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order. Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Dana Cefalu
Re: Enforcement Tracking No. AE-C-15-01258
Agency Interest No. 1250

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. AE-C-15-01258
Agency Interest No. 1250

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Department's Rules of Procedure. The Department may amend or supplement

this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

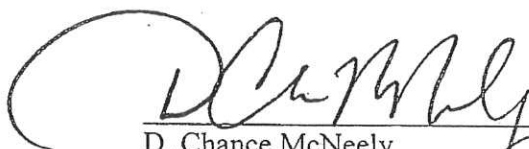
VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

VIII.

This **COMPLIANCE ORDER** is effective upon receipt.

Baton Rouge, Louisiana, this 10 day of November, 2015



D. Chance McNeely
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Dana Cefalu