

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

CHALMETTE REFINING, L.L.C.  
AI NO. 1376

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

\* Settlement Tracking No.  
\* SA-AE-17-0038  
\*  
\* Enforcement Tracking No.  
\* AE-PP-06-0121, AE-PP-06-0121A,  
\* AE-CN-10-01431, AE-CN-10-01431A  
\* AE-CN-10-01431B, AE-CN-10-01431C  
\* AE-CN-11-00261, AE-CN-11-01560  
\* AE-CN-11-00838, AE-CN-12-00492  
\* AE-CN-13-00589, AE-CN-13-00589A  
\*  
\* Docket No.  
\* 2016-1225-EQ

SETTLEMENT

The following Settlement is hereby agreed to between Chalmette Refining, L.L.C. (“Respondent”) and the Department of Environmental Quality (“DEQ” or “the Department”), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. (“the Act”).

I

Respondent is a limited liability company that owns and operates a petroleum refining facility in St. Bernard Parish, Louisiana (“the Facility”).

II

On September 18, 2006, the Department issued to Respondent a Notice of Potential Penalty, Enforcement Tracking No. **AE-PP-06-0121** (Attachment A).

On October 16, 2007, the Department issued to Respondent an Amended Notice of Potential Penalty, Enforcement Tracking No. **AE-PP-06-0121A** (Attachment B).

On October 21, 2010, the Department issued to Respondent a Consolidated Compliance

Order & Notice of Potential Penalty, Enforcement Tracking No. **AE-CN-10-01431** (Attachment C).

On May 13, 2011, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. **AE-CN-10-01431A** (Attachment D).

On December 8, 2011, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. **AE-CN-10-01431B** (Attachment E).

On March 29, 2012, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. **AE-CN-10-01431 C** (Attachment F).

On May 13, 2011, the Department issued to Respondent a Consolidated Compliance order & Notice of Potential Penalty, Enforcement Tracking No. **AE-CN-11-00261** (Attachment G).

On December 21, 2011, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. **AE-CN-11-01560** (Attachment H).

On November 14, 2014, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. **AE-CN-11-00838** (Attachment I).

On May 30, 2012, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. **AE-CN-12-00492** (Attachment J).

On September 5, 2013, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. **AE-CN-13-00589** (Attachment K).

On November 15, 2013, the Department issued to Respondent an Amended Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. **AE-CN-13-00589A** (Attachment L).

### III

In addition to the violations noted in the enforcement actions noted in the above exhibits, this Settlement shall resolve all of the Respondent's liability to the DEQ for any violations or noncompliance issues included in Attachment M that are not subject to the Consent Decree, Civil Action Number 05-04662 entered into on April 26, 2006, between the Respondent and the United States of America and the State of Louisiana. The Consent Decree was terminated on August 28, 2017.

### IV

In response to Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-11-00838, Respondent made a timely request for a hearing.

### V

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties, including those set forth in Paragraph III herein.

### VI

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00), of which

THIRTY-FOUR THOUSAND SEVEN HUNDRED FIFTY-FOUR AND 80/100 DOLLARS (\$34,754.80) represents the Department's enforcement costs, in settlement of the claims set forth in this agreement.

## VII

In correspondence dated November 20, 2014, Respondent requested Beneficial Environmental Project (BEP) approval. Respondent requested approval to assist St. Bernard Parish with a project to return to service the lower intake in the Mississippi River for the St. Bernard Parish (STBP) Water Treatment Plant (WTP), and provide certain funding for maintenance activities for the intake facility. The lower water intake facility draws raw water from the Mississippi River for processing by the STBP WTP. The lower water intake has been out of service since 1991 due to silt buildup.

## VIII

Respondent, in addition to the payment of civil penalties specified in Paragraph VI above and as part of this Settlement, shall expend the amount of SIX HUNDRED FORTY- ONE THOUSAND AND NO/100 DOLLARS (\$641,000.00) to implement and/or perform the following beneficial environmental projects:

- A. Respondent shall expend no less than THREE HUNDRED FORTY-ONE THOUSAND AND NO/100 DOLLARS (\$341,000.00) for the BEP described in Paragraph VII of the Settlement to assist St. Bernard Parish with a project to return the lower intake in the Mississippi River for the St. Bernard Parish (STBP) Water Treatment Plant (WTP) to service, and provide certain funding for maintenance activities for the intake facility. The lower water intake facility draws raw water from the Mississippi River for processing by the STBP WTP.

The Respondent shall submit proof of its expenditures to the Department within thirty (30) days of Respondent's receipt by certified mail of Notice of the Secretary's signature of this Settlement.

- B. Within sixty (60) days from Respondent's receipt by certified mail of Notice of the Secretary's signature of this Settlement, the Respondent shall make a cash payment through an act of donation in the amount of ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000.00) to St. Bernard Parish Government for the Bluebird Park Redevelopment Project. The park will meet the needs of handicapped children and their parents in the Chalmette area, will provide increased green space and will use environmentally friendly material in the redevelopment. The Respondent shall submit proof of payment to the Department within fourteen (14) business days after the funds are deposited.
- C. Within sixty (60) days from notice of Respondent's receipt by certified mail of Notice of the Secretary's signature of this Settlement, the Respondent shall make a cash payment through act of donation in the amount of ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000.00) to the Lake Pontchartrain Basin Foundation (LPBF) for the completion of the cypress tree planting project in Caernarvon area. The goal of LPBF is to plant wetland trees and implement an important feature of the Multiple Lines of Defense Strategy (MLODS); MLODS features healthy swamps as an integral part of southeast Louisiana's defense against hurricane storm surge. The Respondent shall submit proof of payment to the Department within fourteen (14) business days after the funds are deposited.

- D. The act of donation or other instrument to each of the BEP recipients as set forth in Paragraphs VII.B and C shall require each BEP recipient to submit verification to Respondent that the funds were used for the intended purposes as described in this Settlement. Upon receiving such verification, Respondent will submit a copy of the verification to the Department within thirty (30) days. Respondent will make good faith efforts to obtain verifications noted above; however, Respondent is not responsible for the failure or refusal of any of the BEP recipients to provide said verification. After submitting the proof of payment and verification (or records documenting Respondent's good faith attempts to obtain verification) to the Department, Respondent's duties and obligations regarding the BEP are fulfilled.
- E. If Respondent's donations and expenditures do not, in the aggregate, equal the amount of SIX HUNDRED FORTY-ONE THOUSAND AND NO/100 DOLLARS (\$641,000.00), then it shall, in its final report, propose additional projects for the Department's approval in an amount equal to the difference between the amount of money agreed to be spent and the amount of money actually spent, or pay to the Department the unexpended sum as a civil penalty.
- F. The total amount of money expended by Respondent on cash payments to the Department and on beneficial environmental projects, as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

### VIII

Respondent further agrees that the Department may consider the inspection report(s), the

Notice of Potential Penalty, the Amended Notice of Potential Penalty, the Consolidated Compliance Orders & Notices of Potential Penalty and the Amended Consolidated Compliance Orders & Notices of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

#### IX

This agreement shall be considered a final order of the secretary for all purposes, including, but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may be required for interpretation of this agreement in any action by the Department to enforce this agreement.

#### X

This Settlement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and settlement, the Department considered the factors for issuing civil penalties set forth in LSA- R. S. 30:2025(E) of the Act and the rules relating to BEPs set forth in LAC 33:I.Chapter 25.

#### XI

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in St. Bernard Parish, Louisiana. The advertisement, in form, wording, and size approved by the Department, announced the availability of this

Settlement for public view and comment and the opportunity for a public hearing. Respondent has submitted an original proof-of-publication affidavit and an original public notice to the Department and, as of the date this Settlement is executed on behalf of the Department, more than forty-five (45) days have elapsed since publication of the notice.

## XII

Payment under Section VI is to be made within thirty (30) days from Respondent's receipt of Notice of the Secretary's signature by certified mail. If payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Attachment N).

## XIII

In consideration of the above, any claims for penalties are hereby compromised and settled in accordance with the terms of this Settlement.

## XIV

In addition to the violations noted in the enforcement actions noted in Paragraphs II and III, this Settlement shall resolve all of the Respondent's liability to the LDEQ for any potential violations or noncompliance disclosed to the Department in writing or otherwise known to the Department encompassing the period January 1, 2010 through December 31, 2014, including without limitation potential violations or noncompliance listed in Attachment M, that are not subject to the Consent Decree, Civil Action Number 05-04662 entered into on April 26, 2006, between the Respondent and the United States of America and the State of Louisiana.



XV

In addition to the violations noted in the enforcement actions noted in Paragraph II, this Settlement shall resolve all of the Respondent's liability to the LDEQ for any potential violations or noncompliance disclosed to the Department in writing or otherwise known to the Department up to and including December 31, 2009, that are not subject to the Consent Decree, Civil Action Number 05-04662 entered into on April 26, 2006, between the Respondent and the United States of America and the State of Louisiana.

XVI

Each undersigned representative of the parties certifies that he or she is fully authorized to execute this Settlement on behalf of his or her respective party, and to legally bind such party to its terms and conditions.

**Chalmette Refining, L.L.C.**

BY: [Signature]  
(Signature)  
Jerry Forstell  
(Print)

TITLE: Refinery Manager

THIS DONE AND SIGNED in duplicate original before me this 27<sup>th</sup> day of February, 20 18, at Chalmette, Louisiana.

[Signature]  
NOTARY PUBLIC (ID # \_\_\_\_\_)

**Lisa D. Schell, Notary Public**  
St. Bernard ID No: 39694  
St. Tammany ID No: 83053  
My commission is for life.

(Print)

**LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY**  
Chuck Carr Brown Ph.D., Secretary

BY: [Signature]  
Lourdes Iturralde, Assistant Secretary  
Office of Environmental Compliance

THIS DONE AND SIGNED in duplicate original before me this 18<sup>th</sup> day of May, 20 18, at Baton Rouge, Louisiana.

[Signature]  
NOTARY PUBLIC (ID # 19181)

Perry Theriot  
(Print)

Approved: [Signature]  
Lourdes Iturralde, Assistant Secretary

**Chalmette Refining, L.L.C.**

The following violations, although not cited in the foregoing enforcement actions are included within the scope of this Settlement.

1. According to the 2011 Compliance Certification Report dated March 22, 2012, 142 components (EPN FE) were discovered to have not been monitored during the third and fourth quarter of 2011. All components were subsequently monitored. Failure to monitor all components is a violation of 40 CFR 63.162 (g)(3)(i), 40 CFR 60.480, 40 CFR 60.482, Title V Permits Nos. 3011-V1, 3004-V2, 2933-V4, 3022-V4, and 3023-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
2. According to the 2011 Compliance Certification Report dated March 22, 2012, the SRU Train 1/2 Thermal Oxidizer (F-8003/8053) (EPN No. 46; EQT 193) exceeded the SO<sub>2</sub> maximum hourly permit limit, 95 lb/hr, for two (2) hours on September 1, 2011. This is a violation of Title V Permit No. 3023-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
3. According to the 2011 Compliance Certification Report dated March 22, 2012, the SRU Train 1/2 Thermal Oxidizer (F-8003/8053) (EPN No. 46; EQT 193) exceeded the SO<sub>2</sub> maximum hourly permit limit, 95 lb/hr, for one (1) hour on September 11, 2011. This is a violation of Title V Permit No. 3023-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
4. According to the 2011 Second Semiannual Consent Decree Report dated February 28, 2012, and 2011 Compliance Certification Report dated March 22, 2012, the SRU Train 1/2 Thermal Oxidizer (F-8003/8053) (EPN No. 46; EQT 193) exceeded the NSPS Subpart J limit, 250 ppmv SO<sub>2</sub>, for approximately 12 hours on September 18, 2011. The reported SO<sub>2</sub> concentration was 6,168 ppmv. This exceedance was caused by an open flange. This is a violation of 40 CFR 60.104(a)(2), Specific Requirements 23 and 35 of Title V Permit No. 3023-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
5. According to the 2011 Compliance Certification Report dated March 22, 2012, the SRU Train 1/2 Thermal Oxidizer (F-8003/8053) (EPN No. 46; EQT 193) exceeded the SO<sub>2</sub> maximum hourly permit limit, 95 lb/hr, for one (1) hour on October 10, 2011. This is a violation of Title V Permit No. 3023-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
6. According to the 2011 Compliance Certification Report dated March 22, 2012, in January 2012 it was discovered the carbon canister system suffered a loss of integrity at the process sump. This is a violation of 40 CFR 61.349 (g), Title V Permit No. 3023-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
7. According to the 2011 Second Semiannual Consent Decree Report dated February 28, 2012, and 2011 Compliance Certification Report dated March 22, 2012, the No. 2 Flare (EPN No. 29; EQT 255) exceeded the H<sub>2</sub>S 3-hour rolling average of

162 ppmv for approximately three (3) hours on July 28, 2011. The exceedance was caused by the H<sub>2</sub>S drum inadvertently being routed to the refinery drum. The reported H<sub>2</sub>S concentration was 498 ppmv. This is a violation of Paragraph 55 of Consent Decree 05-4662, 40 CFR 60.104(a)(1), Specific Requirements 20, 21, and 40 of Title V Permit No. 3016-V1, LAC 33:III.1503.C, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

8. According to the 2011 Second Semiannual Consent Decree Report dated February 28, 2012, and 2011 Compliance Certification Report dated March 22, 2012, the No. 1 Flare (EPN No. 28; EQT 254) exceeded the H<sub>2</sub>S 3-hour rolling average of 162 ppmv for approximately 15 hours for November 9, 2011. The low pressure side of the Wet Gas Compressor (WGC) shutdown due to a fuel control valve failure. The Flare Gas Management (FGM) System could not handle the release due to hydrocarbons in the FGM seal water. This is a violation of Paragraph 55 of Consent Decree 05-4662, 40 CFR 60.104(a)(1), Specific Requirements 3 and 9 of Title V Permit No. 3016-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
9. According to the 2011 Second Semiannual Consent Decree Report dated February 28, 2012, and 2011 Compliance Certification Report dated March 22, 2012, the No.1 Flare (EPN No. 28; EQT 254) exceeded the H<sub>2</sub>S 3-hour rolling average of 162 ppmv for approximately two (2) hours on November 14, 2011. The FGM system compressors stalled; there was a high liquid level in the flare drum and the molecular weight was variable. This is a violation of Paragraph 55 of Consent Decree 05-4662, 40 CFR 60.104(a)(1), Specific Requirements 3 and 9 of Title V Permit No. 3016-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
10. According to the 2011 Second Semiannual Consent Decree Report dated February 28, 2012, and 2011 Compliance Certification Report dated March 22, 2012, the No. 2 Flare (EPN No. 29; EQT 255) exceeded the H<sub>2</sub>S 3-hour rolling average of 162 ppmv for approximately one (1) hour on November 30, 2011. The reported cause was a leaking control valve. The reported concentration was 174 ppmv. This is a violation of Paragraph 55 of Consent Decree 05-4662, 40 CFR 60.104(a)(1), Specific Requirements 20, 21, and 40 of Title V Permit No. 3016-V1, LAC 33:III.1503.C, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
11. According to the 2011 Compliance Certification Report dated March 22, 2012, there was a flare pilot flame outage for the No.1 Flare (EPN No. 28; EQT 254) on September 3, 2011. This is a violation of Title V Permit No. 3016-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
12. According to the 2011 Compliance Certification Report dated March 22, 2012, maintenance activities were conducted on the API Thermal Oxidizer (EPN. No. 86; EQT 043) on July 7, 2011, October 30, 2011, November 2, 2011, November 5, 2011, November 9, 2011, and November 10, 2011. The API Thermal Oxidizer is scheduled to be permanently shut down by the end of first quarter 2012. This is a violation of Title V Permit No. 2822-V1, 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).

13. According to the 2011 Compliance Certification Report dated March 22, 2012, on June 13, 2011, the Respondent failed to use closed loop sampling stations for FE-OM (FUG007) which are required on sampling points. This is violation of 40 CFR 60.482-5(a), Specific Requirement 1756 of Title V Permit No. 3004-V2, LAC 33:III.2121, LAC 33:III.501.C.4, and La. R.S. 30:257(A)(2).
14. According to the 2011 Compliance Certification Report dated March 22, 2012, it was discovered during the second half of 2011 that the onsite tanks for certain organic liquids were in excess of the specifics listed within the Insignificant Activities portion of existing permits. This is a violation of Title V Permit Nos. 2500-00005-V4, 3004-V2, 2822-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
15. According to the 2011 Compliance Certification Report dated March 22, 2012, it was discovered in February 2012, three (3) tanks equipped with pressure relief devices which are intended to function only as safety devices were determined to be capable of relieving during normal operations. This is a violation of 40 CFR 61.343, 40 CFR 63.655(g)(5)(i), 40 CFR 63.655(g)(ii), LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
16. According to the 2011 Compliance Certification Report dated March 22, 2012, it was discovered in the fourth quarter of 2011, Centrifugal Compressors K-7503 and K-7841 a seal oil and buffer system temporarily allowed process material to be vented to atmosphere. The excess emissions were approximately 1 lb/hr of VOCs. This is a violation of 40 CFR 60.482-3(b)2, Title V Permit Nos. 3011-V1 and 3022-V4, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
17. According to the 2011 Compliance Certification Report dated March 22, 2012, FCC Regenerator Flue Gas Scrubber Vent (EPN No. 47; EQT 184) exceeded the CO maximum hourly permit limit, 300.25 lb/hr, for five (5) hours on July 23, 2011. Exceeding the permit limit is a violation of Title V Permit No. 3022-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
18. According to the 2011 Compliance Certification Report dated March 22, 2012, the FCC Regenerator Flue Gas Scrubber Vent (EPN No. 47; EQT 184) exceeded the SO<sub>2</sub> maximum hourly permit limit, 68.14 lb/hr, for one (1) hour on July 24, 2011. Exceeding the permit limit is a violation of Title V Permit No. 3022-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
19. According to the 2011 Compliance Certification Report dated March 22, 2012, the FCC Regenerator Flue Gas Scrubber Vent (EPN No. 47; EQT 184) exceeded the CO maximum hourly permit limit, 300.25 lb/hr, for four (4) hours on October 3, 2011. Exceeding the permit limit is a violation of Title V Permit No. 3022-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

20. According to the 2011 Compliance Certification Report dated March 22, 2012, CFHT Reactor (EPN No. 44; EQT 059) exceeded the CO maximum hourly permit limit, 5.77 lb/hr, for one (1) hour on November 18, 2011. This is a violation of Title V Permit No. 3011-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
21. According to the 2011 Compliance Certification Report dated March 22, 2012, four (4) equipment inspection findings and two (2) unit operating procedures annual reviews that were due in 2011 but were not completed. Each failure to comply with regulations is a violation of LAC 33:III.5901.A, Specific Requirement 196 of Title V Permit No. 3023-V5, Specific Requirement 423 of Title V Permit No. 3017-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
22. According to the 2011 Compliance Certification Report dated March 22, 2012, FCC Heater F-7801 (EPN No. 45; EQT 183) exceeded the SO<sub>2</sub> maximum hourly permit limit (2.45 lb/hr) for two (2) hours on June 13, 2011. Exceeding the permit limit is a violation of Title V Permit No. 3022-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
23. According to the 2011 Compliance Certification Report dated March 22, 2012, the CFHT Fractionator Reboiler F-7702 (EPN No. 61; EQT 0060) exceeded the CO maximum hourly permit limit (4.28 lb/hr) for one (1) hour one January 23, 2011. Exceeding the permit limit is a violation of Title V Permit No. 3011-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
24. According to the 2011 Compliance Certification Report dated March 22, 2012, the following open-ended lines were discovered and corrected during the 2011 calendar year:

Unit	ID	No. of OELs
FCC-Alky	EPN FE-OM	5
Crude & Coker No.2	EPN FE-CRK2	2
Oil Movements	EPN FE-OM	21
SRU	EPN FE-SRU	2
Aromatics	EPN FE-ARO	1
CFHT	EPN FE-CFHT	2

Each open-ended line is a violation of 40 CFR 60.482-6(a), 40 CFR 63.167(a), Title V Permit Nos. 3011-V1, 3017-V4, 3004-V2, 3022-V4, 2933-V3, 3044-V2, 3023-V4, and 3023-V5 LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

25. According to the 2011 Compliance Certification Report dated March 22, 2012, the SRU Train 1/2 Thermal Oxidizer (F-8003/8053) (EPN No. 46; EQT 193) exceeded the NSPS Subpart J limit, 250 ppmv SO<sub>2</sub>, for approximately 37 hours on April 27, 2011. This is a violation of 40 CFR 60.104(a)(2)(i), Specific Requirements 23 and 34 of Title V Permit No. 3023-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The SRU Train 1/2 Thermal Oxidizer (F-8003/8053) (EPN No. 46; EQT 193) exceeded the SO<sub>2</sub> maximum hourly permit limit, 95 lb/hr, for seven (7) hours on April 27, 2011. This

is a violation of Title V Permit No. 3023-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

26. According to the 2011 Compliance Certification Report dated March 22, 2012, the SRU Train 1/2 Thermal Oxidizer (F-8003/8053) (EPN No. 46; EQT 193) exceeded the SO<sub>2</sub> maximum hourly permit limit, 95 lb/hr, for one (1) hour on May 16, 2011. This is a violation of Title V Permit No. 3023-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
27. According to the 2011 First Semiannual Consent Decree Report dated August 29, 2011, and 2011 Compliance Certification Report dated March 22, 2012, the No. 2 Flare (EPN No. 29; EQT 255) exceeded the H<sub>2</sub>S 3-hour rolling average of 162 ppmv for 11 hours on June 23, 2011. The exceedance was caused by the loss of the refinery steam system from the shutdown of two boilers. One of the boilers shut down on high burner pressure due to a rainstorm and the other was shut down due to an inadvertently closed valve. The reported H<sub>2</sub>S concentration was 1529 ppmv. This is a violation of Paragraph 55 of Consent Decree 05-4662, 40 CFR 60.104(a)(1), Specific Requirements 20, 21, and 40 of Title Permit No. 3016-V1, LAC 33:III.1503.C., LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
28. According to the 2011 Compliance Certification Report dated March 22, 2012, 19 components (EPN FE) were identified that were not monitored during the first and second quarter of 2011. All components were subsequently monitored. Each failure to monitor is a violation of Title V Permit Nos. 3017-V4, 3015-V1, 3011-V1, 3004-V2, 2933-V3, 3017-V4, 3022-V4, 3018-V2, 3023-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
29. Unauthorized Discharge Notification Report for Incident T132649 dated July 28, 2011. On July 21, 2011, the Alkylation Unit was undergoing total recycle operation as part of the normal start up process after planned maintenance repairs. At approximately 9:48 AM, a potential release of material with a very low percentage of hydrofluoric acid (HF) occurred at the Alkylation Unit. The Production Team Lead monitoring the Isostripper Tower pressure at the console was focused on the HF release and did not notice an increase in overhead pressure on the Isostripper Tower. At approximately 9:49 AM, the Alky Isostripper process safety valve (PSV) relieved to the No. 1 Flare, resulting in flaring. The incident lasted for ten (10) minutes and resulted in the release of 1,010 lbs of SO<sub>2</sub> exceeding the 500 lb RQ. The release was reported as preventable with the root cause being human error. This unauthorized discharge is a violation of LAC 33:III.905, LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
30. Unauthorized Discharge Notification Report for Incident T132721 dated July 29, 2011. On July 23, 2011, a safety valve on the propane/polypropylene mix drum, D-9007, relieved to the No. 1 Flare resulting in intermittent flaring. An incident on July 21, 2011, caused a build-up of hydrocarbons in the compressor seal water which decreased the capacity of the compressors. The total duration of the incident was approximately 13 hours and resulted in the release of 1,010 lb of SO<sub>2</sub>. This unauthorized discharge is a

violation of LAC 33:III.905, LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

31. Unauthorized Discharge Notification Report for Incident T132776 dated August 4, 2011. On July 29, 2011, at approximately 9:00 am, the amine treating unit was being taken out of service for a planned maintenance activity. During the course of the shutdown, the DGA circulation in the contactor decreased. The reduced flow occurred concurrent with the loss of the LPG compressor. As a result, there was a breakthrough to the refinery fuel gas system at approximately 3:45. This elevated H<sub>2</sub>S fuel resulted in increased SO<sub>2</sub> emissions from the fired combustion units in excess of 481 lbs of SO<sub>2</sub>. In a separate event at 12:58 AM, the flare gas management compressors briefly shutdown due to elevated molecular weight gas which resulted in flaring for approximately one (1) minute. Emissions associated with this event resulted in 86 lbs of SO<sub>2</sub> being released. A total of 567 lbs of SO<sub>2</sub> was released during the duration of both events. The release was preventable; the root cause of the event was operator error. This unauthorized discharge is a violation of LAC 33:III.905, LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
32. Unauthorized Discharge Notification Report for Incident T134832 dated October 28, 2011, and Unauthorized Discharge Notification Report for Incident T134832 Final Update dated June 29, 2012. Unauthorized Discharge Notification Report for Incident 134930 dated November 4, 2011 and Unauthorized Discharge Notification for Incident 134930 Final Update dated June 27, 2012. On October 20, 2011, oil was discovered in the area around Tank 68. On October 21, 2011, liquid was again observed in the area around the bottom of the tank. On October 28, 2011, approximately 40 gallons of benzene and water was released to the soil in the east-west ground level piperack in the Treating Area. The emissions from October 21, 2011 through the removal of Tank 68 on November 7, 2011, and the isolation of the Aromatics line on October 28, 2011 are as follows: 7, 229 lbs of hydrocarbon from Tank 68 (3,254 lbs volatilized), 9,204 lbs of benzene (from line leak), and 46 barrels of oil (15.5 from Tank 68 and 30 from line leak). The root cause investigation into the corrosion mechanism for the tank floor determined a liner was needed. This unauthorized discharge is a violation of LAC 33:III.905, LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The root cause of the October 28, 2011 incident was failure to follow procedure. This unauthorized discharge is a violation of LAC 33:III.905, LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
33. According to the 2012 Compliance Certification Report dated March 27, 2013, the TDU Heater F-4202 (EPN No. 85B; EQT 213) exceeded the CO maximum hourly permit limit, 3.635 lb/hr, for two (2) hours on May 3, 2012. Exceeding the permit limit is a violation of Title V Permit No. 3017-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
34. According to the 2012 Compliance Certification Report dated March 27, 2013, the TDU Preheater F-4203 (EPN No. 85C; EQT 214) exceeded the CO maximum hourly permit limit, 3.385 lb/hr, for one (1) hour on May 3, 2012. Exceeding the permit limit is



a violation of Title V Permit No. 3017-V5, LAC 33:III.501.C.4, and La. R.S 30:2057(A)(1) and 30:2057(A)(2).

35. According to the 2012 Compliance Certification Report dated March 27, 2013, the SRU Train 1/2 Thermal Oxidizer (F-8003/8053) (EPN No. 46; EQT 193) Pit vent opened to the atmosphere for eleven (11) minutes on January 30, 2012. This is a violation 40 CFR 60.104(a)(2), Specific Requirement 24 of Title V Permit No. 3025-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
36. According to the 2012 Compliance Certification Report dated March 27, 2013, the following open-ended lines were discovered during the 2012 calendar year:

Unit	ID	No. of OELs
Oil Movements	EPN FE-OM	12
SRU	EPN FE-SRU	7
FCC-ALKY	EPN FE-FCC	1
Crude and Coker No.2	EPN FE-CCNo.2	1
Aromatics	EPN FE-ARO	1
CFHT	EPN FE-CFHT	1
Crude and Coker	EPN FE-CC	4

Each open-ended line is a violation of 40 CFR 60.482-6(a), 40 CFR 63.167 (a), Title V Permit Nos. 2933-V4, 3004-V3, 3011-V5, 3017-V5, 3018-V3, 3023-V5, and 3022-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2) and 30:2057(A)(2).

37. According to the 2012 Compliance Certification Report dated March 27, 2013, 248 components (EPN FE) were discovered to have not been monitored during the first and second quarters of 2012. All components were subsequently monitored and incorporated into the refinery's LDAR program schedule. Failure to monitor all components is a violation of 40 CFR 63.162 (g)(3)(i), 40 CFR 60.480, 40 CFR 60.482, 40 CFR 63.163 (b), Title V Permit Nos. 3011-V2, 3004-V3, 2933-V4, 3022-V5, 3023-V5, and 3017-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
38. According to the 2012 Compliance Certification Report dated March 27, 2013, the SRU Train 1/2 Thermal Oxidizer (F-8003/8053) (EPN No. 46; EQT 193) Pit vent opened to the atmosphere for twenty-seven (27) minutes on April 3, 2012. This is a violation of 40 CFR 60.104(a)(2), Specific Requirement 24 of Title V Permit No. 3023-V5, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
39. According to the 2012 Compliance Certification Report dated March 27, 2013, the SRU Thermal Oxidizer (EPN No. 46; EQT 193) exceeded the SO<sub>2</sub> maximum hourly permit limit, 95 lb/hr, for one (1) hour on April 3, 2012. Exceeding the permit limit is a violation is a violation of 40 CFR 60.104 (a)(1), Title V Permit No. 3023-V5, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
40. According to the 2012 Compliance Certification Report dated March 27, 2013, the No.1 Flare (EPN No. 28; EQT 254) exceeded the NSPS Subpart J limit, 162 ppmv H<sub>2</sub>S

3-hour rolling average, for approximately one (1) hour on April 3, 2012. This is a violation of Paragraph 55 of Consent Decree 05-4662, 40 CFR 60.104(a)(1), Specific Requirements 20, 30, and 41 of Title V Permit No. 3016-V2, LAC 33:III.1503.C, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(2).

41. According to the 2012 Compliance Certification Report dated March 27, 2013, pressure relief vents are leaking during normal operations from Tanks 5509 and 6342. Tank 6342 had a vapor leak from the roof. Tanks controlled under the BWON rule must vent to a control device, and all openings must remain in the closed position unless needed for material addition, removal, or maintenance. This is a violation of 49 CFR 31.343 (a)(1)(i)(B), Title V Permit No. 3004-V3, La. R.S. 30:2057(A)(2).
42. According to the 2012 Compliance Certification Report dated March 27, 2013, NESHAP container (60 gallon portable) Coker No. 2 did not receive the required monitoring in April 2012. A container that is controlled under BWON rule must have all openings monitored annually and visual inspections quarterly. The container was monitored and visually inspected on July 13, 2012. Failure to perform required monitoring in a timely manner is a violation of 49 CFR 61.345(a)(1)(i), Title V Permit No. 2933-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
43. According to the 2012 Compliance Certification Report dated March 27, 2013, the FCC Heater (F-7801, EPN No. 45; EQT 183) exceeded the CO maximum hourly permit limit, 5.77 lb/hr, for one (1) hour on May 5, 2012. Exceeding the permit limit is a violation of Title V Permit No. 3022-V5, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
44. According to the 2012 Compliance Certification Report dated March 27, 2013, in June 2012 an Individual Drain System (IDS) Dock 2 was found to be open when it was not actively being used. All openings on an IDS controlled under the BWON rule must remain in the closed position unless need for material addition, removal, or maintenance. This is a violation of 49 CFR 61.346 (a)(1)(i)(B), Title V Permit No. 3004-V3, La. R.S. 30:2057(A)(2).
45. According to the 2012 Compliance Certification Report dated March 27, 2013, the No.1 Flare (EPN No. 28; EQT 254) exceeded the H<sub>2</sub>S 3-hour rolling average of 162 ppmv for approximately four (4) hours on July 2, 2012. This is a violation of Paragraph 55 of Consent Decree 05-4662, 40 CFR 60.104(a)(1), Specific Requirements 20, 30, and 41 of Title V Permit No. 3016-V2, LAC 33:III.1503.C, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
46. According to the 2012 Compliance Certification Report dated March 27, 2013, on July 21, 2012, it was discovered the roof of Tank 1 (TK 1) was submerged. The external floating roof is required to be floating on the liquid surface at all time. Tank was removed from service and degassed for inspection repair. This is a violation of 40 CFR 63.199 (c)(3), Title V Permit No. 3004-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

47. According to the 2012 Compliance Certification Report dated March 27, 2013, the FCC Regenerator Flue Gas Scrubber (EPN No. 47; EQT 184) exceeded the CO maximum hourly permit limit, 300.25 lb/hr, for one (1) hour on July 29, 2012. Exceeding the permit limit is a violation of Title V Permit No. 3022-V5, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
48. According to the 2012 Compliance Certification Report dated March 27, 2013, the FCC Regenerator Flue Gas Scrubber (EPN No. 47; EQT 184) exceeded the CO maximum hourly permit limit, 300.25 lb/hr, for one (1) hour on August 24, 2012. Exceeding the permit limit is a violation of Title V Permit No. 3022-V5, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
49. According to the 2012 Compliance Certification Report dated March 27, 2013, the No. 2 Flare (EPN No. 29; EQT 255) exceeded the H<sub>2</sub>S 3-hour rolling average of 162 ppmv on September 26, 2012. This is a violation of Paragraph 55 of Consent Decree 05-4662, 40 CFR 60.104(a)(1), Specific Requirements 20, 30, and 41 of Title V Permit No. 3016-V2, LAC 33:III.1503.C, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
50. According to the 2012 Compliance Certification Report dated March 27, 2013, Heaters F4202 (EQT 213), F4203 (EQT 214), F4201 (EQT 212), F1201 (EQT 207), F1105 (EQT 208), F2506 (EQT 243), F3300 (EQT 191), F3301 (EQT 192), F7401 (EQT 28), F7410 (EQT 31), F7601 (EQT 029), F8101 (EQT 030) F7702 (EQT 060), F7801 (EQT 0183), F7802 (EQT 0186), F0809, F0810, F0402, F7500, FF701, and F9401 exceeded the SO<sub>2</sub> maximum hourly permit limits for two (2) hours on September 26, 2012. Each exceedance is a violation of Title V Permit Nos. 3016-V2, 3017-V5, 2933-V4, 3022-V5, 3011-V2, 3023-V6, 3015-V2, and 2500-00005-V4, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
51. According to the 2012 Compliance Certification Report dated March 27, 2013, the SRU Thermal Oxidizer (EPN No. 46; EQT 193) exceeded the SO<sub>2</sub> maximum hourly permit limit, 95 lb/hr, for one (1) hour on November 11, 2012. Exceeding the permit limit is a violation of Title V Permit No. 3023-V6, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
52. According to the 2012 Compliance Certification Report dated March 27, 2013, twenty (20) components (EPN FE) were discovered to have not been monitored during the third and fourth quarters of 2012. All components were subsequently monitored and incorporated into the refinery's LDAR program schedule. Each failure to monitor all components is a violation of 40 CFR 63.168 (a-d), 40 CFR 60.480, 40 CFR 60.482, Title V Permit Nos. 3011-V2 and 3004-V3, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(2).
53. According to the 2012 Compliance Certification Report dated March 27, 2013, during the fourth quarter of 2012 it was discovered five (5) weekly visual pump inspections were not conducted for Fugitives FE-WWTP (FUG 0004). Each failure to conduct the

weekly visual inspections is a violation of 40 CFR 63.163 (b)(3), Title V Permit No. 2822-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

54. According to the 2012 Compliance Certification Report dated March 27, 2013, annual tank seal inspections were not conducted in 2012 for tanks D-58, D-220, or D-6314. Each failure to conduct the annual tank seal inspections is a violation of 40 CFR 63, Subpart CC, 40 CFR 63 Subpart G, Title V Permit No. 3004-V3, La. R.S. 30:2057(A)(2).
55. According to the 2012 Compliance Certification Report dated March 27, 2013, the 2011 annual naphthalene permit limit (0.16 tons) for the Oil Movements (OM) Tank Group A cap was exceeded. Exceeding the annual permit limit is a violation of Title V Permit No. 3004-V3, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
56. Unauthorized Discharge Notification Report for Incident T138541 dated April 10, 2012. On April 3, 2012, high liquid levels built up in several process towers, which per design then relieved to the Flare Gas Management (FGM) system. The result was intermittent flaring at the No.1 Flare. Flaring lasted for approximately 36 minutes and resulted in the release of 1022 lbs of SO<sub>2</sub>. The root cause of the release was not determined. This unauthorized release is a violation of LAC 33:III.905, LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent failed to submit an update for the ongoing investigation every 60 days until the investigation was completed. This is violation of LAC 33:I.3925.A.3 and La. R.S. 30:2057(A)(2).
57. Unauthorized Discharge Notification Report for Incident T140436 dated July 9, 2012, and Unauthorized Discharge Notification Report for Incident T140436 Update dated August 31, 2012. On July 2, 2012, at 1300 hours, Coker #2 went into blowdown. It was discovered that the drum pressure was falling slowly due to an improperly seated switch valve. The blowdown fin fans plugged due to the switch valve leaking heavy materials. At approximately 1330 hours, the rupture disk on the blowdown line failed and began bypassing gas around the blowdown fans and sent hot gas to the settling drum. This caused the flare recovery system to stall and Flare #1 to stage. The incident lasted for approximately 102 minutes and resulted in the release of 3,867 lbs of SO<sub>2</sub>. The root cause was determined to be operator error. This unauthorized discharge is a violation of LAC 33:III.905, LAC 33:III.501.C.1 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
58. Unauthorized Discharge Notification Report for Incident T144769 dated November 20, 2012 and Unauthorized Discharge Notification Report for Incident T144769 Update dated January 18, 2013. On November 17, 2012, the dehexanizer vessel C-1105 pressure safety relief valve (PSV) relieved during an unexpected power failure. The Dehexanizer PSV relieved to the atmosphere as a result of the overpressuring. During the five (5) minute incident, 1269 lbs of compressed flammable gas and 129 lbs of benzene were released. The root cause of the overpressure was due to instrumentation not providing timely level indication to console operator to respond to changing operating conditions. Startup checks of instrumentation following installation was less

than adequate. This unauthorized discharge is a violation of LAC 33:III.905, LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(1) and 30:257(A)(2).

59. According to the 2013 Compliance Certification Report dated March 19, 2014, the FCC Regenerator Flue Gas Scrubber (EPN No. 47; EQT 184) exceeded the CO maximum hourly permit limit, 300.25 lb/hr, for six (6) hours on April 26, 2013. Exceeding the permit limit is a violation of Title V Permit No. 3022-V6, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
60. According to the 2013 Compliance Certification Report dated March 19, 2014, the following open-ended lines were discovered during the 2013 calendar year:

Unit	ID	No. of OELs
Oil Movements	EPN FE-OM	9
SRU	EPN FE-SRU	3
Aromatics	EPN FE-ARO	2
CFHT	EPN FE-CFHT	1
Crude and Coker	EPN FE-CC	4

Each open-ended line is a violation of 40 CFR 60.482-6(a), 40 CFR 63.167 (a), Title V Permit Nos. 3004-V3, 3023-V6, 3017-V6, 3011-V2, and 2933-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

61. According to the 2013 Compliance Certification Report dated March 19, 2014, twenty-four (24) components (EPN FE) were discovered to have not been monitored during the first and second quarter of 2013. All components were subsequently monitored and incorporated into refinery LDAR program. Failure to monitor all components is a violation of 40 CFR 63.168 (a-d), 40 CFR 60.480, 40 CFR 60.482, Title V Permit Nos. 3004-V3 and 2933-V4, La. R.S. 30:2057(A)(2).
62. According to the 2013 Compliance Certification Report dated March 19, 2014, during the first quarter of 2013 it was discovered an inspection for the Fugitives FE-CRK1 (FUG 006) compressor was not completed. The inspection was conducted. Failure to conduct the inspection is a violation of 40 CFR 63.163 (b)(3), Title V Permit No. 3018-V3, La. R.S. 30:2057(A)(2).
63. According to the 2013 Compliance Certification Report dated March 19, 2014, the SRU Thermal Oxidizer (EPN No. 46; EQT 193) exceeded the SO<sub>2</sub> maximum hourly permit limit, 95 lb/hr, for one (1) hour on June 6, 2013. The cause of the exceedance was not reported. Exceeding the permit limit is a violation of Title V Permit No. 3023-V6, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
64. According to the 2013 Compliance Certification Report dated March 19, 2014, two vents, a pressure vacuum vent on the East Bulk Plant Vapor Recovery Unit and a P/V on Tank 401, were discovered to be relieving/leaking during a March 7, 2013 inspection. Both vents were repaired. Violation of 40 CFR 63.646 (f)(3), Title V Permit No. 3004-V3, La. R.S. 30:2057(A)(2).

65. According to the 2013 Compliance Certification Report dated March 19, 2014, the No. 2 Flare (EPN No. 29; EQT 255) loss of pilot flame for 20 minutes on May 11, 2013. The pilot flame was relit. This is a violation of Specific Requirement 35 of Title V Permit No. 3016-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
66. According to the 2013 Compliance Certification Report dated March 19, 2014, the opacity was greater than 20% for greater than six (6) minutes for the No.1 Flare (EPN No. 28; EQT 254) and the No. 2 Flare (EPN No. 28; EQT 254). Each opacity exceedance is a violation of Specific Requirements 9 and 40 of Title V Permit No. 3016-V2, LAC 33:III.1311.C, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
67. According to the 2013 Compliance Certification Report dated March 19, 2014, the RATA's for the FCC Regenerator Flue Gas Scrubber Vent (EPN No. 47; EQT 184) for NO<sub>x</sub>, CO, SO<sub>2</sub>, and O<sub>2</sub> CEMS and No. 2 Flare (EPN No. 29; EQT 255) for H<sub>2</sub>S CEM were not completed in the first quarter due to TAR schedule. This is a violation of 40 CFR 51.166, Title V Permit Nos. 3016-V2 (EQT 255) and 3022-V6 (EQT 184), LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
68. According to the 2013 Compliance Certification Report dated March 19, 2014, the annual visual secondary seal inspections for Tank 130001 were not performed. This is a violation of Title V Permit No. 3011-V2. The documentation of completed repairs for Tank 31 was missing. The inspection was completed by the end of the year and removed from service. Failure to conduct the inspection within the required period is a violation of 40 CFR 60.11b(b)(5); 40 CFR 63.120 (b)(9); (a)(3)(ii), and (b)(8), 40 CFR 63.655 (h)(2)(ii), 40 CFR 70.5 (c)(9), Title V Permit Nos. 3011-V2 , 3004-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
69. According to the 2013 Compliance Certification Report dated March 19, 2014, the surface drain on the east side of the lab that is tied into the lab sump was observed to not be equipped with water seal controls. Drain to be equipped with water seal controls. Failure to equip the drain with water seal controls is a violation of 40 CFR 61.346(b)(1), Title V Permit No. 3004-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
70. According to the 2013 Compliance Certification Report dated March 19, 2014, unit exchanger systems SP-03, SP-07, SP-10, and SP-11 were not monitored in six months due to excessive air in the discharge sample point. Each failure to conduct monthly monitoring of the unit exchanger systems is a violation of 40 CFR 63.654(c)(4)(ii), Title V Permit Nos. 3022-V6, 3023-V6 and 2933-V4. LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
71. According to the 2013 Compliance Certification Report dated March 19, 2014, 6 components (EPN FE) were identified that were not monitored during the third and fourth quarters of 2013. All components were subsequently monitored and incorporated into refinery LDAR program. Failure to monitor all components is a violation of

40 CFR 63.18(a-d), 40 CFR 63.649 (2)(ii), 40 CFR 60.482-8, Title V Permit Nos. 3023-V6, 3022-V6, LAC 33:III.501.C.4, and La. R.S 30:2057(A)(2).

72. According to the 2013 Compliance Certification Report dated March 19, 2014, four (4) connectors missed three (3) monitoring events due to incorrect documentation. The connectors were documented as NSPS Light Liquid instead of RMACT Gas. Each failure to monitor is a violation of 40 CFR 60.482-11a (a-b), Title V Permit No. 3018-V3, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(2).
73. According to the 2013 Compliance Certification Report dated March 19, 2014, the Respondent failed to repair control valve 55-FV-410 within the 15 day repair requirement. The control valve was repaired with no detectable emissions present. This is a violation of 40 CFR 63.168(f)(1), Specific Requirement 166 of Title V Permit No. 3023-V6, and La. R.S. 30:2057(A)(2).
74. According to the 2013 Compliance Certification Report dated March 19, 2014, CFHT Fractionator Reboiler F-7702 (EPN No.61; EQT 0060) exceeded the CO maximum hourly permit limit, 4.28 lb/hr, for one (1) hour on October 26, 2013. The cause of the exceedance was not reported. Exceeding the permit limit is a violation of Title V Permit No. 3011-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
75. According to the 2013 Compliance Certification Report dated March 19, 2014, on November 21, 2013, the No.2 Flare (EPN No. 29; EQT 255) exceeded the H<sub>2</sub>S 3-hour rolling average of 162 ppmv. An intermittent release to the flare. The source could not be confirmed, since no other activity correlated with the H<sub>2</sub>S increase. Total SO<sub>2</sub> emissions for the period were approximately 9 lbs. This is a violation of Paragraph 55 of Consent Decree 05-4662, 40 CFR 60.104(a)(1), Specific Requirements 20, 30, and 41 of Title V Permit No. 3016-V2, LAC 33:III.1503.C, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
76. According to the 2013 Compliance Certification Report dated March 19, 2014, on August 21, 2013, the opacity was observed from the No.1 Flare (EPN No. 28; EQT 254) for greater than six (6) minutes. This is a violation of Title V Permit No. 3016-V2, LAC 33:III.1311.C, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(2).
77. According to the 2013 Compliance Certification Report dated March 19, 2014, on December 3, 2013, the No. 1 Flare exceeded the NSPS Subpart J limit. Valve misalignment caused product to be routed to the process vessel without being chilled. This caused a rise in the vessel pressure and temperature. The pressure safety valve relieved to the flare gas recovery system. This gas temporarily exceeded the flare gas recovery system (FGR) capacity and resulted in flaring at Flare #1. Total SO<sub>2</sub> emissions were approximately 351 lbs. This is a violation of 40 CFR 60.104 (a)(1), Specific Requirements 20, 30, and 41 of Title V Permit No. 3016-V2, LAC 33:III.1503.C, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

78. Unauthorized Discharge Notification Report for Incident T146189 dated January 25, 2013 and Unauthorized Discharge Report for Incident T146189 Update dated March 20, 2013. On January 20, 2013, unit personnel identified a leak at the Crude 2 unit from a failed bleeder valve. The incident was identified at 06:05 hours and ended at 06:22 hours and resulted in the release of 100.19 bbl of crude oil and 20.7 lbs of benzene. The majority of the oil was contained within plant boundaries. Some of the oil made contact with non-concrete surfaces within plant boundaries and some oil droplets/mist became entrained in the heavy fog and was deposited off-site. This unauthorized release is a violation of LAC 33:III.905, LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

79. According to the Part 70 General Condition K and R Report dated September 19, 2014, the following open-ended lines were discovered during the 2014 calendar year:

Unit	ID	No. of OELs
Oil Movements	EPN FE-OM	6
SRU	EPN FE-SRU	1
Aromatics	EPN FE-ARO	1
Crude and Coker	EPN FE-CC	1
CFHT-PT1-RF1-GHU	EPN FE-CFHT	1

Each open-ended line is a violation of 40 CFR 60.482-6(a), 40 CFR 63.167(a), Title V Permit Nos. 3004-V5/V6, 3011-V2, 3017-V5, 3018-V43022-V6, and 3023-V6, LAC 33:501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

80. According to the Part 70 General Condition K and R Report dated September 19, 2014, sixty-three (63) (EPN FE) components were discovered to have not been monitored during the first and second quarter of 2014. The components were subsequently monitored and incorporated into the refinery's LDAR program. This is a violation of 40 CFR 63.168 (a-d), 40 CFR 63.649 (2)(ii), 40 CFR 60.482-7(a-c), Title V Permit Nos. 3018-V4, 3017-V5, 3022-V6, and 3026-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

81. According to the Part 70 General Condition K and R Report dated September 19, 2014, SRU Thermal Oxidizer (EPN No. 46; EQT 193) exceeded the SO<sub>2</sub> maximum hourly permit limit, 95 lb/hr, was exceeded for one (1) hour on February 10, 2014. The cause of the exceedance was not reported. Exceeding the hourly permit limit is a violation of Title V Permit No. 3023-V6, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

82. According to the Part 70 General Condition K and R Report dated September 19, 2014, the No. 1 Hot Oil Heater F-1201 (EPN No. 11; EQT 207) exceeded the CO maximum hourly permit limit, 14.01 lb/hr, for one (1) hour on February 16, 2014. The cause of the exceedance was not reported. Exceeding the hourly permit limit is a violation of Title V Permit No. 3017-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).



83. According to the Part 70 General Condition K and R Report dated September 19, 2014, the TDU Reboiler F-4202 (EPN No. 85B; EQT 213) exceeded the CO maximum hourly permit limit, 3.63 lb/hr, for one (1) hour on February 21, 2014. The cause of the exceedance was not reported. Exceeding the hourly permit limit is a violation of Title V Permit No. 3017-V5, LAC 33:III.501.C.44, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
84. According to the Part 70 General Condition K and R Report dated September 19, 2014, the FCC Regenerator Flue Gas Scrubber (EPN No. 47; EQT 184) exceeded the following maximum hourly permit limits: CO, 300.25 lb/hr, and SO<sub>2</sub>, 68.14 lb/hr, for one (1) hour on March 28, 2014. The causes of the exceedances were not reported. Each exceedance is a violation of Title V Permit No. 3022-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
85. According to the Part 70 General Condition K and R Report dated September 19, 2014, the FCC Regenerator Flue Gas Scrubber (EPN No. 47; EQT 184) exceeded the SO<sub>2</sub> maximum hourly permit limit, 68.14 lb/hr, for one (1) hour on March 29, 2014. The cause of the exceedance was not reported. Exceeding the permit limit is a violation of Title V Permit No. 3022-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
86. According to the Part 70 General Condition K and R Report dated September 19, 2014, the FCC Regenerator Flue Gas Scrubber (EPN No. 47; EQT 184) exceeded the SO<sub>2</sub> maximum hourly permit limit, 68.14 lb/hr, for one (1) hour on April 3, 2014. The cause of the exceedance was not reported. Exceeding the permit limit is a violation of Title V Permit No. 3022-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
87. According to the Part 70 General Condition K and R Report dated September 19, 2014, the SRU Thermal Oxidizer (EPN No. 46; EQT 193) exceeded the SO<sub>2</sub> maximum hourly permit limit, 95 lb/hr, one (1) hour on June 6, 2014. The cause of the exceedance was not reported. Exceeding the permit limit is a violation of Title V Permit No. 3023-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
88. According to the Part 70 General Condition K and R Report dated September 19, 2014, the roof drain, a control device, on Tank 61 (EPN TK-61; EQT 0138) was leaking inside the dike area. On June 3, 2014, the tank was removed from service on for repairs. Failure to maintain a control device in proper working order is a violation of 40 CFR 63.646, 40 CFR 63.655, Title V Permit No. 3004-V5, LAC 33:III.905, LAC 33:III.2103.D.3 and La. R.S. 30:2057(A)(2).
89. According to the Part 70 General Condition K and R Report dated September 19, 2014, on November 7, 2013, Tank 1005 stored liquids with a true vapor pressure (TVP) greater than 1.5 psia. The liquids were removed from Tank 1005. Failure to maintain true vapor pressure below 1.5 psia is a violation of 40 CFR 63.646, Title V Permit No. 3004-V5, LAC 33:III.2103, and La. R.S. 30:2057(A)(2).

90. According to the Part 70 General Condition K and R Report dated September 19, 2014, on March 28, 2014, the No. 2 Flare (EPN No. 29; EQT 255) lost the pilot flame for 19 minutes. This is a violation of Specific Requirement 20 of Title V Permit No. 3016-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
91. According to the Part 70 General Condition K and R Report dated September 19, 2014, deficiencies were noted on secondary seal and tank roof for D-307 and D-58. All repairs have been completed. This is a violation of 40 CFR 63.655, Title V Permit No. 3004-V5, LAC 33:III.501.C.4, LAC 33:III.2103, and La. R.S. 30:2057(A)(2).
92. According to the Part 70 General Condition K and R Report dated March 19, 2015, seven (7) components (EPN FE) were identified that were not monitored during the third and fourth quarters of 2014. The components were subsequently monitored and incorporated into the refinery's LDAR program. This is a violation of 40 CFR 63.168 (a-d), 40 CFR 63.649 (2)(ii), 40 CFR 60.482-7(a-c), Title V Permit No. 3004-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
93. According to the Part 70 General Condition K and R Report dated March 19, 2015, the No. 1 Flare (EPN No. 28; EQT 254) exceeded the H<sub>2</sub>S 3-hour rolling average of 162 ppmv for one (1) hour on August 16, 2014. The exceedance was due to the reformer separator spillback control valve PC218 being fully open; it was determined the control valve maintained the incorrect pressure setting on control loop. This is a violation of Paragraph 55 of Consent Decree 05-4662, 40 CFR 60.104(a)(1), Specific Requirement 2 of Title V Permit No. 3016-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
94. According to the Part 70 General Condition K and R Report dated March 19, 2015, on June 29, 2014, and July 28, 2014, the No. 2 Flare (EPN No. 29; EQT 255) and Alky Isostripper Reboiler F-7901 (EPN No. 49; EQT 0186) the opacity was greater than 20% for six (6) minutes. Each opacity exceedance is a violation of Specific Requirement 8 of Title V Permit No. 3016-V3, Specific Requirement 61 of Title V Permit No. 3022-V6AA, LAC 33:III.C, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
95. According to the Part 70 General Condition K and R Report dated March 19, 2015, on November 2, 2014, the FCC Regenerator Flue Gas Scrubber (EPN No. 47; EQT 184) exceeded the maximum hourly CO permit limit (300.25 lb/hr) for six (6) hours. This is a violation of Title V Permit No. 3022-V6, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The maximum CO concentration limit of 500 ppmv was exceeded for 18 hours; the concentration during this period was 1028.2 ppmv. This is a violation of Paragraph 27 of Consent Decree 05-4662, 40 CFR 60.103(a), Specific Requirement 17 of Title V Permit No. 3022-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The FCC WGS low pressure drop was less than the required 1.24 psig for approximately six (6) counts of 3-hour average. This is a violation of Title V Permit No. 3022-V6, LAC 33:III.501.C.4, and

La. R.S. 30:2057(A)(2). The events were due to a failure of the highway communication controller on the FCCU console, which resulted in an unplanned shutdown of the FCCU.

96. According to the Part 70 General Condition K and R Report dated March 19, 2015, the No. 1 Flare (EPN No. 28; EQT 254) exceeded the 162 ppmv H<sub>2</sub>S 3-hour rolling average for six (6) hours on November 5, 2014. The No. 2 Coker Wet Gas Compressor K-8101 tripped on an electrical outage and routed all gas to the flare gas recovery (FGR) system. The FGR system was unable to handle the excess gas and flaring occurred intermittently until K-8101 could be restarted. Only one of the three flare gas compressors was available because two were down for repairs. This is a violation of Paragraph 55 of Consent Decree 05-4662, 40 CFR 60.104(a)(1), Specific Requirement 2 of Title V Permit No. 3016-V6, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
97. According to the Part 70 General Condition K and R Report dated March 19, 2015, the FCC Regenerator Flue Gas Scrubber (EPN No. 47; EQT 184) exceeded the CO maximum hourly permit limit, 300.25 lb/hr, for one (1) hour on December 12, 2014. This is a violation of Title V Permit No. 3022-V6, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
98. According to the Part 70 General Condition K and R Report dated March 19, 2015, the FCC Regenerator Flue Gas Scrubber (EPN No. 47; EQT 184) exceeded the CO maximum hourly permit limit, 300.25 lb/hr, and the SO<sub>2</sub> maximum hourly permit limit, 64.14 lb/hr, for one (1) hour on December 28, 2014. Each exceedance is a violation of Title V Permit No. 3022-V6, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
99. According to the Part 70 General Condition K and R Report dated March 19, 2015, the facility failed to submit 2014 First Quarter Benzene Waste Operations Report. The report was postmarked March 5, 2015. Failure to submit the report by the deadline is a violation of 40 CFR 61.357.d.6, 40 CFR 61.357.d.7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
100. According to the Part 70 General Condition K and R Report dated March 19, 2015, it was discovered in the first quarter of 2015, primary seal inspections for Tanks 1406, 2, 3721, 4, and 10 were not performed. Primary seal inspections for Tanks 1406 and 3721 were completed on February 27, 2015. The seal inspections for Tanks 2, 4, and 10 will be completed by the end of 2015. Each failure to conduct the inspections prior to the deadline is a violation of Title V Permit Nos. 3004-V6 and 2822-V2, LAC 33:III.501.C.4, and La. R.S. 20:2057(A)(2).
101. Unauthorized Discharge Notification Report for Incident T156412 dated June 10, 2014, and Unauthorized Discharge Notification Report for Incident T156412 Update dated August 1, 2014. On June 3, 2014, personnel observed a material leaking at Tank 61 from the rood drain area in the dike area. Due to heavy rains, the roof drain and dike valve were open for draining. While blocking in the roof drain, personnel noted that

hydrocarbons and water partially covered the north side of the tank roof. The following pollutants were released during the 540 minute event, 6.7 barrels of naphtha (to the soil), 3,775 lbs of VOC, 22 lbs of benzene, and 133 lbs of xylene. The facility determined the rainwater intrusion into the flaring roof pontoons caused sufficient weight to compromise buoyancy; the release was reported as preventable. This unauthorized discharge is a violation of LAC 33:III.905, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

102. Unauthorized Discharge Notification Report for Incident T156774 dated June 20, 2014, and Unauthorized Discharge Notification Report for Incident T156774 Update dated August 19, 2014. On June 13, 2014, personnel identified a pinhole leak on a pressurized light straight run gasoline pipeline that runs to Tank D-9008. The incident lasted for approximately 221 minutes and resulted in the release of 1807 lbs of compressed flammable gas. The root cause of the release was localized corrosion in the line. The unauthorized discharge is a violation of LAC 33:III.905, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

103. Unauthorized Discharge Notification Report for Incident T159885 dated November 12, 2014, Unauthorized Discharge Notification Report for Incident T159885 Update dated January 12, 2015, and Unauthorized Discharge Notification Report for Incident T159985 Update dated February 25, 2015. On November 5, 2014, the No. 2 Coker Wet Gas Compressor K-8101 tripped on an electrical outage and routed all gas to the flare gas recovery (FGR) system. Only one of the three flare gas compressors was available due to mechanical failures and were down for repair. The FGR system was unable to handle the excess gas and flaring occurred intermittently for 364 minutes. The incident resulted in the release of 10.85 tons of SO<sub>2</sub>. The investigation determined the root cause of the fuse failure was due to overheating from a dirty or contaminated surface between the fuse element and the housing. The unauthorized discharge is a violation of LAC 33:III.905, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).