

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

McFARLAND CASCADE HOLDINGS, INC.

AI # 188240

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

* Settlement Tracking No.
* SA-MM-18-0042
*
* Enforcement Tracking No.
* MM-CN-17-00151
*
*
*
*
*

SETTLEMENT

The following Settlement is hereby agreed to between McFarland Cascade Holdings, Inc. (“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 corporation that owns and/or operates a pressurized wood treatment facility located in Rapides Parish, Louisiana (“the Facility”).

II

On July 12, 2017, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. MM-CN-17-00151, attached as Exhibit A.

III

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties.

IV

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 SEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$7,500.00), of which One Thousand Six Hundred Sixty-Two and 53/100 Dollars (\$1,662.53) represents the Department's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

V

Respondent further agrees that the Department may consider the inspection report(s)/permit record(s), the Consolidated Compliance Order & Notice 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.

VI

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.

VII

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 La. R. S. 30:2025(E) of the Act.

VIII

As required by law, the Department has submitted this Settlement Agreement to the Louisiana Attorney General for approval or rejection. The Attorney General's concurrence is appended to this Settlement Agreement.

IX

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Rapides Parish, Louisiana. The advertisement, in form and wording 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.

X

Payment is to be made within ten (10) days from notice of the Secretary's signature. 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 (Exhibit B).

XI

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

XII

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

McFarland Cascade Holdings, Inc.

BY: Way Keesul
(Signature)

Wayne Kusmierczyk
(Printed)

TITLE: VP SVP

THUS DONE AND SIGNED in duplicate original before me this 30th day of November, 20 18, at Alexandria, La.

Garrison Moreau
NOTARY PUBLIC (ID # 18550)

Garrison Moreau
Notary Public ID # 18550
Rapides Parish
State of Louisiana
Commission is for Life (stamped or printed)

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

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

THUS DONE AND SIGNED in duplicate original before me this 5th day of Sept, 20 19, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # 19181)

Perry Theriot
(stamped or printed)

Approved: [Signature]
Loures Iturralde, Assistant Secretary



JOHN BEL EDWARDS
GOVERNOR

CHUCK CARR BROWN, Ph.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE
July 12, 2017

CERTIFIED MAIL (7016 0910 0000 2672 8221)
RETURN RECEIPT REQUESTED

MCFARLAND CASCADE HOLDINGS, INC.
c/o C T Corporation System
Agent for Service of Process
3867 Plaza Tower Drive
Baton Rouge, LA 70816

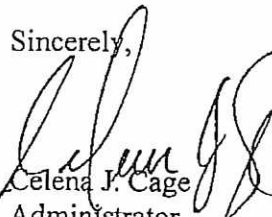
**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. MM-CN-17-00151
AGENCY INTEREST NO. 188240**

Dear Sir/Madam:

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 **MCFARLAND CASCADE HOLDINGS, INC. (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 Cynthia Arrison at (225) 219-3796 or Cynthia.Arrison@la.gov.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/cja/wrs
Alt ID No. LAR000079723; LAR05P908
Attachment



c: McFarland Cascade Holdings, Inc.
c/o George Vickers, Plant Manager
74 Wadley Street
Pineville, LA 71360

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

IN THE MATTER OF

**MCFARLAND CASCADE HOLDINGS, INC.
RAPIDES PARISH
ALT ID NO. LAR000079723; LAR05P908**

*
*
*
*
*
*
*
*
*

ENFORCEMENT TRACKING NO.

MM-CN-17-00151

AGENCY INTEREST NO.

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

188240

**CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **MCFARLAND CASCADE HOLDINGS, INC. (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 pressurized wood treatment facility which cuts and treats wood poles, used utility poles, and pilings. The facility is located at 74 Wadley Street in Pineville, Rapides Parish, Louisiana. The facility is registered as a large quantity generator of hazardous waste and has been assigned EPA Identification No. LAR000079723. The Respondent is authorized to discharge storm water associated with industrial activities into Huffman Creek, waters of the state, under the terms and conditions of Louisiana Pollution Discharge Elimination System (LPDES) permit/Storm Water Multi-Sector General Permit (MSGP) LAR05P908. The Respondent was granted coverage under this LPDES/MSGP on July 29, 2016.

II.

On or about November 14, 2016, the Department conducted an inspection of the facility which revealed the following violations:

- A. The Respondent failed to clearly mark or label a container used to store used oil with the words "Used Oil," in violation of LAC 33:V.4013.D. Specifically, the Respondent failed to label one (1) of two (2) tote bin containers of used oil located in the de-barker shed with the words "Used Oil." In a response submitted to the Department dated March 9, 2017, the Respondent stated both containers were deemed no longer necessary and removed from the facility.
- B. The Respondent failed to ensure containers holding hazardous waste remained closed during storage in accordance with LAC 33:V.2107.A, in violation of LAC 33:V.4013.B. Specifically, the Respondent failed to cover the two (2) tote bin containers of used oil located in the de-barker shed. In a response submitted to the Department dated March 9, 2017, the Respondent stated both containers were deemed no longer necessary and removed from the facility.
- C. The Respondent failed to mark containers of hazardous waste with an accumulation start date, in violation of LAC 33:V.1109.E.1.c. Specifically, three (3) drums (waste codes F032 and F034) located in the Less Than 90 Day Storage Area were not marked with an accumulation start date. A follow-up inspection conducted on November 16, 2016, revealed that an accumulation start date was added to the labels of the three (3) drums. This violation has been addressed.
- D. The Respondent failed to maintain the Drip Pad such that it would remain free of cracks, gaps, corrosion, or other deterioration as specified in LAC 33:V.2805.D and LAC 33:V.2805.E, in violation of LAC 33:V.1109.E.1.a.iii. Specifically, deficiencies, including cracks and gaps in the concrete and deteriorated areas of coating, were noted at several places on the drip pad. Moderate to severe deficiencies were noted at the Rail Switches on the drip pad. In a response submitted to the Department dated March 9, 2017, the Respondent stated the drip pad was repaired and resealed. According to a March 23, 2017 electronic correspondence submitted from the Respondent, after the repair work was completed, the drip pad was recertified by a Professional Engineer on January 30, 2017. This violation has been addressed.

- E. The Respondent failed to list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator in the contingency plan as required by LAC 33:V.1513.B.4, in violation of LAC 33:V.1109.E.1.e. Specifically, the contingency plan did not include the addresses of the facility's emergency contacts. In a response submitted to the Department dated March 9, 2017, the Respondent stated the home addresses were added to the facility's contingency plan. The Respondent submitted the revised Integrated Contingency Plan via e-mail on March 23, 2017. This violation has been addressed.
- F. The Respondent failed to list the emergency equipment at the facility, such as fire extinguishing system, spill control equipment, communications, and alarm systems (internal and external), and decontamination equipment and the location and a physical description of each item on the list in the contingency plan as required by LAC 33:V.1513.B.5, in violation of LAC 33:V.1109.E.1.e. Specifically, the contingency plan did not include a list of spill kit locations. The Respondent submitted the revised Integrated Contingency Plan via e-mail on March 23, 2017, that includes the locations of spill kits. This violation has been addressed.
- G. The Respondent failed to submit an updated HW-1 notification form within seven (7) days of changes to information provided on the previous notification, in violation of LAC 33:V.1105.B. Specifically,
1. Some of the hazardous waste codes (D004, D005, D007, and F005) listed on the Hazardous Waste Manifests had not been indicated on the HW-1 notification, which was dated May 26, 2016, and included only F032 and F034. A subsequent HW-1 form was submitted to the Department on November 10, 2016, which included F032, F034, F035, and K001, but not D004, D005, D007, or F005.
 2. Some Hazardous Waste Manifests had "Stella Jones Corporate Pineville" listed as the generator. Manifest correction reports were sent/submitted to the appropriate destination facilities on the day of the inspection.

Following the inspection, the Respondent submitted a revised HW-1 notification form to the Department dated February 28, 2017. A file review performed on June 15, 2017, noted that the most recent HW-1 notification form was still missing the following hazardous waste codes: D005 and F005.

III.

A file review conducted on May 4, 2017, revealed that the Respondent failed to report physical alterations or additions to the facility which could significantly change the nature or increase the quantity of pollutants discharged. Specifically, the site diagram on the LPDES/MSGP Notice of Intent (NOI) submitted to the Department on May 19, 2016, (pages 7 & 8 of 8) only indicates a single outfall (outfall 002). The Integrated Contingency Plan (ICP) developed for the facility was submitted to the Department on or about March 27, 2017, and dated December 2016. The ICP includes the Storm Water Pollution Prevention Plan (SWPPP). The site diagram in the ICP-SWPPP (figure 1-2, page 1-4) references outfalls 002 & 005. According to the ICP-SWPPP (section 5.4), outfall 005 drains the area known as drainage area 17, the treated pole storage area in the SW corner of the facility. The failure to report physical alterations or additions to the facility is in violation of La. R.S. 30:2076(A)(3) and LAC 33:IX.2701.L.1.b.

IV.

The file review conducted on May 4, 2017, also revealed that the ICP-SWPPP contained several deficiencies, specifically:

- A. LPDES/MSGP LAR05P908, section 4.3.2, requires that the Respondent develops a site map and that several specific items be identified on the map. The site map in the ICP-SWPPP (figure 1-4) does not show several required items, including:
 - 1.The location and extent of significant structures and impervious surfaces;
 - 2.Directions of storm water flow (use arrows);
 - 3.Locations of all existing structural control measures;
 - 4.Locations of all storm water conveyances including ditches, pipes, and swales;
 - 5.Locations of potential pollutant sources identified under Part 4.3.3.

Figure 1-4 of the ICP-SWPPP does show a detailed storm water flow diagram around the treating area, but not for the remainder of the facility.

- B. LPDES/MSGP LAR05P908, section 6, also requires several sector specific SWPPP requirements. The ICP-SWPPP does not contain the information required in 6.A.1.

The failure to develop a SWPPP that accurately reflects the activities at the facility and contains all the information required in LPDES/MSGP LAR05P908 is in violation of La. R.S. 30:2076(A)(3) and LAC 33:IX.2701.A.

COMPLIANCE ORDER

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

I.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Hazardous Waste Regulations and the Water Quality Regulations and LPDES Permit LAR05P908.

II.

To submit to the Office of Environmental Services, within seven (7) days after receipt of this **COMPLIANCE ORDER**, an updated HW-1 notification form indicating all applicable hazardous waste codes in accordance with LAC 33:V.1105.B. A copy shall be submitted to the Enforcement Division.

III.

To amend, immediately upon receipt of this **COMPLIANCE ORDER**, the site diagram in the ICP-SWPPP to accurately reflect the activities at the site, including, but not limited to, the missing information noted in paragraph IV of the Findings of Fact section of this **COMPLIANCE ORDER**. A copy of the revised/amended ICP-SWPPP shall be submitted to the Department within thirty (30) days of completion. A copy of the revised site diagram shall also be submitted to the Water Permits Division.

IV.

To submit to the Water Permits Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a complete revised LPDES/MSGP-NOI for the facility. This revised NOI shall accurately reflect all the outfalls at the facility.

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: Cynthia Arrison
Re: Enforcement Tracking No. MM-CN-17-00151
Agency Interest No. 188240

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. MM-CN-17-00151
Agency Interest No. 188240

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 Cynthia Arrison at (225) 219-3796 or Cynthia.Arrison@la.gov 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. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

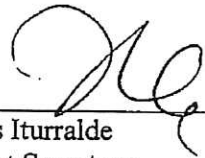
IV.

The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "**CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form. The Respondent must include a justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

V.

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

Baton Rouge, Louisiana, this 12th day of July, 2017.



Lourdes Iturralde
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: Cynthia Arrison

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
 OFFICE OF ENVIRONMENTAL COMPLIANCE
 ENFORCEMENT DIVISION CONSOLIDATED COMPLIANCE ORDER &
 POST OFFICE BOX 4312 NOTICE OF POTENTIAL PENALTY
 BATON ROUGE, LOUISIANA 70821-4312 REQUEST TO CLOSE



Enforcement Tracking No.	MM-CN-17-00151	Contact Name	Cynthia Arrison
Agency Interest (AI) No.	188240	Contact Phone No.	(225) 219-3796
Alternate ID No.	LAR000079723; LAR05P908		
Respondent:	McFarland Cascade Holdings, Inc.	Facility Name:	McFarland Cascade Holdings, Inc.
	c/o C T Corporation System	Physical Location:	74 Wadley Street
	Agent for Service of Process		
	3867 Plaza Tower Drive	City, State, Zip:	Pineville, LA 71360
	Baton Rouge, LA 70816	Parish:	Rapides Parish

STATEMENT OF COMPLIANCE

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph IV of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph III of the "Order" portion of the COMPLIANCE ORDER.		
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:		

SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:I.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (MM-CN-17-00151), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (MM-CN-17-00151), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> • Monetary component = \$ _____ • Beneficial Environmental Project (BEP) component (optional)= \$ _____ • DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (MM-CN-17-00151) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

CERTIFICATION STATEMENT

I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.

Respondent's Signature	Respondent's Printed Name	Respondent's Title
Respondent's Physical Address	Respondent's Phone #	Date

MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:

Louisiana Department of Environmental Quality
 Office of Environmental Compliance
 Enforcement Division
 P.O. Box 4312
 Baton Rouge, LA 70821
 Attn: Cynthia Arrison