

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

DEVIN INTERNATIONAL, INC.

AI # 25229

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

* Settlement Tracking No.
* SA-WE-18-0070
*
* Enforcement Tracking No.
* WE-CN-14-00638A
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SETTLEMENT

The following Settlement is hereby agreed to between Devin International, 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 an oilfield service facility located in Lafayette, Lafayette Parish, Louisiana (“the Facility”).

II

On March 8, 2016, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. WE-CN-14-00638A (Exhibit 1).

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 FORTY-THREE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$43,400.00), of which Three Thousand One Hundred One and 79/100 Dollars (\$3,101.79) 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 Amended 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 Lafayette 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 A).

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.

DEVIN INTERNATIONAL, INC.

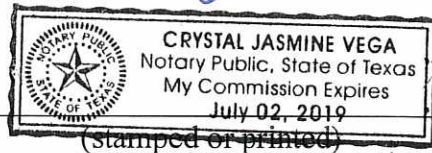
BY: [Signature]
(Signature)

CARMAC CREAVER
(Printed)

TITLE: ASSOCIATE GENERAL COUNSEL

THUS DONE AND SIGNED in duplicate original before me this 5th day of April, 20 19, at Harris County.

[Signature]
NOTARY PUBLIC (ID # 130282166)



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

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

THUS DONE AND SIGNED in duplicate original before me this 2nd day of May, 20 19, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # 19181)

Perry Theriot
(stamped or printed)

Approved: [Signature]
Lourdes Iturralde, Assistant Secretary

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
 OFFICE OF ENVIRONMENTAL COMPLIANCE
 ENFORCEMENT DIVISION
 POST OFFICE BOX 4312
 BATON ROUGE, LOUISIANA 70821-4312

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



Enforcement Tracking No.	WE-CN-14-00638A	Certified Mail No.	7004 2510 0006 3853 4756
Agency Interest (AI) No.	25229	Contact Name	Richard Ober, Jr.
Alternate ID No.	LAR05P869	Contact Phone No.	(225) 219-3135
Respondent:	Devin International, Inc.	Facility Name:	NOV Devin
	c/o C T Corporation System	Physical Location:	2545 SE Evangeline Thruway
	Agent for Service of Process		
	3867 Plaza Tower Dr.	City, State, Zip:	Lafayette, Louisiana 70508
	Baton Rouge, Louisiana 70816	Parish:	Lafayette

This AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY is issued 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). This AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY replaces CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-14-00638 issued to National Oilwell Varco, L.P. on August 28, 2015, in its entirety.

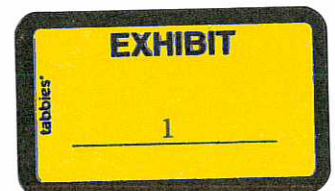
FINDINGS OF FACT

An authorized representative of the Department inspected the abovementioned facility or conducted a file review of the facility to determine the degree of compliance with regulations promulgated in the Louisiana Administrative Code, Title 33. The State regulatory citations for the violation(s) identified during the inspection and/or file review are indicated below.

I. The Respondent owns and operates an oilfield service facility (the facility) located at 2545 SE Evangeline Thruway in Lafayette, Lafayette Parish, Louisiana. According to National Oilwell Varco, L.P.'s written report dated October 8, 2015, submitted in response to CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. WE-CN-14-00638, the Respondent was formerly a subsidiary of Greene's Energy Group, LLC. While owned by Greene's Energy Group, LLC, the Respondent operated the facility under the name Devin Rental Tools. National Oilwell Varco, L.P. acquired the Respondent from Greene's Energy Group, LLC on or about June 2, 2014, and the Respondent operates the facility under the name NOV Devin.

LPDES Permit LA0110264 was issued to the Respondent on January 7, 2005, with an effective date of February 1, 2005. LPDES Permit LA0110264 was re-issued to the Respondent on May 4, 2010, with an effective date of June 1, 2010. Under the terms and conditions of LPDES Permit LA0110264, the Respondent was permitted to discharge equipment washwater and stormwater runoff to local drainage thence to Bayou Tortue, waters of the state. A Name/Ownership/Operator Change Form (NOC-1 Form) was received by the Department on January 21, 2015, under cover letter dated January 19, 2015. An updated NOC-1 Form was received by the Department under cover letter dated February 20, 2015. The NOC-1 Form indicated a change of ownership of the Devin Rental Tools, Inc. facility to National Oilwell Varco, L.P. effective June 1, 2014, and requesting the transfer of LPDES Permit LA0110264. Based on this information, the Department transferred LPDES Permit LA0110264 to National Oilwell Varco, L.P. on March 6, 2015, at which point the Respondent (Devin International, Inc.) no longer had a permit and/or other authority from the Department to discharge. On or about September 17, 2015, the Department received a LPDES Notice of Intent for coverage under the LPDES Multi-Sector General Storm Water Permit for Discharges Associated with Industrial Activity from the Respondent. The Respondent received authorization to discharge storm water associated with industrial activity when it was granted coverage on September 17, 2015, under LPDES Multi-Sector General Storm Water Permit (MSGP) LAR05P869 in accordance with Section 1.3.2. of the permit. Under the terms and conditions of LPDES MSGP Permit LAR05P869, the Respondent is permitted to discharge storm water associated with industrial activity into Bayou Tortue, waters of the state.

	Date of Violation	Description of Violation
II.	File Review November 5, 2015	The Respondent caused and/or allowed the discharge of wastewater and/or stormwater without a permit and/or other authority from the Department. Specifically, a Name/Ownership/Operator Change Form (NOC-1 Form) was received by the Department under cover letter February 20, 2015, indicating a change of ownership of the Devin Rental Tools, Inc. facility to National Oilwell Varco, L.P. effective June 1, 2014, and requesting the transfer of LPDES Permit LA0110264. Based on this information, the Department transferred LPDES Permit LA0110264 to National Oilwell Varco, L.P. on March 6, 2015, at which point the Respondent no longer had a permit and/or other authority from the Department to discharge. Based on communications with and a letter dated October 8, 2015 from National Oilwell Varco, L.P., it was determined that the NOC-1 Form was submitted in error. On or about September 17, 2015, the Department received a LPDES Notice of Intent for coverage under the LPDES Multi-Sector General Storm Water Permit for Discharges Associated with Industrial Activity from the Respondent. Additional information was provided on October 9, 2015. The Respondent received authorization to discharge storm water associated with industrial activity when coverage was granted on September 17, 2015, under LPDES Multi-Sector General Storm Water Permit (MSGP) LAR05P869 in accordance with Section 1.3.2. of the permit. Therefore, the Respondent had unauthorized discharges from March 6, 2015, until coverage was granted under the MSGP on September 17, 2015. (La. R.S. 30:2075)
III.	Inspection(s) & File Review June 3, 2014 November 5, 2015	The Respondent failed to submit Discharge Monitoring Reports (DMRs) in a timely manner. Monthly DMRs are required to be submitted no later than the 28th day of the month following each quarterly reporting period. Specifically, the Respondent did not submit timely DMRs for the monthly monitoring periods from January 2012 through December 2014. (LPDES Permit LA0110264 (Narrative Requirements, Condition S-1 and Standard Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.L.4.a.)
IV.	Inspection(s) & File Review June 3, 2014 November 5, 2015	The Respondent failed to comply with LPDES Permit LA0110264. Specifically, the Respondent failed to submit monthly Discharge Monitoring Reports (DMRs) from January 2010 through December 2011. (LPDES Permit LA0110264 (Narrative Requirements, Condition T-1 and Standard Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.L.4.a)



V.	Inspection(s) & File Review June 3, 2014 November 5, 2015	Based on the inspection, conversations with representatives of National Oilwell Varco, L.P. in the meeting on May 18, 2015, and a letter submitted on behalf of National Oilwell Varco, L.P. dated May 21, 2015, the Respondent caused and/or allowed the discharge of wastewater from a source or location not authorized by the permit. Specifically, LPDES Permit LA0110264 listed one (1) outfall location, but a second unpermitted outfall at the facility discharged equipment washwater, hydrostatic test water, and stormwater. (La. R.S. 30:2076(A)(1)(a) and LAC 33:IX.501.D)
VI.	File Review November 5, 2015	Based on conversations with representatives of National Oilwell Varco, L.P. in the meeting on May 18, 2015, a letter submitted on behalf of National Oilwell Varco, L.P. dated May 21, 2015, and a file review performed by the Enforcement Division of the aforementioned unauthorized discharge, the Respondent failed to submit relevant facts in the LPDES Permit application for LPDES Permit LA0110264. Specifically, the renewal application dated September 21, 2009, identified an outfall designated Outfall 001 which discharged washwater and stormwater. The application also identified a second outfall at the facility designated Outfall 002 which consisted of stormwater discharges on the entire eastern boundary of the facility site. However, the application did not identify that Outfall 002 discharges equipment washwater and hydrostatic test water in addition to stormwater. (La. R.S. 30:2076(A)(3) and LAC 33:IX.2701.L.8)
VII.	File Review November 5, 2015	The Respondent failed to collect representative samples from Outfall 001. Specifically, revised DMRs were submitted to the Department by National Oilwell Varco, L.P. on behalf of the Respondent under cover letter dated June 12, 2015, for the monthly monitoring periods of January 2012 through February 2015. The DMRs for the monthly monitoring periods of June 2014 through February 2015 were revised again and submitted under cover letter dated October 8, 2015. Based on the comments on the DMRs and the cover letter attached to the DMRs, the Respondent failed to take representative samples from Outfall 001 from January 2012 through February 2015. (LPDES Permit LA0110264 (Narrative Requirements, Condition T-2, page 4 of 4 and Standard Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3) and LAC 33:IX.2701.J.1)
VIII.	File Review November 5, 2015	The Respondent failed to submit a Name/Ownership/Operator Change Form (NOC-1 Form) to the Department prior to or no later than 45 days after the change in facility name. Specifically, a Name/Ownership/Operator Change Form (NOC-1) was received by the Department on January 21, 2015, under cover letter dated January 19, 2015. An updated NOC-1 Form was received by the Department under cover letter dated February 20, 2015. The NOC-1 Form indicated a change of facility name to NOV Devin effective June 1, 2014. (La. R.S. 30:2076(A)(3) and LAC 33:I.1905.A)
ORDER		
Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below:		
I.	To take, immediately upon receipt of this COMPLIANCE ORDER , any and all steps necessary to meet and maintain compliance with the Water Quality Regulations. This shall include, but not be limited to ; correcting <u>all</u> of the violations described in the "Findings of Fact" portion.	
II.	To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER , a written report that includes a detailed description of the circumstances surrounding the cited violation(s) added in this COMPLIANCE ORDER 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 the Department at the address specified in this document.	
III.	A.	If the Respondent demonstrates a need to continue the hydrostatic test water discharge, the Respondent shall operate and maintain the facility to meet the "INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS" contained in Attachment A of this COMPLIANCE ORDER ; or
	B.	If the Respondent does not choose to discharge to waters of the state, the Respondent shall, within thirty (30) days after receipt of this COMPLIANCE ORDER , provide written documentation to the Department that no activities exist at the Respondent's facility resulting in any unauthorized discharges to waters of the state.
IV.	The Respondent shall comply with the scheduled completion date of July 31, 2016, or any amendment of that scheduled completion date approved in writing by the Department, for the project to cease discharges from Outfall 002 of hydrostatic water from the pressure test building, as referenced in National Oilwell Varco, L.P.'s letter dated March 2, 2016.	
V.	The Respondent shall submit progress reports to the Enforcement Division following each calendar quarter until the completion of the aforementioned project. The Respondent shall submit each progress report within fifteen (15) days following the end of the calendar quarter. The first progress report is due on April 15, 2016. Additionally, if the project cannot be completed by the due date specified, the Respondent shall submit a certification of non-compliance to the Department within fifteen (15) days after the scheduled due date. If the Respondent reports non-compliance with the scheduled event, the certification shall include a discussion of the cause of the delay and an anticipated date of completion. Upon completion of the scheduled event, the Respondent shall submit a final certification stating that all activities have been achieved.	
VI.	To continue to submit DMRs and associated reports electronically using NetDMR unless otherwise notified in writing by the Department.	
RIGHT TO APPEAL		
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 address specified in this document.	
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.). 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 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 Richard Ober, Jr. at (225) 219-3135 within ten (10) days of receipt of this NOTICE OF POTENTIAL PENALTY .
III.	The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this NOTICE OF POTENTIAL PENALTY . Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement.
IV.	This AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY is effective upon receipt.

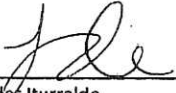
CONTACTS AND SUBMITTAL OF INFORMATION

Enforcement Division: Louisiana Department of Environmental Quality Office of Environmental Compliance Water Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Richard Ober, Jr.	Hearing Requests: 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. WE-CN-14-00638A Agency Interest No. 25229
Permit Division (if necessary): Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Attn: Water Permits Division	Physical Address (if hand delivered): Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802

HOW TO REQUEST CLOSURE OF THIS AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

- To appeal the **AMENDED CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY**, the Respondent must follow the guidelines set forth in the "Right to Appeal" portion of this **AMENDED CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY**.
- To request closure of the **COMPLIANCE ORDER** portion, the Respondent must demonstrate compliance with the "Order" portion of this **AMENDED COMPLIANCE ORDER** by completing the attached "**AMENDED CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form and returning it to the address specified.
 - The **COMPLIANCE ORDER** portion will not be closed if the Respondent owes outstanding fees or penalties to the Department. Please contact the Financial Services Division at 225-219-3865 or email them at _DEQ-WWWFinancialServices@la.gov to determine if you owe outstanding fees.
- To expedite closure of the **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 Department assesses civil penalties based on LAC 33:1.Subpart1.Chapter7.
 - The Respondent may offer a settlement amount but the Department is under no obligation to enter into settlement negotiations. It is decided upon on a discretionary basis.
 - The settlement offer amount may be entered on the attached "**AMENDED 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.
 - The **NOTICE OF POTENTIAL PENALTY** will not be closed if the Respondent owes outstanding fees to the Department. Please contact the Financial Services Division at 225-219-3865 or email them at _DEQ-WWWFinancialServices@la.gov to determine if you owe outstanding fees.

If you have questions or need more information, you may contact Richard Ober, Jr. at (225) 219-3135 or richard.ober@la.gov.



Lourdas Iturralde
Assistant Secretary
Office of Environmental Compliance

Date: 3-8-14

Attachment(s)

- Request to Close
- Attachment A

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE ENFORCEMENT DIVISION POST OFFICE BOX 4312 BATON ROUGE, LOUISIANA 70821-4312		AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE		
Enforcement Tracking No.	WE-CN-14-00638A	Contact Name	Richard Ober, Jr.	
Agency Interest (AI) No.	25229	Contact Phone No.	(225) 219-3135	
Alternate ID No.	LAR05P869			
Respondent:	Devin International, Inc.	Facility Name:	NOV Devin	
	c/o C T Corporation System	Physical Location:	2545 SE Evangeline Thruway	
	Agent for Service of Process			
	3867 Plaza Tower Dr.	City, State, Zip:	Lafayette, Louisiana 70508	
Baton Rouge, Louisiana 70816	Parish:	Lafayette		
STATEMENT OF COMPLIANCE				
STATEMENT OF COMPLIANCE		Date Completed	Copy Attached?	
A written report was submitted in accordance with Paragraph II of the "Order" portion of the AMENDED 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)				
<i>(check the applicable option)</i>				
<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 33:1.Subpart1.Chapter7.			
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (WE-CN-14-00638A), 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 (WE-CN-14-00638A), 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. The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (WE-CN-14-00638A) 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: Richard Ober, Jr.				

If you have questions or need more information, you may contact Richard Ober, Jr. at (225) 219-3135 or richard.ober@la.gov.

ATTACHMENT A

INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

If the Respondent chooses to discharge to waters of the state, the following interim limitations and monitoring requirements shall apply:

The point of discharge is hereby designated as Outfall 002. The discharge from this facility's operation shall be monitored at the point of discharge prior to entering waters of the state of Louisiana. The Respondent shall monitor and report all discharges from its facility under the following interim effluent limitations and monitoring requirements until the hydrostatic test water is captured, but no later than July 31, 2016, or until the Respondent is otherwise notified in writing by the Department. The storm water from Outfall 002 is authorized under LPDES Multi-Sector General Storm Water Permit (MSGP) LAR05P869.

**INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
(OUTFALL 002 – HYDROSTATIC TEST WATER)**

Outfall No.	Parameter	Mass Limitations-(lb/day)		Concentration Limitations (mg/L unless stated)		Measurement Frequency	Sample Type
		Monthly Avg	Daily Max	Monthly Avg	Daily Max		
002	Flow, gpd	Report	Report	---	---	1/month	Estimate
002	COD	---	---	---	125	1/month	Grab
002	TSS	---	---	---	45	1/month	Grab
002	TOC	---	---	---	50	1/month	Grab
002	Oil and Grease	---	---	---	15	1/month	Grab
002	Benzene (*1)	---	---	---	50 µg/L	1/month	Grab
002	Total BTEX (*1)	---	---	---	250 µg/L	1/month	Grab
002	Lead (*1)	---	---	---	50 µg/L	1/month	Grab
002	pH, standard units	---	---	6.0 s.u. min	9.0 s.u. max	1/month	Grab
002	Soaps and/or Detergents	Report	NA	---	---	1/month	Inventory Calculation
002	Visible Sheen	---	No Presence	---	---	1 per day	Observation

(*1) Benzene, Total BTEX, and Total Lead shall be measured on discharges from existing pipelines, flowlines, vessels, or tanks that have been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons.

The Respondent shall comply with the General Criteria for water quality standards listed in LAC 33:IX.1113.B.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge point(s) prior to mixing with other waters.

Laboratory procedures and analyses shall be conducted by a commercial laboratory that has been certified by the Department in accordance with the requirements set forth under LAC 33:I.Subpart 3, Chapters 49-55. A list of laboratories that have received accreditation is available on the Department's website located at:

<http://www.deq.louisiana.gov/portal/DIVISIONS/PublicParticipationandPermitSupport/LouisianaLaboratoryAccreditationProgram/AccreditedLaboratories.aspx>. Questions concerning the program may be directed to (225) 219-3247.

Samples and measurements shall be representative of the volume and nature of the discharge and collected and analyzed according to the requirements of LAC 33:IX.2701.J. Monitoring results from all sample analyses shall be reported on Discharge Monitoring Reports (DMRs) (EPA Form 3320-1) and forwarded to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attention: Permit Compliance Unit

DMRs shall be submitted no later than the twenty-eighth (28) day of the month following the monitoring period specified in this **COMPLIANCE ORDER**. The monitoring period shall begin on the first day of the month following receipt of **COMPLIANCE ORDER WE-CN-14-00638A**. The Respondent shall continue the submission of DMRs by the twenty-eighth (28) day of the month following each monitoring period until the hydrostatic test water is captured, but no later than July 31, 2016, or until otherwise notified in writing by this Department. **COMPLIANCE ORDER WE-CN-14-00638A** and **AI# 25229** should be referenced on all DMRs submitted in accordance with this **COMPLIANCE ORDER**. Instructions for the proper completion of DMRs and examples of properly completed DMRs may be found on the Department's website at:

<http://www.deq.louisiana.gov/portal/DIVISIONS/Enforcement/WaterEnforcement.aspx>.

Blank DMR forms may also be downloaded from this website.

The Respondent shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Respondent to achieve compliance with the conditions of these interim limitations and monitoring requirements. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up auxiliary facilities or similar systems, which are installed by a facility only when the operation is necessary to achieve compliance with the conditions of these interim limitations and monitoring requirements.

These interim limitations and monitoring requirements do not convey any property rights of any sort.

If the Daily Max limitation on any parameter is exceeded, the Respondent shall report said exceedance(s) in writing to the Office of Environmental Compliance, within five (5) working days after becoming aware of the violations. **COMPLIANCE ORDER WE-CN-14-00638A** and **AI# 25229** should be referenced on all such reports submitted in accordance with this **COMPLIANCE ORDER**. The report should include the date, time, and duration of the noncompliance; the details of the circumstances and events leading to the noncompliance; the corrective actions taken or to be taken to correct the noncompliance and if not corrected, the anticipated time the noncompliance is expected to continue; the procedures or measures taken or to be taken to prevent recurrence of the noncompliance; and a determination of whether or not the noncompliance was preventable.

For sanitary treatment plants, the plans and specifications must be approved by the Louisiana Department of Health and Hospitals, Office of Public Health, P.O. Box 4489, Baton Rouge, Louisiana 70821, (225) 342-7499. Additionally, any discharge to a highway ditch, cross ditch, or right-of-way requires approval from the Louisiana Department of Transportation and Development, P.O. Box 94245, Baton Rouge, Louisiana 70804-9245, (225) 379-1301.