

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

EAGLE US 2 LLC

AI # 1255

PROCEEDINGS UNDER THE LOUISIANA  
ENVIRONMENTAL QUALITY ACT

LA. R.S. 30:2001, ET SEQ.

\* Settlement Tracking No.  
\* SA-WE-18-0077

\* Enforcement Tracking No.  
\* WE-CN-18-00370  
\* WE-L-18-00876

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SETTLEMENT

The following Settlement is hereby agreed to between Eagle US 2 LLC (“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/or operates a organic/inorganic chemical production facility located in Calcasieu Parish, Louisiana (“the Facility”).

II

On August 1, 2018, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. WE-CN-18-00370, attached as Exhibit A.

On November 13, 2018, the Department issued to Respondent a Warning Letter, Enforcement No. WE-L-18-00876, attached as Exhibit B.

The following violations, although not cited in the foregoing enforcement action(s), are included within the scope of this settlement:

The Respondent failed to comply with LPDES permit LA0000761. Specifically, between

December 2014 through October 2015, the Respondent reported the following exceedances of permit effluent limitations: (LPDES Permit LA0000761 (Part I), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A)

MP End Date	Outfall	Parameter	Limit	DMR Value
12/31/2014	001-A	BOD, 5-day, 20 deg. C --- MO AVG	9143 lb/d	<b>13242.6 lb/d</b>
12/31/2014	001-A	BOD, 5-day, 20 deg. C --- DAILY MX	19371 lb/d	<b>23246 lb/d</b>
4/30/2015	001-A	pH range excursions, > 60 minutes --- MO TOTAL	0	<b>1</b>
5/31/2015	002-A	pH --- INST MIN	9 s.u.	<b>9.5 s.u.</b>
6/30/2015	001-A	pH range excursions, > 60 minutes --- MO TOTAL	0	<b>1</b>
8/31/2015	201-A	Solids, total suspended --- DAILY MX	15987 lb/d	<b>28560 lb/d</b>

Each exceedance of a permit effluent limitation is a violation of LPDES Permit LA0000761 (Part I), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

An inspection on November 30, 2016, conducted by the Department revealed that the Respondent failed to adequately implement the Storm Water Pollution Prevention Plan (SWPPP). Specifically, the Respondent failed to adequately implement the SWPPP as follows:

Date	Substance Released to Ground	Amount	Failed SWPPP implementation
9/16/2015	perchloroethylene	24 gals.	leaking pipe during transfer.
9/5/2015	Compound mixture	Unknown amount about RQ	transfer piping developed leak
6/21/2015	NaOH	2,610gal	leaking flange.

Each failure to adequately implement the SWPPP is a violation of LPDES Permit LA0000761 (Part II, Section V.5.g and Part III, Section A.2), La. R.S. 30:2076 (A) (3), and LAC 33:IX.2701.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 FOURTEEN THOUSAND SIX HUNDRED AND NO/100 DOLLARS (\$14,600.00), of which Six Hundred Sixty-Two and No/100 Dollars (\$662.00) 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 Calcasieu 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 C).

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.

**Eagle US 2 LLC**

BY: Curtis Threder  
(Signature)

Curtis Bresler  
(Printed)

TITLE: Plant Manager

THUS DONE AND SIGNED in duplicate original before me this 25<sup>th</sup> day of June, 20 19, at Westlake, CA.

Beth Lee Mueller  
NOTARY PUBLIC (ID # 68629)

Beth Lee moeller  
(stamped or printed)

**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 5<sup>th</sup> day of Sept, 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		<b>CONSOLIDATED COMPLIANCE ORDER &amp;                  NOTICE OF POTENTIAL PENALTY</b>		
Enforcement Tracking No.	WE-CN-18-00370	Certified Mail No.	7016 2140 0000 5132 8888	
Agency Interest (AI) No.	1255	Contact Name	Scott B. Pierce	
Alternate ID No.	LA0000761	Contact Phone No.	(225) 219-3723	
Respondent:	Eagle US 2 LLC	Facility Name:	Lake Charles Complex	
	c/o C T Corporation System	Physical Location:	1300 PPG Dr.	
	Agent for Service of Process	City, State, Zip:	Westlake, LA 70669	
	3867 Plaza Tower Dr. Baton Rouge, LA 70816	Parish:	Calcasieu Parish	

This **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).

**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/or operates an organic/inorganic chemical production facility located at 1300 PPG Dr., Westlake, Calcasieu Parish, Louisiana. The Respondent was reissued Louisiana Pollutant Discharge Elimination System (LPDES) Permit LA0000761 on April 3, 2014, with an effective date of April 3, 2014. LPDES Permit LA0000761 will expire on April 2, 2019. Under the terms and conditions of LPDES Permit LA0000761, the Respondent is permitted to discharge process wastewater and other various wastewaters into Bayou D'Inde, the Calcasieu Ship Channel, Bayou Verdine, or the Main Stem of the Calcasieu River, all waters of the state.
II.	Date of Violation <b>File Review 6/18/18</b>	Description of Violation The Respondent failed to comply with LPDES permit LA0000761. Specifically, between November 2015 through March 2018, the Respondent reported exceedances of permit effluent limitations for pH range, pH, TSS, and BOD5. See Attachment "A" (LPDES Permit LA0000761 (Part I), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.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 <b>COMPLIANCE ORDER</b> , any and all steps necessary to meet and maintain compliance with the Water Quality Regulations. This shall include, <b>but not be limited to</b> ; 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 <b>COMPLIANCE ORDER</b> , a written report that includes a detailed description of the circumstances surrounding the cited violation(s) and actions taken or to be taken to achieve compliance with the "Order" portion of this <b>COMPLIANCE ORDER</b> . This report and all other reports or information required to be submitted to the Enforcement Division by this <b>COMPLIANCE ORDER</b> shall be submitted to the Department at the address specified in this document.
III.	In the event the Respondent believes that complete correction of the above-cited deficiencies is not physically possible within thirty (30) days, the Respondent shall submit, within thirty (30) days after receipt of this <b>COMPLIANCE ORDER</b> , a comprehensive plan for the expeditious elimination and prevention of such noncomplying discharges. Such plan shall provide for specific corrective actions taken and shall include a critical path schedule for the achievement of compliance within the shortest time possible.

**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 <b>COMPLIANCE ORDER</b> . This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this <b>COMPLIANCE ORDER</b> .
II.	The request for an adjudicatory hearing shall specify the provisions of the <b>COMPLIANCE ORDER</b> 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 left-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 <b>COMPLIANCE ORDER</b> 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 Division of Administrative Law's (DAL) Procedural Rules. The Department may amend or supplement this <b>COMPLIANCE ORDER</b> prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.
IV.	This <b>COMPLIANCE ORDER</b> 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 <b>COMPLIANCE ORDER</b> 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 <b>COMPLIANCE ORDER</b> 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 <b>COMPLIANCE ORDER</b> 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 Scott B. Pierce at (225) 219-3723 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.** This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

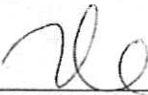
**CONTACTS AND SUBMITTAL OF INFORMATION**

<b>Enforcement Division:</b> Louisiana Department of Environmental Quality Office of Environmental Compliance Water Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Scott B. Pierce	<b>Hearing Requests:</b> 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-18-00370 Agency Interest No. 1255
<b>Water Permits Division (if necessary):</b> Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Attn: Water Permits Division	<b>Physical Address (if hand delivered):</b> Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802

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

- To appeal the **CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY**, the Respondent must follow the guidelines set forth in the "Right to Appeal" portion of this **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 **COMPLIANCE ORDER** by completing the attached "**CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form and returning it to the address specified.
  - Before requesting closure of the **COMPLIANCE ORDER** portion, please contact the Financial Services Division at 225-219-3865 or email them at [\\_DEQ-WWWFinancialServices@la.gov](mailto:_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 "**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.
  - Before requesting closure of the **NOTICE OF POTENTIAL PENALTY** portion, please contact the Financial Services Division at 225-219-3865 or email them at [\\_DEQ-WWWFinancialServices@la.gov](mailto:_DEQ-WWWFinancialServices@la.gov) to determine if you owe outstanding fees.

If you have questions or need more information, you may contact Scott B. Pierce at (225) 219-3723 or [scott.pierce@la.gov](mailto:scott.pierce@la.gov).

  
 \_\_\_\_\_  
 Lourdes Iturralde  
 Assistant Secretary  
 Office of Environmental Compliance

Date: 8-1-18

- Attachment(s)**  
 - Request to Close  
 - Attachment "A"



LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE ENFORCEMENT DIVISION <b>CONSOLIDATED COMPLIANCE ORDER &amp; NOTICE OF POTENTIAL PENALTY</b> POST OFFICE BOX 4312 <b>REQUEST TO CLOSE</b> BATON ROUGE, LOUISIANA 70821-4312				
Enforcement Tracking No.	WE-CN-18-00370	Contact Name	Scott B. Pierce	
Agency Interest (AI) No.	1255	Contact Phone No.	(225) 219-3723	
Alternate ID No.	LA0000761			
Respondent:	Eagle US 2 LLC	Facility Name:	Lake Charles Complex	
	c/o C T Corporation System	Physical Location:	1300 PPG Dr.	
	Agent for Service of Process			
	3867 Plaza Tower Dr. Baton Rouge, LA 70816	City, State, Zip:	Westlake, LA 70669	
		Parish:	Calcasieu Parish	
<b>STATEMENT OF COMPLIANCE</b>				
<b>STATEMENT OF COMPLIANCE</b>		<b>Date Completed</b>	<b>Copy Attached?</b>	
A written report was submitted in accordance with Paragraph II of the "Order" portion of the <b>COMPLIANCE ORDER</b> .				
All necessary documents were submitted to the Department within 30 days of receipt of the <b>COMPLIANCE ORDER</b> in accordance with Paragraph III of the "Order" portion of the <b>COMPLIANCE ORDER</b> .				
All items in the "Findings of Fact" portion of the <b>COMPLIANCE ORDER</b> were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the <b>COMPLIANCE ORDER</b> . Final compliance was achieved as of:				
<b>SETTLEMENT OFFER (OPTIONAL)</b>				
<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 <b>NOTICE OF POTENTIAL PENALTY</b> (WE-CN-18-00370), 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 <b>NOTICE OF POTENTIAL PENALTY</b> (WE-CN-18-00370), 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"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional)= \$ _____</li> <li>• <b>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.</b></li> </ul> The Respondent has reviewed the violations noted in <b>NOTICE OF POTENTIAL PENALTY</b> (WE-CN-18-00370) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.			
<b>CERTIFICATION STATEMENT</b>				
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	
<b>MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:</b>				
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Scott B. Pierce				

If you have questions or need more information, you may contact Scott B. Pierce at (225) 219-3723 or scott.pierce@la.gov.

Attachment "A"  
Eagle US 2 LLC-LA0000761

MP End Date	Outfall	Parameter	Limit	DMR Value
11/30/2015	001-A	pH range excursions, > 60 minutes -- MO TOTAL	0	11
11/30/2015	001-A	pH range excursions, monthly total accum -- MO TOTAL	446	1613
11/30/2015	004-A	pH range excursions, > 60 minutes -- MO TOTAL	0	3
11/30/2015	004-A	pH range excursions, monthly total accum -- MO TOTAL	446	641
01/31/2016	002-A	pH -- INST MIN	6	2.95
03/31/2016	001-A	pH range excursions, > 60 minutes -- MO TOTAL	0	2
03/31/2016	001-A	pH range excursions, monthly total accum -- MO TOTAL	446	809
04/30/2016	001-A	pH range excursions, > 60 minutes -- MO TOTAL	0	1
06/30/2016	001-A	pH range excursions, > 60 minutes -- MO TOTAL	0	1
06/30/2016	002-A	pH -- INST MAX	9	9.38
08/31/2016	001-A	pH range excursions, > 60 minutes -- MO TOTAL	0	1
08/31/2016	002-A	pH -- INST MAX	9	11.57
08/31/2016	201-A	Solids, total suspended -- DAILY MX	15987	18820
04/30/2017	001-A	pH range excursions, > 60 minutes -- MO TOTAL	0	2
05/31/2017	001-A	pH range excursions, > 60 minutes -- MO TOTAL	0	1
07/31/2017	001-A	BOD, 5-day, 20 deg. C -- DAILY MX	19371	23205.8
08/31/2017	002-A	pH -- INST MAX	9	9.05
08/31/2017	101-A	Solids, total suspended -- DAILY MX	4532	4810
01/31/2018	201-A	Solids, total suspended -- MO AVG	5280	11173.83
01/31/2018	201-A	Solids, total suspended -- DAILY MX	15987	47391
02/28/2018	201-A	Solids, total suspended -- MO AVG	5280	26634.8
02/28/2018	201-A	Solids, total suspended -- DAILY MX	15987	74819
03/31/2018	001-A	pH range excursions, > 60 minutes -- MO TOTAL	0	1
03/31/2018	001-A	pH range excursions, monthly total accum -- MO TOTAL	446	757
03/31/2018	201-A	Solids, total suspended -- DAILY MX	15987	23890



JOHN BEL EDWARDS  
GOVERNOR

CHUCK CARR BROWN, Ph.D.  
SECRETARY

**State of Louisiana**  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

November 13, 2018

Curtis Brescher  
c/o Eagle US 2, LLC  
P. O. Box 1000  
Lake Charles, LA 70602

**RE: EAGLE US 2 LLC - LAKE CHARLES COMPLEX  
WARNING LETTER  
ENFORCEMENT TRACKING NO. WE-L-18-00876  
Activity Tracking No. ENF20180006  
AI No. 1255**

Dear Sir/Madam:

On or about November 30, 2016, an inspection of the above referenced facility was conducted to determine compliance with the Louisiana Environmental Quality Act and supporting regulations. The inspection report, noting areas of concern, has been forwarded to the Enforcement Division. All violations at your facility will be taken into consideration in determining what further actions this office will take.

We strongly encourage you to review the findings of our most recent inspection and immediately take any and all steps to ensure compliance with all environmental regulations at your facility. We request that you review the area(s) of concern noted and submit a written response within **30 days** of receipt of this letter to Mr. Scott Pierce at the address below. In your response, please include any action(s) you have taken to correct the area(s) of concern at your facility.

If you have any questions regarding this potential civil enforcement matter, please contact Mr. Scott Pierce at (225) 219-3723.

Sincerely,

Angela Marse  
Manager  
Water Enforcement Section

AM/SP/sp  
Alt ID.:LA0000761

