

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

EVANGELINE NATURAL RESOURCES,  
LLC

AI # 32338, 39953, 115804, 116363, 116665

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

\* Settlement Tracking No.  
\* SA-MM-19-0077  
\*  
\*  
\* Enforcement Tracking No.  
\* MM-PP-18-00390  
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SETTLEMENT

The following Settlement is hereby agreed to between Evangeline Natural Resources, 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 owned and/or operated facilities located in Lafourche Parish, Jefferson Parish, and St. Charles Parish, Louisiana (“the Facilities”).

II

On December 12, 2018, the Department issued to Respondent a Notice of Potential Penalty, Enforcement No. MM-PP-18-00390 (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 THREE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$3,500.00), of which Three Hundred Seventeen and 01/100 Dollars (\$317.01) 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 permit record(s), the 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 Lafourche Parish, Jefferson Parish, and St. Charles 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.

EVANGELINE NATURAL RESOURCES, LLC

BY: [Signature]  
(Signature)

MONNIE GREER  
(Printed)

TITLE: PRES./CEO

THUS DONE AND SIGNED in duplicate original before me this 25<sup>th</sup> day of JUNE, 20 20, at Covington, LA, St. TAMMANY Parish LA

[Signature]  
NOTARY PUBLIC (ID # 78611)

**E. C. OTILLIO, JR.**  
139 N. Theard St.  
**Covington, Louisiana 70433**  
(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 2nd day of September, 20 20, at Baton Rouge, Louisiana.

[Signature]  
NOTARY PUBLIC (ID # 92503)

Amber Gremillion Litchfield  
(stamped or printed)

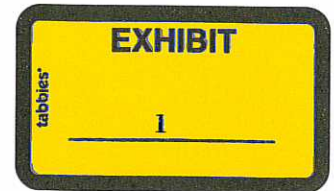
Approved: [Signature]  
Lourdes Iturralde, Assistant Secretary

JOHN BEL EDWARDS  
GOVERNOR



CHUCK CARR BROWN, Ph.D.  
SECRETARY

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



December 12, 2018

CERTIFIED MAIL (7017 0530 000 5978 5496)  
RETURN RECEIPT REQUESTED

**EVANGELINE NATURAL RESOURCES, LLC**

c/o Monnie Greer  
Agent for Service of Process  
323 Twin River Drive  
Covington, LA 70433

**RE: NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. MM-PP-18-00390  
AGENCY INTEREST NOS. 32338, 39953, 115804, 116363, & 116665**

Dear Sir:

On or about December 4, 2018, file reviews of the following facilities, owned and/or operated by **EVANGELINE NATURAL RESOURCES, LLC (RESPONDENT)**, were performed to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Air Quality Regulations.

AGENCY INTEREST NUMBER	FACILITY	LOCATION	AIR PERMIT NO. (ISSUE DATE)	WATER PERMIT NO. (ISSUE DATE)
32338	Sabine #1 Well & Tank Battery Facility	Approximately four (4) miles west of Raceland, LA	1560-00116-00 (May 6, 1996)	N/A
39953	Avondale Field Production Facility	Approximately 0.13 miles south of US Highway 90 in Avondale, LA	1340-00237-01 (September 15, 2004)	LAG33A885 (August 1, 2016)
115804	Urania E&P Facility- Wildcat Field	Approximately 0.45 miles south of US Highway 90 in Avondale, LA	1340-00266-00 (December 18, 2003)	LAG33A881 (August 1, 2016)
116363	Westwego Production Facility	Approximately 2.5 miles east of US Highway 90 in Westwego, LA	1340-00264-00 (November 20, 2003)	LAG33A272 (August 1, 2016)

Evangeline Natural Resources, LLC

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AGENCY INTEREST NUMBER	FACILITY	LOCATION	AIR PERMIT NO. (ISSUE DATE)	WATER PERMIT NO. (ISSUE DATE)
116665	Koch Industries #1 Production Facility	Approximately 1.4 miles southwest of Killona, LA	2520-00092-02 (September 27, 2010)	N/A

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

- A. The Respondent became the owner/operator of the aforementioned facilities on November 1, 2017. The Respondent submitted a Notification of Change Form (NOC-1) to the Department on or about February 1, 2018. Each failure to submit the NOC-1 and associated documentation to the Department within forty-five (45) days after a change in ownership of a permitted facility is a violation of LAC 33:I.1907.B, LAC 33:III.517.G, and La. R.S. 30:2057(A)(2).
- B. The Respondent acquired ownership and/or operational control of the aforementioned facilities on November 1, 2017. The air permits for the facilities were transferred on June 5, 2018. The unauthorized operation of the facilities from the date of acquisition until each permit was transferred is a violation of LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
- C. The Respondent caused and/or allowed the discharge of wastewater without a permit and/or other authority from the Department. Specifically, the Respondent operated and/or discharged from AI Nos. 39953, 115804, and 116363 without permit coverage since November 1, 2017, when a change of ownership occurred until the aforementioned water permits were transferred on June 5, 2018. The operation of a facility without permit coverage is violation of LAC 33:IX.501.D and La. R.S. 30:2075.

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.

Prior to the issuance of any additional appropriate enforcement action, you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Stacy Martinez at 225-219-3378 or [stacy.martinez@la.gov](mailto:stacy.martinez@la.gov) within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance in order to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited

Evangeline Natural Resources, LLC

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violations to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify this statement. 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.

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

The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY**, 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 "**NOTICE OF POTENTIAL PENALTY REQUEST TO SETTLE**" 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.

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

Sincerely,



Lourdes Itturalde  
Assistant Secretary  
Office of Environmental Compliance

LI/SMM/smm

Alt ID Nos. 1560-00116, LAG33A885, 1340-00237, LAG33A881, 1340-00266, LAG33A272,  
1340-00264, 2520-00092



LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

OFFICE OF ENVIRONMENTAL COMPLIANCE

ENFORCEMENT DIVISION

POST OFFICE BOX 4312

BATON ROUGE, LOUISIANA 70821-4312

NOTICE OF POTENTIAL PENALTY

REQUEST TO SETTLE (OPTIONAL)



Enforcement Tracking No.	MM-PP-18-00390	Contact Name	Stacy Martinez
Agency Interest (AI) No.	See Attachment A	Contact Phone No.	225-219-3378
Alternate ID No.	See Attachment A		
Respondent:	Evangeline Natural Resources	Facility Name:	See Attachment A
	c/o Monnie Greer	Physical Location:	See Attachment A
	Agent for Service of Process		
	323 Twin River Drive	City, State, Zip:	See Attachment A
	Covington, LA 70433	Parish:	See Attachment A

**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 33:1.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in <b>NOTICE OF POTENTIAL PENALTY</b> (MM-PP-18-00390), 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> (MM-PP-18-00390), 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>
<input type="checkbox"/>	The Respondent has reviewed the violations noted in <b>NOTICE OF POTENTIAL PENALTY</b> (MM-PP-18-00390) 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: Stacy Martinez

## ATTACHMENT A

AGENCY INTEREST NUMBER	ALTERNATE ID(S)	FACILITY	LOCATION	PARISH
32338	1560-00116	Sabine #1 Well & Tank Battery Facility	Approximately four (4) miles west of Raceland, LA 70994	Lafourche
39953	1340-00237 & LAG33A885	Avondale Field Production Facility	Approximately 0.13 miles south of US Highway 90 in Avondale, LA	Jefferson
115804	1340-00266 & LAG33A881	Urania E&P Facility-Wildcat Field	Approximately 0.45 miles south of US Highway 90 in Avondale, LA 70094	Jefferson
116363	1340-00264 & LAG33A272	Westwego Production Facility	Approximately 2.5 miles east of US Highway 90 in Westwego, LA 70094	Jefferson
116665	2520-00092	Koch Industries #1 Production Facility	Approximately 1.4 miles southwest of Killona, LA 70057	St. Charles