

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

DELTECH CORPORATION

AI # 248

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

* Settlement Tracking No.
* SA-MM-20-0120
*
* Enforcement Tracking No.
* MM-CN-15-01364
*
*
* Docket No. 2019-9064-DEQ
*

SETTLEMENT

The following Settlement is hereby agreed to between Deltech LLC f/k/a Deltech Corporation (“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 facility located in East Baton Rouge Parish, Louisiana (“the Facility”).

II

On April 30, 2018, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. MM-CN-15-01364 (Exhibit 1).

III

In response to the Consolidated Compliance Order & Notice of Potential Penalty, Respondent made a timely request for a hearing.

IV

Respondent denies it committed any violations or that it is liable for any fines, forfeitures

and/or penalties.

V

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 FIFTEEN THOUSAND AND NO/100 DOLLARS (\$15,000.00), of which One Thousand Seven Hundred Seventy-Six and 44/100 Dollars (\$1,776.44) 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).

VI

Respondent further agrees that the Department may consider the inspection report(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.

VII

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.

VIII

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.

IX

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.

X

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in East Baton Rouge 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.

XI

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).

XII

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

XIII

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.

DELTECH LLC F/K/A DELTECH CORPORATION

BY: James D Griffin
(Signature)

James D Griffin
(Printed)

TITLE: VP Operations

THUS DONE AND SIGNED in duplicate original before me this 20th day of May, 20 21, at Baton Rouge, LA.

Brenda E Welch
NOTARY PUBLIC (ID # 10584)

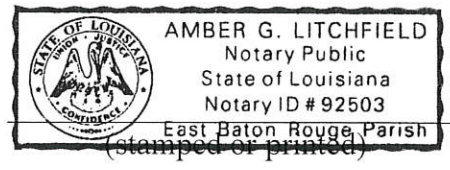
Brenda E Welch
(stamped or printed)

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 10th day of August, 20 21, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # 92503)



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

April 30, 2018

CERTIFIED MAIL (7014 1200 0000 7864 2055)
RETURN RECEIPT REQUESTED

DELTECH CORPORATION
c/o CT 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-15-01364
AGENCY INTEREST NO. 248**

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 **DELTECH CORPORATION (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 Adrienne Landry at (225) 219-3805 or Adrienne.Landry@la.gov.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/ARL/arl
Alt ID No. LAD008188583; P-0166R1
Attachment



c: Deltech Corporation
c/o Fritz Howes – EHS&S Manager
11911 Scenic Highway
Baton Rouge, LA 70807

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

IN THE MATTER OF

**DELTECH CORPORATION
EAST BATON ROUGE PARISH
ALT ID NO. LAD008188583; P-0166R1**

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

*
*
* **ENFORCEMENT TRACKING NO.**
*
* **MM-CN-15-01364**
*
* **AGENCY INTEREST NO.**
*
* **248**
*

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

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **DELTECH CORPORATION (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 Deltech Corporation located at 1911 Scenic Highway, Baton Rouge, East Baton Rouge Parish, Louisiana. The facility produces monomers and solvents and is notified as a large quantity generator of hazardous waste. The facility operates under EPA hazardous waste identification number LAD0081888583. The facility operates under solid waste permit number P-0166R1 which was effective on December 1, 2008 and expires on December 1, 2018.

II.

On or about January 9, 2013, a complaint investigation was conducted at the above referenced facility, which revealed a crude styrene leak originating from tank MV-815. During the October 2, 2014 inspection, the styrene leak was still ongoing. The facility installed a French drain with negative pressure to recover the styrene. The recovered styrene contained water. A representative of the

Respondent stated the crude styrene/water mixture that was recovered was placed into tank MV-815A where it underwent simple separation so the facility could recover any useable product. The useable product was placed into tank MV-815. The facility reclaimed the styrene via gravity separation. In December of 2014, tank MV-815 was repaired and tank MV-815A was taken out of service.

III.

On or about October 2, 2014 and October 9, 2014, the Department conducted inspections at the above referenced facility to determine the degree of compliance with the Act and the supporting Regulations. While the investigation by the Department is not yet complete, the following violations were noted during the course of the inspections:

- A. The Respondent treated and disposed of hazardous waste without receiving an interim status or a standard permit, in violation of LAC 33:V.303.B. Specifically, the Respondent conducted unauthorized treatment, through gravity separation, and disposal of hazardous waste (D001), by allowing the on-going discharge of hazardous waste constituents to the environment without taking immediate and/or appropriate action to stop the discharge. In December of 2014, tank MV-815 was repaired; therefore, the facility is no longer treating or disposing hazardous waste as it pertains to the styrene leak. This violation was noted during the October 2, 2014 inspection.
- B. The Respondent failed to clean up and dispose of hazardous waste spills in a timely manner, in violation of LAC 33:V.1121.A. Specifically, a fifty-five (55) gallon satellite accumulation container, located in the methyl styrene satellite accumulation area, had hazardous waste on the lid and sides of the container as well as a small amount on the secondary containment wall. This violation was noted during the October 2, 2014 inspection.
- C. The Respondent failed to immediately amend the hazardous waste contingency plan when the facility changed its design, construction, operation, maintenance, or other circumstance in a way that materially increased the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents, in violation of LAC 33:V.4345.A.3. Specifically, the Respondent failed to amend the facility's contingency plan to reflect the addition of hazardous waste management tank MV-815A. This violation was noted during the October 2, 2014 inspection. In December 2014, tank MV-815A was taken out of service.

- D. The Respondent failed to conduct assessments of a tank system utilized for the storage of hazardous waste as specified LAC 33:V.1905.H, in violation of LAC 33:V.1109.E.1.a.ii. Specifically, the Respondent failed to conduct an assessment of hazardous waste storage tank MV-815A prior to placing the tank into hazardous waste service on or about September 8, 2013. This violation was noted during the October 2, 2014 inspection. In December 2014, tank MV-815A was taken out of service.
- E. The Respondent failed to notify the Department of Public Safety (DPS) of an unauthorized discharge that exceeded a reportable quantity within twenty-four (24) hours after learning of the discharge, in violation of LAC 33:I.3917.A. Specifically, an authorized discharge occurred at the facility which exceeded the reportable quantities for styrene, ethyl benzene, and cumene and notification was not made to DPS. This violation was noted during the October 2, 2014 inspection.
- F. The Respondent failed to submit a written report to Single Point of Contact (SPOC) within seven (7) days of an unauthorized discharge, in violation of LAC 33:I.3925.A. Specifically, the Respondent failed to report an unauthorized discharge of crude styrene. This violation was noted during the October 2, 2014 inspection.
- G. The Respondent failed to conduct daily inspections of tanks used to store hazardous waste, in accordance with LAC 33:V.1911.C, in violation of LAC 33:V.1109.E.1.a.ii. Specifically, the Respondent failed to conduct daily inspections of hazardous waste storage tank MV-815A. This violation was noted during the October 2, 2014 inspection. Tank MV-815A was taken out of service in December of 2014.
- H. The Respondent failed to keep hazardous waste containers closed during storage, except when necessary to add or remove hazardous waste, as specified in LAC 33:V.2107.A, in violation of LAC 33:V.1109.E.4. Specifically, located in the methyl styrene satellite accumulation area was a fifty-five (55) gallon satellite accumulation container housing methyl styrene process waste which was not properly closed. Additionally, located in the MD005 unit was a fifty-five (55) gallon satellite storage container which was not properly closed. This violation was noted during the October 2, 2014 inspection. On or about October 24, 2014, the Department received a response showing the satellite accumulation containers are properly closed.

- I. The Respondent failed to mark satellite accumulation containers of hazardous waste with the words "Hazardous Waste," or other words that identify the contents as a hazard, in violation of LAC 33:V.1109.E.4. Specifically, located in the specialty chemical plant south (SPCS) satellite accumulation area, was a satellite accumulation container housing diphenol benzene filter socks (D001/D018) which was not labeled. This violation was noted during the October 2, 2014 inspection.
- J. The Respondent failed to label or mark clearly universal waste batteries or a container in which the batteries are contained with any one of the following phrases: "Universal Waste—Battery(ies)," or "Waste Battery(ies)," or "Used Battery(ies)," in violation of LAC 33:V.3823.A.1. Specifically, the facility's universal waste batteries were labeled "Junk Batteries." This violation was noted during the October 2, 2014 inspection.
- K. The Respondent failed to list, in the facility's contingency plan, the current names, addresses, and phone numbers of all persons qualified to act as emergency coordinator, as specified in LAC 33:V.1513.B.4 and LAC 33:V.1513.D.5, in violation of LAC 33:V.1109.E.1.e. Specifically, the Respondent failed to update the alternate emergency coordinator when the information changed. This violation was noted during the October 2, 2014 inspection.
- L. The Respondent failed to have the waste minimization plan certified by a Louisiana professional engineer, as specified in LAC 33:V.2245.J, in violation of LAC 33:V.1109.E.1.e. Specifically, the facility's waste minimization plan was not certified by a Louisiana professional engineer. This violation was noted during the October 2, 2014 inspection. The waste minimization plan was certified and signed by a Louisiana professional engineer on or about October 8, 2014.

On or about October 7, 2015, the Department conducted an inspection at the above referenced facility to determine the degree of compliance with the Act and the supporting Regulations. While the investigation by the Department is not yet complete, the following violation was noted during the course of the inspection:

The Respondent failed to remove excessive vegetative growth that prevents proper access, inspection, or operation, or may provide a conduit for groundwater

contamination, in violation of LAC 33:VII.713.D.3.c. Specifically, the Respondent failed to remove overgrown vegetation surrounding the aeration pond and near monitoring wells located west and north of the aeration pond. The overgrown vegetation prevented proper access and inspection of the basin and free board area. This violation was noted during the October 7, 2015. A follow-up inspection performed on November 18, 2016 noted that the aeration pond and monitoring wells were not overgrown with vegetation and were accessible for proper inspection.

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 Louisiana Hazardous Waste and Solid Waste Regulations.

II.

To clean, immediately upon receipt of this **COMPLIANCE ORDER**, all spills of hazardous waste at the facility, including spills described in Finding of Facts paragraph III.B.

III.

To institute procedures, immediately upon receipt of this **COMPLIANCE ORDER**, to ensure that Department of Public Safety (DPS) is notified of all unauthorized discharges which exceed the reportable quantity, in accordance with LAC 33:I.3917.A

IV.

To institute procedures, immediately upon receipt of this **COMPLIANCE ORDER**, to ensure a written report is submitted to Single Point of Contact (SPOC) in the event of an unauthorized discharge, in accordance with LAC 33:I.3925.A

V.

To label or mark clearly, immediately upon receipt of this **COMPLIANCE ORDER**, all containers of hazardous waste with the words "Hazardous Waste," in accordance with LAC 33:V.1109.E.1.d.

VI.

To label or mark clearly, immediately upon receipt of this **COMPLIANCE ORDER**, all universal waste batteries or containers in which the batteries are contained with any one (1) of the

following phrases: "Universal Waste—Battery(ies)," or "Waste Battery(ies)," or "Used Battery(ies)," in accordance with LAC 33:V.3823.A.1.

VII.

To amend, immediately upon receipt of this **COMPLIANCE ORDER**, the facility's contingency plan to reflect complete and accurate information, including the current alternate Emergency Coordinator.

VIII.

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: Adrienne Landry
Re: Enforcement Tracking No. MM-CN-15-01364
Agency Interest No. 248

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-15-01364
Agency Interest No. 248

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 Adrienne Landry at (225) 219-3805 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 30th day of April, 2018.



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: Adrienne Landry



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

CONSOLIDATED COMPLIANCE ORDER &
 NOTICE OF POTENTIAL PENALTY
 REQUEST TO CLOSE

Enforcement Tracking No.	MM-CN-15-01364	Contact Name	Adrienne Landry
Agency Interest (AI) No.	248	Contact Phone No.	225-219-3805
Alternate ID No.	LAD008188583; P-0166R1		
Respondent:	Deltech Corporation	Facility Name:	Deltech Corporation
	c/o CT Corporation System	Physical Location:	11911 Scenic Highway
	Agent for Service of Process		
	3867 Plaza Tower Drive	City, State, Zip:	Baton Rouge, LA 70807
	Baton Rouge, LA 70816	Parish:	East Baton Rouge

STATEMENT OF COMPLIANCE

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph VIII 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)

- 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.Subpart 1.Chapter 7.
- In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY MM-CN-15-01364, the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
- In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY MM-CN-15-01364, 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.
 - 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 MM-CN-15-01364 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: Adrienne Landry			