

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

ENLINK PROCESSING SERVICES, LLC

AI # 3302

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

\* Settlement Tracking No.  
\* SA-AE-21-0045  
\*  
\* Enforcement Tracking No.  
\* AE-PP-20-00152  
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SETTLEMENT

The following Settlement is hereby agreed to between EnLink Processing Services, 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 fractionation plant located in Geismar, Ascension Parish, Louisiana (“the Facility”).

II

On October 8, 2020, the Department issued to Respondent a Notice of Potential Penalty, Enforcement No. AE-PP-20-00152 (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 SIXTEEN THOUSAND AND NO/100 DOLLARS (\$16,000.00), of which Seven Hundred Eighty-Four and 62/100 Dollars (\$784.62) 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), 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 Ascension 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.

ENLINK PROCESSING SERVICES, LLC

BY: [Signature]  
(Signature)

Michael LaBlanc  
(Printed)

TITLE: SVP of Operations

THUS DONE AND SIGNED in duplicate original before me this 8 day of December, 20 21, at Lafayette, LA.

[Signature]  
NOTARY PUBLIC (ID # 78339)


William Bertrand  
Notary Public ID#78339  
State of Louisiana  
My Commission is for Life  
(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 30th day of December, 20 21, at Baton Rouge, Louisiana.

[Signature]  
\_\_\_\_\_  
NOTARY PUBLIC (ID # 92503)

 AMBER G. LITCHFIELD  
Notary Public  
State of Louisiana  
Notary ID # 92503  
East Baton Rouge Parish  
(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

**NOTICE OF POTENTIAL PENALTY**



Enforcement Tracking No.	AE-PP-20-00152	Certified Mail No.	7018 1130 0002 1720 3152
Agency Interest (AI) No.	3302	Contact Name	Madison Kirkland
Alternate ID No.	0180-00016	Contact Phone No.	(225) 219-3165
Respondent:	EnLink Processing Services, LLC	Facility Name:	Riverside Fractionation Plant
	c/o C T Corporation System	Physical Location:	10280 Louisiana Highway 75
	Agent for Service of Process		
	3867 Plaza Tower Drive	City, State, Zip:	Geismar, LA 70734
	Baton Rouge, LA 70816	Parish:	Ascension Parish

This **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 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.

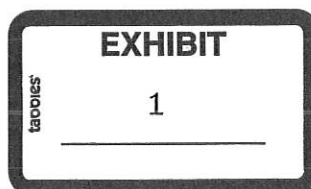
The Respondent owns and/or operates a fractionation plant located at 10280 Louisiana Highway 75 in Geismar, Ascension Parish, Louisiana. The facility currently operates or has previously operated under the following Title V Air Permits and Minor Source Air Permits:

PERMIT TYPE	PERMIT	ISSUE DATE	PERMIT EXPIRATION DATE
I. Title V Permit	0180-00016-V14	July 28, 2020	June 5, 2023
	0180-00016-V13	February 21, 2020	June 5, 2023
	0180-00016-V12	June 5, 2018	June 5, 2023
Minor Source Air Permit	0180-00016-02	May 25, 2017	May 23, 2027
	0180-00016-01	January 11, 2017	January 11, 2027
	0180-00016-00	July 7, 2015	July 7, 2025
Title V Permit	0180-00016-V11AA	July 17, 2014	August 11, 2015
	0180-00016-V11	January 7, 2014	August 11, 2015

Date of Violation	Description of Violation
II. Inspection(s) 6/26/2019	In the 2018 Title V 1 <sup>st</sup> Semiannual Monitoring Report dated September 27, 2018, the Respondent reported the failure to monitor valves no later than 180 days after initial startup. Specifically, the Respondent did not monitor 248 valves within 180 days of startup from October 17, 2014 to August 30, 2018. This is a violation of Specific Requirement 125 of Title V Air Permit No. 0180-00016-V12, Specific Requirement 340 of Minor Source Air Permit No. 0180-00016-02, Specific Requirement 341 of Minor Source Air Permit Nos. 0180-00016-01 and 0180-00016-00, Specific Requirement 514 of Title V Air Permit No. 0180-00016-V11, 40 CFR 60.632(a), which language has been adopted as a Louisiana regulation in LAC 33:III.3003, LAC 33:III.501.C.4, and La. R.S. 2057(A)(2). In correspondence dated March 27, 2020, the Respondent stated that during a review of a management of change work order, it was discovered that a treater skid, used to extract mercaptans from off specification normal butane, had components which were absent from the fugitive monitoring database. Upon discovery, all 248 components were promptly tagged and monitored on August 30, 2018. Additionally, the fugitive count in Title V Permit No. 0180-00016-V11 identified 8,288 facility-wide components in VOC service; however, the actual component count of in-service VOC components for the facility was 4,948 at the time of disclosure, which is less than 60% of the overall fugitive emission components accounted for in Title V Permit No. 0180-00016-V11. No annual permitted emission limitations were exceeded from the absence of monitoring these valves.

**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 Madison Kirkland at (225) 219-3165 or [Madison.Kirkland@la.gov](mailto:Madison.Kirkland@la.gov) within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.
- III. The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance 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 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.
- IV. 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.
- V. 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.

**CONTACTS AND SUBMITTAL OF INFORMATION**


<b>Enforcement Division:</b>	<b>Physical Address (if hand delivered):</b>
Louisiana Department of Environmental Quality Office of Environmental Compliance Air Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Madison Kirkland	Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802

**HOW TO REQUEST CLOSURE OF THIS NOTICE OF POTENTIAL PENALTY**

To expedite closure of the **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 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 "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.

If you have questions or need more information, you may contact Madison Kirkland at (225) 219-3165 or [Madison.Kirkland@la.gov](mailto:Madison.Kirkland@la.gov).

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

Date: 10-8-2020

c: EnLink Processing Services, LLC  
 Beau Griffin, Environmental Field Specialist  
 1722 Routh Street, Suite 1300  
 Dallas TX, 75201

Attachment(s)  
 - Request to Settle

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.	AE-PP-20-00152	Contact Name	Madison Kirkland
Agency Interest (AI) No.	3302	Contact Phone No.	(225) 219-3165
Alternate ID No.	0180-00016	Contact Email	Madison.Kirkland@la.gov
Respondent:	EnLink Processing Services, LLC	Facility Name:	Riverside Fractionation Plant
	c/o C T Corporation Services	Physical Location:	10280 Louisiana Highway 75
	Agent for Service of Process		
	3867 Plaza Tower Drive	City, State, Zip:	Geismar, LA 70734
	Baton Rouge, LA 70816	Parish:	Ascension Parish

**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 33:1.Subpart1.Chapter7.

In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-PP-20-00152), 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 (AE-PP-20-00152), 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 (AE-PP-20-00152) 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: Madison Kirkland

If you have questions or need more information, you may contact Madison Kirkland at (225) 219-3165 or Madison.Kirkland@la.gov