

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

PHILLIPS 66 PIPELINE LLC

AI # 682

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

\* Settlement Tracking No.  
\* SA-AE-21-0004  
\*  
\* Enforcement Tracking Nos.  
\* AE-CN-19-00925  
\* AE-CN-19-00925A  
\*  
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\*  
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SETTLEMENT

The following Settlement is hereby agreed to between Phillips 66 Pipeline 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 refined products storage and pipeline facility located in Sulphur, Calcasieu Parish, Louisiana (“the Facility”).

II

On January 10, 2020, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. AE-CN-19-00925 (Exhibit 1).

On August 17, 2020, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. AE-CN-19-00925A (Exhibit 2).

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 SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$6,500.00), of which Seven Hundred Sixty and 22/100 Dollars (\$760.22) 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), permit record(s), the Consolidated Compliance Order & Notice of Potential Penalty, 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.

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 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.

#### XI

Payment is to be made within thirty (30) 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.

PHILLIPS 66 PIPELINE LLC

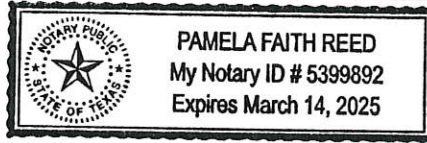
BY: *Gilbert Betancourt*  
(Signature)

GILBERT BETANCOURT  
(Printed)

TITLE: Region Manager, Southeast

THUS DONE AND SIGNED in duplicate original before me this 26 day of May, 2021, at Houston, Tx.

*Pamela Faith Reed*  
NOTARY PUBLIC (ID # \_\_\_\_\_)



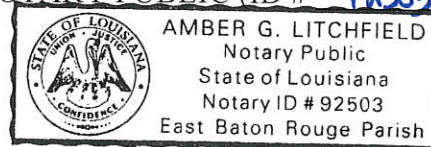
(stamped or printed)

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

BY: *Le*  
Lourdes Iturralde, Assistant Secretary  
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 17<sup>th</sup> day of September, 2021, at Baton Rouge, Louisiana.

*AG*  
NOTARY PUBLIC (ID # 92503)



(stamped or printed)

Approved: *Le*  
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

January 10, 2020

CERTIFIED MAIL (7018 3090 0002 0373 5602)  
RETURN RECEIPT REQUESTED

**PHILLIPS 66 PIPELINE LLC**  
c/o Corporation Service Company  
Agent for Service of Process  
501 Louisiana Avenue  
Baton Rouge, LA 70802

**RE: CONSOLIDATED COMPLIANCE ORDER  
& NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. AE-CN-19-00925  
AGENCY INTEREST NO. 682**

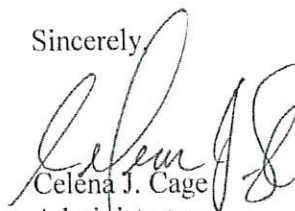
Dear Sir/Madam:

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 **PHILLIPS 66 PIPELINE LLC (RESPONDENT)** for the violation(s) described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violation(s) 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 Antoinette Cobb at (225) 219-3072 or via email at [antoinette.cobb@la.gov](mailto:antoinette.cobb@la.gov).

Sincerely,

  
Celena J. Cage  
Administrator  
Enforcement Division

CJC/AFC/afc  
Alt ID No. 0520-00119  
Attachment



c: Phillips 66 Pipeline LLC  
c/o Shannon Castille, Facility Manager  
1851 Clifton Ridge Road  
Sulphur, LA 70665

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

**IN THE MATTER OF**

**PHILLIPS 66 PIPELINE LLC  
CALCASIEU PARISH  
ALT ID NO. 0520-00119**

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

\*  
\*  
\* **ENFORCEMENT TRACKING NO.**  
\*  
\* **682**  
\*  
\* **AGENCY INTEREST NO.**  
\*  
\* **AE-CN-19-00925**  
\*

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

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **PHILLIPS 66 PIPELINE LLC (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 the Lake Charles Pipeline Facility (facility), a refined products storage and pipeline facility, located at 1851 Clifton Ridge Road in Sulphur, Calcasieu Parish, Louisiana. The Facility operates or has operated under the authority of the following Title V Air Permits:

<b>UNIT</b>	<b>PERMIT</b>	<b>ISSUE DATE</b>	<b>PERMIT EXPIRATION DATE</b>
Facility	0520-C0119-V6	07/19/2019	12/07/2021
	0520-C0119-V5	12/07/2016	12/07/2021
	0520-C0119-V4	02/02/2011	02/02/2016

The Department received a Notification of Change (NOC-1) Form dated October 23, 2012, requesting changes for the facility. According to the NOC-1, operational control and transfer of permits were effective May 1, 2012, from ConocoPhillips Pipe Line Company (ConocoPhillips) to the Respondent. The Respondent assumed liability for all existing violations, including outstanding fees. The



Department effectively transferred the permits and updated records to reflect the changes on December 17, 2012.

II.

On or about August 19, 2019, the Department conducted a Full Compliance Evaluation (FCE) Inspection at the facility. On or about November 12, 2019, a subsequent file review was conducted. The inspection and file review were conducted to determine the Respondent's degree of compliance with the Act, the Air Quality Regulations, and all applicable permits. While the Department's investigation is not yet complete, the following violations were noted during the course of the inspection and/or file review:

- A. In the Title V 2015 First Semiannual Monitoring Report dated September 29, 2015, the Respondent reported operation of an unpermitted emission source from January 1, 2015 through June 30, 2015. The Respondent reported an application was not submitted for an emergency generator. Failure to submit a permit application to the permitting authority prior to construction, reconstruction, or modification is a violation of LAC 33:III.501.C.1 and La. R.S. 30:2057(A)(2). The unauthorized operation of the generator prior to the issuance of a permit is a violation of LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). In Additional Information for Permit Application dated January 19, 2016, the Respondent requested the addition of an existing emergency generator engine to the permit. Title V Permit No. 0520-00119-V5 was issued on December 7, 2016, authorizing multiple changes including the addition of the emergency generator, Emergency Generator Diesel Engine (EQT 0019), as a permitted emission source.
- B. In Title V Permit No. 0520-00119-V5 issued on December 7, 2016, Emergency Generator Diesel Engine (EQT 0019) was added as a permitted emission source. The engine was permitted with a horsepower rating of 130 HP. A review of the annual maintenance records noted the following engine sizes: 288 HP in 2017, 268, HP in 2018, and 268 HP in 2019. In correspondence dated August 22, 2019, the Respondent provided information stating the engine has a horsepower rating of 315 HP. The failure to promptly submit a supplement or to correct information incorrectly submitted in a permit application upon becoming aware of such failure or incorrect submittal is a violation of LAC 33:III.517.C and La. R.S. 30:2057(A)(2).

## C. The Respondent failed to comply with the following reporting requirements:

	REPORT (date)	PERMIT NUMBER	REPORTING REQUIREMENT	DUE DATE	SUBMITTAL DATE	REGULATORY or PERMIT REQUIREMENTS
i.	Gasoline Distribution GACT Semiannual Report January 1, 2013 through June 30, 2013	0520-00119-V4	All excess emissions and monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate	07/30/2013	Not submitted	40 CFR 63.11095
ii.	Gasoline Distribution GACT Semiannual Report July 1, 2013 through December 31, 2013	0520-00119-V4	All excess emissions and monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate	01/30/2014	Not submitted	40 CFR 63.11095
iii.	Gasoline Distribution GACT Semiannual Report January 1, 2014 through June 30, 2014	0520-00119-V4	All excess emissions and monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate	07/30/2014	Not submitted	40 CFR 63.11095
iv.	Gasoline Distribution GACT Semiannual Report July 1, 2018 through December 31, 2018 (01/30/2019)	0520-00019-V5	All excess emissions and monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate	01/30/2019	02/05/2019	40 CFR 63.11095, Specific Requirement 67
v.	2018 Second Semiannual Monitoring Report (03/20/2019)	0520-00019-V5	Submit the semiannual monitoring report by September 30 <sup>th</sup> or March 31 <sup>st</sup> for the preceding semiannual reporting period	03/31/2019	04/01/2019	LAC 33:III.535, Specific Requirement 82
vi.	2018 Annual Compliance Certification (03/20/2019)	0520-00019-V5	Submit the annual compliance certification by March 31 <sup>st</sup> for the preceding calendar year	03/31/2019	04/01/2019	LAC 33:III.535, Specific Requirement 82
vii.	2018 Annual Distillates Throughput Report (03/28/2019)	0520-00019-V5	Due annually by the 31 <sup>st</sup> of March	03/31/2019	04/02/2019	Specific Requirement 57
viii.	2018 Annual Gasoline Throughput Report (03/28/2019)	0520-00019-V5	Due annually by the 31 <sup>st</sup> of March	03/31/2019	04/02/2019	Specific Requirement 71
ix.	2018 Criteria Pollutant Emissions Certification Statement (05/02/2019)	0520-00019-V5	Criteria Pollutant Emissions Certification Statement due annually by the 30 <sup>th</sup> of April	04/30/2019	05/02/2019	LAC 33:III.919.F, Specific Requirement 85
x.	2018 Toxic Air Pollutant Emissions Certification Statement (05/02/2019)	0520-00019-V5	Toxic Air Pollutant Emissions Certification Statement due annually by the 30 <sup>th</sup> of April	04/30/2019	05/02/2019	LAC 33:III.5107.A
xi.	Gasoline Distribution GACT Semiannual Report January 1, 2019 through June 30, 2019 (07/30/2019)	0520-00015-V5	All excess emissions and monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate	07/30/2019	08/01/2019	40 CFR 63.11095

Each failure to meet reporting requirements is a violation of applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

- D. In Additional Information for Permit Application dated January 19, 2016, the Respondent requested the addition of tank painting activities and media blasting activities to the permit. Title V Permit No. 0520-00119-V5 was issued on December 7, 2016, authorizing multiple changes including the addition of the Tank Painting (ARE 001) and Media Blasting (ARE 002) as permitted activities. The activities were permitted for the pollutants and limits listed in the table below:

EMISSION POINT NO. & DESCRIPTION	POLLUTANT	PERMITTED EMISSION LIMITS
ARE 001 Tank Painting	VOC	278 max lb/hr; 11.77 tpy
	Ethylbenzene	0.74 max lb/hr; 0.003 tpy
ARE 002 Media Blasting	PM <sub>2.5</sub>	1.3 max lb/hr; 1.1 tpy
	PM <sub>10</sub>	13.0 max lb/hr; 10.90 tpy

In correspondence dated October 21, 2019, the Respondent stated tank painting and media blasting activities were always conducted at the Facility as an insignificant activity for the purposes of maintenance and upkeep. There is no record of a Notification of Case By Case Insignificant Activity being submitted to the Department or incorporated in an effective air permit prior to the issuance of Title V Permit No. 0520-00119-V5. LAC 33:III.501.B.5 states "...no exemption listed in the following table shall become effective until approved by the administrator in accordance with 40 CFR 70." The unauthorized operation of each emission source prior to issuance of a permit is a violation of LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

**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 Air Quality Regulations and applicable permits.

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the Gasoline Distribution GACT Semiannual Reports for 2013 through the first half of 2014 as cited in Paragraph II.C.i-iii of the **FINDING OF FACT** portion of the action.

III.

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) 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: Antoinette Cobb**  
**Re: Enforcement Tracking No. AE-CN-19-00925**  
**Agency Interest No. 682**

**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. AE-CN-19-00925**  
**Agency Interest No. 682**

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 Division of Administrative Law (DAL) Procedural Rules. 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 Antoinette Cobb at (225) 219-3072 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.

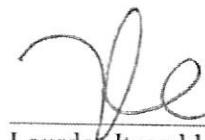
The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may

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 10<sup>th</sup> day of January, 2020.



\_\_\_\_\_  
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: Antoinette Cobb

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		
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Enforcement Tracking No.	AE-CN-19-00925	Contact Name	Antoinette Cobb
Agency Interest (AI) No.	682	Contact Phone No.	(225) 219-3072
Alternate ID No.	0520-00119		
Respondent:	Phillips 66 Pipeline LLC	Facility Name:	Lake Charles Pipeline Facility
	c/o Corporation Service Company	Physical Location:	1851 Clifton Road
	Agent for Service of Process		
	501 Louisiana Avenue	City, State, Zip:	Sulphur, LA 70665
	Baton Rouge, LA 70802	Parish:	Calcasieu

**STATEMENT OF COMPLIANCE**

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph III of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) II of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 45 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) ? of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 90 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) ? 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.Subpart1.Chapter7.
_____	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-19-00925), 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-CN-19-00925), 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 NOTICE OF POTENTIAL PENALTY (AE-CN-19-00925) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.



CERTIFICATION STATEMENT		
<p><i>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.</i></p>		
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: Antoinette Cobb		



JOHN BEL EDWARDS  
GOVERNOR

CHUCK CARR BROWN, PH.D.  
SECRETARY

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

August 17, 2020

CERTIFIED MAIL (7019 1120 0000 2352 1763)  
RETURN RECEIPT REQUESTED

**PHILLIPS 66 PIPELINE LLC**  
c/o Corporation Service Company  
Agent for Service of Process  
501 Louisiana Avenue  
Baton Rouge, LA 70802

**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &  
NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. AE-CN-19-00925A  
AGENCY INTEREST NO. 682**

Dear Sir/Madam:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **PHILLIPS 66 PIPELINE LLC (RESPONDENT)** for the violations described therein.

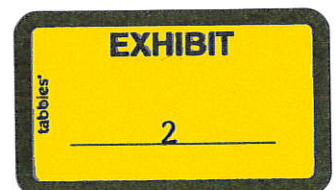
Any questions concerning this action should be directed to Antoinette Cobb at (225) 219-3072 or via email at [antoinette.cobb@la.gov](mailto:antoinette.cobb@la.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Celena J. Cage".

Celena J. Cage  
Administrator  
Enforcement Division

CJC/AFC/afc  
Alt ID No. 0520-00119  
Attachment



c: Phillips 66 Pipeline LLC  
c/o Shannon Castille, Facility Manager  
1851 Clifton Ridge Road  
Sulphur, LA 70665

STATE OF LOUISIANA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF	*	
	*	
PHILLIPS 66 PIPELINE LLC	*	ENFORCEMENT TRACKING NO.
CALCASIEU PARISH	*	
ALT ID NO. 0520-00119	*	682
	*	
	*	AGENCY INTEREST NO.
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	AE-CN-19-00925A
ENVIRONMENTAL QUALITY ACT,	*	
La. R.S. 30:2001, ET SEQ.	*	

AMENDED CONSOLIDATED COMPLIANCE ORDER &  
NOTICE OF POTENTIAL PENALTY

The Louisiana Department of Environmental Quality (the Department) hereby amends the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-CN-19-00925** issued to **PHILLIPS 66 PIPELINE LLC (RESPONDENT)** on January 10, 2020, in the above-captioned matter as follows:

I.

The Department hereby removes Paragraph II.C.i-iii of the Findings of Fact in their entirety.

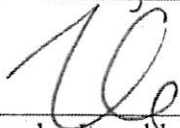
II.

The Department incorporates all of the remainder of the original **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-CN-19-00925** and **AGENCY INTEREST NO. 682** as if reiterated herein.

III.

This **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 17<sup>th</sup> day of August, 2020.

  
\_\_\_\_\_  
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  
Post Office Box 4312  
Baton Rouge, LA 70821-4312  
Attention: Antoinette Cobb