

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

GREATHOUSE INVESTMENTS, LLC

AI # 132768

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

\* Settlement Tracking No.  
\* SA-SE-21-0088  
\*  
\* Enforcement Tracking Nos.  
\* SE-CN-15-00977  
\* SE-CN-17-00211  
\*  
\*  
\*  
\*

SETTLEMENT

The following Settlement is hereby agreed to between Greathouse Investments, 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 woodwaste processing facility located in Lake Charles, Calcasieu Parish, Louisiana (“the Facility”).

II

On April 22, 2016, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. SE-CN-15-00977 (Exhibit 1).

On August 2, 2017, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. SE-CN-17-00211 (Exhibit 2).

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 THIRTEEN THOUSAND AND NO/100 DOLLARS (\$13,000.00), of which One Thousand Five Hundred Sixty-Three and 81/100 Dollars (\$1,563.81) represents the Department's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

#### V

Respondent further agrees that the Department may consider the inspection report(s), permit record(s), the Consolidated Compliance Orders & Notices of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

#### VI

This agreement shall be considered a final order of the Secretary for all purposes, including, but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may be required for interpretation of this agreement in any action by the Department to enforce this agreement.

#### VII

This settlement is being made in the interest of settling the state's claims and avoiding for

both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and settlement, the Department considered the factors for issuing civil penalties set forth in La. R. S. 30:2025(E) of the Act.

## VIII

As required by law, the Department has submitted this Settlement Agreement to the Louisiana Attorney General for approval or rejection. The Attorney General's concurrence is appended to this Settlement Agreement.

## IX

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Calcasieu Parish, Louisiana. The advertisement, in form and wording approved by the Department, announced the availability of this settlement for public view and comment and the opportunity for a public hearing. Respondent has submitted an original proof-of-publication affidavit and an original public notice to the Department and, as of the date this Settlement is executed on behalf of the Department, more than forty-five (45) days have elapsed since publication of the notice.

## X

Payment is to be made within ten (10) days from notice of the Secretary's signature. If payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit 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.

**GREATHOUSE INVESTMENTS, LLC**

BY: Carroll Greathouse  
(Signature)

Carroll Greathouse  
(Printed)

TITLE: OWNER

THUS DONE AND SIGNED in duplicate original before me this 25 day of February, 20 22, at Lake Charles, LA.

Amanda Jones  
NOTARY PUBLIC (ID # \_\_\_\_\_)

Amanda Jones  
State of Louisiana  
Notary Public #148454  
Commissioned for Life

(stamped or printed)

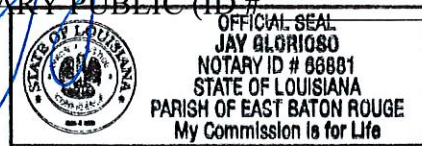
**LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY**

Roger W. Gingles, Secretary

BY: Celena J. Cade  
Assistant Secretary  
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 27th day of November, 20 23, at Baton Rouge, Louisiana.

Jay Glorioso  
NOTARY PUBLIC (ID # \_\_\_\_\_)



(stamped or printed)

Approved: LI  
\_\_\_\_\_  
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 22, 2016

CERTIFIED MAIL (7012 3460 0001 0423 1259/2447)  
RETURN RECEIPT REQUESTED

**GREATHOUSE INVESTMENTS, LLC**  
c/o Carroll G. Greathouse  
Agent for Service of Process  
1888 E. Lincoln Rd.  
Lake Charles, Louisiana 70607

**RE: CONSOLIDATED COMPLIANCE ORDER  
& NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. SE-CN-15-00977  
AGENCY INTEREST NO. 132768**

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 **GREATHOUSE INVESTMENTS, LLC** for the violations described therein.

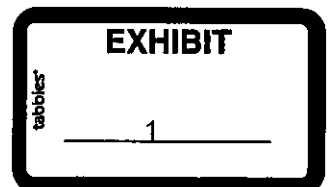
Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Erin Dartez at (225) 219-3636.

Sincerely,

Celena J. Cage  
Administrator  
Enforcement Division

CJC/AED  
Alt ID No. P-0398  
Attachment



c: Greathouse Investments, LLC  
8391 Lake Street  
Lake Charles, Louisiana 70605

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

<b>IN THE MATTER OF</b>	*	
	*	
<b>GREATHOUSE INVESTMENTS, LLC</b>	*	<b>ENFORCEMENT TRACKING NO.</b>
<b>CALCASIEU PARISH</b>	*	
<b>ALT ID NO. P-0398</b>	*	<b>SE-CN-15-00977</b>
	*	
	*	<b>AGENCY INTEREST NO.</b>
<b>PROCEEDINGS UNDER THE LOUISIANA</b>	*	
<b>ENVIRONMENTAL QUALITY ACT,</b>	*	<b>132768</b>
<b>La. R.S. 30:2001, ET SEQ.</b>	*	

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

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **GREATHOUSE INVESTMENT, 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 a Type III Woodwaste Processing facility located at 8391 Lake Street in Lake Charles, Calcasieu Parish, Louisiana. The facility was assigned permit number P-0398 and Solid Waste Identification Number D-019-12749. The permit was issued on January 15, 2009, and an order to commence operations was issued on April 13, 2009.

II.

The Department issued Warning Letter SE-L-14-00278 to the Respondent on March 20, 2014, for the failure to submit the Annual Solid Waste Certificate of Compliance for the July 2012 to June 2013 period. The Respondent was issued a second notice from the Department on March 25, 2015.

III.

On or about May 19, 2015, an inspection and subsequent file review revealed the following violations:



- A. The Respondent failed to have a Level A Certified operator at the Type III wood waste processing facility, in violation of Permit P-0398 Condition 521.G.1.b and LAC 33:VII.725.B.4. Specifically, neither the owner nor the site operator is Level A Certified.
- B. The Respondent failed to submit the Annual Certification of Compliance, in violation of LAC 33:VII.525.A. Specifically, the Respondent failed to submit the Annual Certification of Compliance for the periods of July 2012 to June 2013 and July 2013 to June 2014. The Respondent stated during the inspection that he was in the process of gathering the required information and completing the documents for submittal.

### **COMPLIANCE ORDER**

Based on the foregoing, the Respondent is hereby ordered:

#### I.

To immediately begin procedures, upon receipt of this **COMPLIANCE ORDER**, to ensure that the processing facility has the required number of Level A Certified operators employed at the facility, in accordance with LAC 46:XXIII. The operator certificates shall be prominently displayed at the facility and copies shall be submitted to the Enforcement Division within thirty (30) days of receipt of this **COMPLIANCE ORDER**.

#### II.

To immediately submit, upon receipt of this **COMPLIANCE ORDER**, the Annual Certifications of Compliance for the years referenced in the Findings of Fact Paragraph III.B and to ensure that subsequent Certifications of Compliance are submitted by October 1 of each year covering the period of July 1 to June 30 immediately preceding the October 1 submittal date. This certification shall be submitted to the Office of Environmental Services, Waste Permits Division, Post Office Box 4313, Baton Rouge, Louisiana, 70821, Attention: Estuardo Silva, Administrator. A form for Part I of the certification can be obtained from the Office of Environmental Services; however, Part II of the certification will be site specific and will set forth the site specific conditions that shall be certified in compliance with the permit.

#### III.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Solid Waste Regulations.

IV.

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: Erin Dartez**  
**Re: Enforcement Tracking No. SE-CN-15-00977**  
**Agency Interest No. 132768**

**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. SE-CN-15-00977**  
**Agency Interest No. 132768**

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 Erin Dartez at (225) 219-3636 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

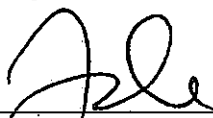
III.

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.

IV.

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

Baton Rouge, Louisiana, this 22<sup>nd</sup> day of April, 2016.

  
\_\_\_\_\_  
Lourdes Gurralde  
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: Erin Dartez



JOHN BEL EDWARDS  
GOVERNOR

CHUCK CARR BROWN, PH.D.  
SECRETARY

**State of Louisiana**  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE  
August 2, 2017

CERTIFIED MAIL (7016 2140 0000 3607 5127)  
RETURN RECEIPT REQUESTED

**GREATHOUSE INVESTMENTS, LLC**  
c/o Carroll G. Greathouse  
Agent for Service of Process  
1888 E. Lincoln Rd.  
Lake Charles, LA 70607

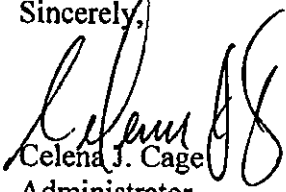
**RE: CONSOLIDATED COMPLIANCE ORDER  
& NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. SE-CN-17-00211  
AGENCY INTEREST NO. 132768**

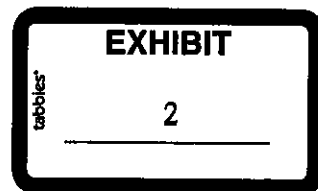
Dear Sir:

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 **GREATHOUSE INVESTMENTS, LLC (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 Kelly O'Neal at (225) 219-3932.

Sincerely,  
  
Celena J. Cage  
Administrator  
Enforcement Division



CJC/KAO/kao  
Alt ID No. P-0398-M2  
Attachment

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

**IN THE MATTER OF**

**GREATHOUSE INVESTMENTS, LLC  
CALCASIEU PARISH  
ALT ID NO. P-0398-M2**

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

\*  
\*  
\* **ENFORCEMENT TRACKING NO.**  
\*  
\* **SE-CN-17-00211**  
\*  
\* **AGENCY INTEREST NO.**  
\*  
\* **132768**  
\*

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

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **GREATHOUSE INVESTMENTS, 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 a Type III Woodwaste Processing facility located at 8391 Lake Street in Lake Charles, Calcasieu Parish, Louisiana. The facility was assigned permit number P-0398 and Solid Waste Identification Number D-019-12749. The permit was issued on January 15, 2009, and an order to commence operations was issued on April 13, 2009.

**II.**

On or about April 22, 2016, **COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY SE-CN-15-00977** was issued to the Respondent for violations noted during an inspection conducted on or about May 19, 2015. **COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY SE-CN-15-00977** was received on or about May 2, 2016, and was not appealed. The order is considered to be a final action.

III.

On or about December 27, 2016, and January 6, 2017, the Department conducted inspections at the above referenced facility to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the supporting Regulations. 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 inspection:

- A. The Respondent failed to have a readable sign posted that lists the types of wastes that can be received at the facility in accordance with Part III, 523.A of the Solid Waste Permit Application, in violation of Conditions 6 & 7 of Standard Permit P-0398, LAC 33:VII.719.B.2.d, and LAC 33:VII.901. Specifically, there was no sign posted at the facility.
- B. The Respondent failed to provide a levee or other protective measures in order to protect the facility against a 100-year flood, in accordance with Part II, 521.C.1.b & e of the Solid Waste Permit Application, in violation of Conditions 6 & 7 of Standard Permit P-0398, LAC 33:VII.725.A.2.b. Specifically, according to the Respondent's Solid Waste Permit Application, a perimeter berm will be erected around the woodwaste processing area. At the time of the December 27, 2016 inspection, there was no evidence of any flood protection measures.
- C. The Respondent failed to have a Level A Certified operator at the Type III wood waste processing facility, in accordance with Part II, 521.G.1.b of the Solid Waste Permit Application, in violation of **COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY SE-CN-15-00977**, LAC 33:VII.725.B.4 and LAC 33:VII.901. Specifically, there was no Level A Certified Operator at the facility.
- D. The Respondent failed to maintain records necessary for the effective management of the facility and for preparing the required reports for the life of the facility on-site for a minimum of three (3) years, in violation of LAC 33:VII.725.B.2.a. Specifically, all records are stored off-site. A review of the records on or about January 6, 2017, revealed that all records are up to date and acceptable.
- E. The Respondent failed to apply water to the ash from the air curtain destructor (ACD) before removal, in violation of LAC 33:VII.725.C.3.f.iii. According to a representative for the Respondent, the ash is moved from the ACD burn pit to a

secondary pit next to the ACD burn pit without applying water. The secondary pit contains rainwater in order to quench the ash prior to disposal on-site.

- F. The Respondent caused and/or allowed the burning of unacceptable solid waste in the ACD, in violation of Conditions 6 & 7 of Standard Permit P-0398, and LAC 33:VII.725.C.3.f.v. Specifically, metal wire and various other metals were located within the ash pile next to the burn pit.
- G. The Respondent failed to inspect incoming woodwaste at the gate before unloading, in accordance with Part II, 521.H.1.b, and Part III, 523.A of the Solid Waste Permit Application, in violation of Conditions 6 & 7 of Standard Permit P-0398, LAC 33:VII.725.C.3.f.ix, and LAC 33:XII.901. Specifically, according to a representative of the Respondent, trucks are allowed to dump their contents prior to inspection and then sort out any unacceptable materials and put the unacceptable material in a pile on the west side of the facility. No loads are rejected if they contain unacceptable materials. Additionally, the facility does not have a container for incidental unacceptable materials.
- H. The Respondent caused and/or allowed the deposition of regulated solid waste without a permit and/or authority from the Department, in accordance with Part II, 521.H.1.d of the Solid Waste Permit Application, in violation of Conditions 6 & 7 of Standard Permit P-0398, La. R.S. 30:2155 and LAC 33:VII.315.C. Specifically, unacceptable solid wastes, including but not limited to, metals, plastics, waste tires, broken bicycles, a disability scooter, a lawnmower, and a crushed refrigerator was disposed of on the east and west sides of the facility. According to the Respondent, the solid waste pile had been there for approximately two (2) years.

### **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 Solid Waste Regulations, and Standard Permit P-0398.



II.

To post, within seven (7) days after receipt of this **COMPLIANCE ORDER**, a readable sign that lists the types of wastes that can be received at the facility, in accordance with LAC 33:VII.719.B.2.d.

III.

To install, within ninety (90) days after receipt of this **COMPLIANCE ORDER**, a berm to protect the facility from a 100-year flood, as specified in Part II, 521.C.1.b & e of the Solid Waste Permit Application.

IV.

To institute procedures, immediately upon receipt of this **COMPLIANCE ORDER**, to ensure that the processing facility has the required number of Level A Certified operators employed at the facility, in accordance with LAC 33:VII.725.B.4. The operator certificates shall be prominently displayed at the facility and copies shall be submitted to the Enforcement Division within thirty (30) days of receipt of this **COMPLIANCE ORDER**.

V.

To institute procedures, immediately upon receipt of this **COMPLIANCE ORDER**, to ensure all records are maintained on-site for a minimum of three (3) years, in accordance with LAC 33:VII.725.B.2.a.

VI.

To institute procedures, immediately upon receipt of this **COMPLIANCE ORDER**, to ensure water is applied to the ash from the ACD before removal, in accordance with LAC 33:VII.725.C.3.f.iii.

VII.

To institute procedures, immediately upon receipt of this **COMPLIANCE ORDER**, to ensure only untreated woodwaste and yard trash are accepted, and to cease burning or allowing the burning of treated woodwaste or other solid waste at the facility.

VIII.

To institute procedures, immediately upon receipt of this **COMPLIANCE ORDER**, to ensure all incoming woodwaste is inspected at the gate before unloading, and if any waste other than woodwaste is detected, the entire load shall be rejected, in accordance with Part II, 521.H.1.b, and Part III, 523.A of the Solid Waste Permit Application, and LAC 33:VII.725.C.3.f.ix.

IX.

To immediately cease, upon receipt of this **COMPLIANCE ORDER**, depositing or allowing the deposit of any waste that is not allowed by Standard Permit P-0398 at this site or any other site not permitted to receive such waste.

X.

To remove, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, all unacceptable solid wastes referenced in Findings of Fact Paragraph III.H to a facility permitted to dispose of such waste in accordance with the Solid Waste Regulations and to submit disposal receipts to the Enforcement Division.

XI.

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: Kelly O'Neal  
Re: Enforcement Tracking No. SE-CN-17-00211  
Agency Interest No. 132768

**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. SE-CN-17-00211**  
**Agency Interest No. 132768**

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 Kelly O'Neal at (225) 219-3932 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 2<sup>nd</sup> day of August, 2017.

  
\_\_\_\_\_  
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: Kelly O'Neal

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.	SE-CN-17-00211	Contact Name	Kelly O'Neal
Agency Interest (AI) No.	132768	Contact Phone No.	(225) 219-3932
Alternate ID No.	P-0398-M2		
Respondent:	GREATHOUSE INVESTMENTS, LLC	Facility Name:	Greathouse ACD Woodwaste Processing Facility
	c/o Carroll G. Greathouse	Physical Location:	8391 Lake St.
	Agent for Service of Process		
	1888 E. Lincoln Rd.	City, State, Zip:	Lake Charles, LA 70607
	Lake Charles, LA 70607	Parish:	Calcasieu

**STATEMENT OF COMPLIANCE**

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

<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 NOTICE OF POTENTIAL PENALTY (7016 2140 0000 3607 5127), 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 NOTICE OF POTENTIAL PENALTY (7016 2140 0000 3607 5127), 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>• 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.</li> </ul>
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY ( ) 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.*

<b>Respondent's Signature</b>	<b>Respondent's Printed Name</b>	<b>Respondent's Title</b>
<b>Respondent's Physical Address</b>	<b>Respondent's Phone #</b>	<b>Date</b>
<b>MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:</b>		
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Kelly O'Neal		