

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

AIR PRODUCTS AND CHEMICALS, INC.

AI # 31512, 2679

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

\* Settlement Tracking No.  
\* SA-AE-19-0081  
\* Enforcement Tracking No.  
\* AE-PP-16-00468  
\* AE-PP-16-00468A  
\* AE-PP-15-01181  
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SETTLEMENT

The following Settlement is hereby agreed to between Air Products and Chemicals, Inc. (“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 corporation that owns and/or operates facilities located in Geismar, Ascension Parish, Louisiana (“the Facilities”).

II

On March 27, 2018, the Department issued to Respondent a Notice of Potential Penalty, Enforcement No. AE-PP-16-00468 (Exhibit 1).

On May 1, 2018, the Department issued to Respondent a Notice of Potential Penalty, Enforcement No. AE-PP-15-01181 (Exhibit 2).

On January 18, 2019, the Department issued to Respondent an Amended Notice of Potential Penalty, Enforcement No. AE-PP-16-00468A (Exhibit 3).

### 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 FIVE THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$5,700.00), of which One Thousand Five Hundred Forty-Seven and 31/100 Dollars (\$1,547.31) 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 Notices of Potential Penalty and Amended 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.

**AIR PRODUCTS AND CHEMICALS, INC.**

BY: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed)

TITLE: \_\_\_\_\_

THUS DONE AND SIGNED in duplicate original before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_.

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

\_\_\_\_\_  
(stamped or printed)

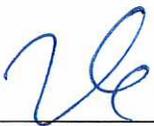
**LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY**  
Chuck Carr Brown, Ph.D., Secretary

BY: \_\_\_\_\_  
Lourdes Iturralde, Assistant Secretary  
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, at Baton Rouge, Louisiana.

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

\_\_\_\_\_  
(stamped or printed)

Approved:  \_\_\_\_\_  
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

March 27, 2018

CERTIFIED MAIL (7004 2510 0006 3853 4336)  
RETURN RECEIPT REQUESTED

**AIR PRODUCTS AND CHEMICALS, INC.**

c/o C T Corporation System  
Agent for Service of Process  
3867 Plaza Tower Dr.  
Baton Rouge, LA 70816

**RE: NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. AE-PP-16-00468  
AGENCY INTEREST NO. 31512**

Dear Sir(s):

On or about September 29, 2015, and November 9, 2015, inspections of the Geismar 2 – Syngas Separation Unit (facility), a raw synthesis gas processing facility, owned and/or operated by **AIR PRODUCTS AND CHEMICALS, INC. (RESPONDENT)**, were performed to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Air Quality Regulations. Additionally, a file review was conducted for the facility on or about March 2, 2018. The facility is located at 36637 Louisiana Highway 30 in Geismar, Ascension Parish, Louisiana. The facility operated under Title V Air Permit No. 0180-00071-V2 issued on September 4, 2013. The facility currently operates under Title V Air Permit No. 0180-00071-V3 issued on June 10, 2014.

While the investigation by the Louisiana Department of Environmental Quality (the Department) is not yet complete, the following violation was noted during the course of the inspections and file review:

- A. In the facility's 2014 Title V Annual Compliance Certification and 2016 Title V 1<sup>st</sup> Semiannual Monitoring Report submitted to the Department on or about March 31, 2015, and September 26, 2016, respectively, the Respondent reported failures to continuously monitor the presence of a flame by a heat sensing device for 102-97 Methane-Wash Cold Box No. 1 "Cold" Flare (EQT0005). Specifically, the heat sensing device failed on or about May 11, 2014, at 15:30 and the deviation continued until the heat sensing device was replaced on or about May 16, 2014, at 20:30. Additionally, an internal electrical board of the pilot monitoring eye device



failed on or about March 19, 2016, and flame presence was not monitored for approximately 797.5 hours until a new board was installed on or about April 21, 2016. The May 11, 2014 failure is a violation of Title V Air Permit No. 0180-00071-V2 Specific Requirement 7, and the March 19, 2016 failure is a violation of Title V Air Permit No. 0180-00071-V3 Specific Requirement 7. Each monitoring failure is also a violation of LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).

- B. The Respondent failed to submit the facility's Title V 2nd Semiannual Monitoring Report for the second semiannual monitoring period of 2015 in a timely manner. Specifically, the Title V 2<sup>nd</sup> Semiannual Monitoring Report was due March 31, 2016, but was postmarked August 15, 2017. Each failure to submit a Title V Semiannual Monitoring Report is a violation of Title V Air Permit No. 0180-00071-V3 40 CFR Part 70 General Condition K, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).
- C. The Respondent failed to submit the facility's Title V Annual Compliance Certification for the annual monitoring period of 2015 in a timely manner. Specifically, the Title V Annual Monitoring Report was due March 31, 2016, but was postmarked August 15, 2017. Each failure to submit a Title V Annual Compliance Certification is a violation of Title V Air Permit No. 0180-00071-V3 40 CFR Part 70 General Condition M, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).
- D. In the facility's 2016 Title V Annual Compliance Certification submitted to the Department on or about March 31, 2017, respectively, the Respondent reported failures to continuously monitor the presence of a flame by a heat sensing device for 102-97 Methane-Wash Cold Box No. 1 "Cold" Flare (EQT0005) and 103-97 Industrial Warm Flare (EQT0006). Specifically, the power supply feeding the pilot eye monitoring units failed, consequently, causing the failure to monitor the flame presence of EQT0005 and EQT0006 for approximately 312 hours. The power supply failed on October 9, 2016, and a new power supply was ordered and installed on October 21, 2016. Each monitoring failure is a violation of Title V Air Permit No. 0180-00071-V3 Specific Requirements 7 and 16, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).
- E. In correspondence dated December 21, 2016, the Respondent reported an incident (T174650) that occurred on December 17, 2016. Specifically, the Respondent experienced a release due to a line failure which resulted in a pressure change in the unit. The line failure was repaired within 50 minutes of discovery and resulted in approximately 2,760 pounds of Syngas, which includes carbon monoxide, hydrogen, and methane. The release was deemed preventable. This release is a violation of LAC 33:III.905, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

Prior to the issuance of any additional appropriate enforcement action, you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Madison Kirkland at (225) 219-3165 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance in order to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violations to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify this statement. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

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

The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter 7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY**, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "**NOTICE OF POTENTIAL PENALTY REQUEST TO SETTLE**" form. The Respondent must include a justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

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

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Sincerely,



Lourdes Iturralde  
Assistant Secretary  
Office of Environmental Compliance

LI/MLK/mlk  
Alt ID No. 0180-00071

c: Air Products and Chemicals, Inc.  
Kyle Lawrence, Sr. Environmental Specialist  
36637 LA Highway 30  
Geismar, LA 70734

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-16-00468	Contact Name	Madison Kirkland
Agency Interest (AI) No.	31512	Contact Phone No.	225-219-3165
Alternate ID No.	0180-00071		
Respondent:	Air Products and Chemicals, Inc.	Facility Name:	Air Products and Chemicals, Inc.
	c/o C T Corporation System	Physical Location:	36637 LA Highway 30
	Agent for Service of Process		
	3867 Plaza Tower Drive	City, State, Zip:	Geismar, LA 70734
	Baton Rouge, LA 70816	Parish:	Ascension

**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-PP-16-00468), 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-16-00468), 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-16-00468) 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

JOHN BEL EDWARDS  
GOVERNOR



CHUCK CARR BROWN, PH.D.  
SECRETARY

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

May 1, 2018

CERTIFIED MAIL (7004 2510 0006 3853 4329)  
RETURN RECEIPT REQUESTED

**AIR PRODUCTS AND CHEMICALS, INC.**

c/o C T Corporation System  
Agent for Service of Process  
3867 Plaza Tower Dr.  
Baton Rouge, LA 70816

**RE: NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. AE-PP-15-01181  
AGENCY INTEREST NO. 2679**

Dear Sir(s):

On or about April 29, 2015 and June 14, 2017, inspections of the Geismar No. 1 Synthesis Gas Facility (facility), a syngas production facility, owned and/or operated by **AIR PRODUCTS AND CHEMICALS, INC. (RESPONDENT)**, were performed to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Air Quality Regulations. Additionally, file reviews were conducted for the facility on or about June 10, 2016 and April 4, 2018. The facility is located at 8013 Louisiana Highway 3251 in Geismar, Ascension Parish, Louisiana. The facility previously operated under Title V Air Permit No. 0180-00023-V3 issued on September 19, 2011 and Title V Air Permit No. 0180-00023-V4 issued on January 12, 2016. The facility currently operates under Minor Source Permit No. 0180-00023-06 issued on March 23, 2018.

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 inspections and file review:

- A. In the facility's 2014 Annual Compliance Certification dated March 31, 2015, the Respondent reported the failure to adequately monitor flare gas heat content by gas analysis for 10020 – Industrial Flare Stack (EQT0002) annually in 2014. Specifically, facility personnel sampled gas from the flare header which was nitrogen purge and not representative of unit gas. This is a violation of Specific Requirement 13 of Title V Air Permit No. 0180-00023-V3, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2). The certification also stated that the Respondent implemented employee awareness training and proper labeling as a corrective action.



- B. In the facility's 2015 Annual Compliance Certification dated August 15, 2017, the Respondent reported the failure to submit the Title V permit renewal application at least six (6) months prior to the date of permit expiration. Specifically, the Respondent submitted the Permit Renewal Application on September 21, 2015 and the expiration date of the permit was January 13, 2016. The failure to submit the renewal application six months prior to the expiration date of a permit is a violation of Part 70 General Condition A of the Title V Air Permit No. 0180-00023-V3, LAC 33:III.501.C.4, LAC 33:III.507.E.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). Title V Air Permit No. 0180-00023-V4 was issued on January 12, 2016.
- C. In the facility's 2016 Title V Annual Compliance Certification dated March 31, 2017, the Respondent reported a failure to maintain the Reformer Stack (EQT0001) temperature. Specifically, from January 12, 2016, to December 31, 2016, the Reformer Stack was less than the required temperature at 325 degrees +/- 25 degrees Fahrenheit. This is a violation of Specific Requirement 8 of Title V Air Permit No. 0180-00023-V4, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

Prior to the issuance of any additional appropriate enforcement action, you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Madison Kirkland at (225) 219-3165 or at [Madison.Kirkland@la.gov](mailto:Madison.Kirkland@la.gov) within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

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

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.

Air Products and Chemicals, Inc.

AE-PP-15-01181

Page 3

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

Sincerely,



Lourdes Iturralde  
Assistant Secretary  
Office of Environmental Compliance

LI/MLK/mlk

Alt ID No. 0180-00023

c: Air Products and Chemicals, Inc.  
36637 LA Highway 30  
Geismar, LA 70734

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-15-01181	Contact Name	Madison Kirkland
Agency Interest (AI) No.	2679	Contact Phone No.	225-219-3165
Alternate ID No.	0180-00023	Email	Madison.Kirkland@la.gov
Respondent:	Air Products and Chemicals, Inc.	Facility Name:	Air Products and Chemicals, Inc.
	c/o C T Corporation System	Physical Location:	36637 LA Highway 30
	Agent for Service of Process		
	3867 Plaza Tower Dr.	City, State, Zip:	Geismar, LA 70734
Baton Rouge, LA 70816	Parish:	Ascension	

**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-15-01181), 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-15-01181), 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-15-01181) 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

JOHN BEL EDWARDS  
GOVERNOR



CHUCK CARR BROWN, Ph.D.  
SECRETARY

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

January 18, 2019

CERTIFIED MAIL (7005 1820 0002 2095 9468)  
RETURN RECEIPT REQUESTED

**AIR PRODUCTS AND CHEMICALS, INC.**

c/o C T Corporation System  
Agent for Service of Process  
3867 Plaza Tower Drive  
Baton Rouge, LA 70816

**RE: AMENDED NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. AE-PP-16-00468A  
AGENCY INTEREST NO. 31512**

Dear Sir(s):

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED NOTICE OF POTENTIAL PENALTY** is hereby served on **AIR PRODUCTS AND CHEMICALS, INC. (RESPONDENT)** for the violations described therein.

Any questions concerning this action should be directed to Madison Kirkland at (225) 219-3165 or [Madison.Kirkland@la.gov](mailto:Madison.Kirkland@la.gov).

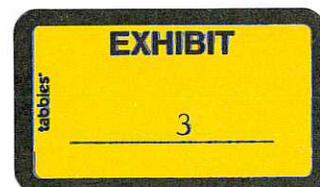
Sincerely,

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

Celena V. Cage  
Administrator  
Enforcement Division

CJC/MLK/mlk  
Alt ID No. 0180-00071

c: Air Products and Chemicals, Inc.  
Kyle Lawrence, Sr. Environmental Specialist  
36637 LA Highway 30  
Geismar, LA 70734



STATE OF LOUISIANA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF

AIR PRODUCTS AND CHEMICALS, INC.  
ASCENSION PARISH  
ALT ID NO. 0180-00071

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ENFORCEMENT TRACKING NO.

AE-PP-16-00468A

AGENCY INTEREST NO.

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

31512

AMENDED NOTICE OF POTENTIAL PENALTY

The Louisiana Department of Environmental Quality (the Department) hereby amends the **NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-PP-16-00468** issued to **AIR PRODUCTS & CHEMICALS, INC. (RESPONDENT)** on March 27, 2018 in the above-captioned matter as follows:

I.

The Department hereby removes paragraphs B and C of the Notice of Potential Penalty, Enforcement Tracking No. AE-PP-16-00468.

The Department incorporates all of the remainder of the original **NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-PP-16-00468** and **AGENCY INTEREST NO. 31512** as if reiterated herein.

II.

This **AMENDED NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 18<sup>th</sup> day of January, 2019.



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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: Madison Kirkland