STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:	*	**Settlement Tracking No.**
	*	**SA-MM-19-0026**
CUMMINS MID-SOUTH, L.L.C.	*	
	*	**Enforcement Tracking No.**
AI # 9629, 23669, 154300	*	**AE-CN-15-00839**
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	
ENVIRONMENTAL QUALITY ACT	*	
LA. R.S. 30:2001, ET SEQ.	*	

SETTLEMENT

The following Settlement is hereby agreed to between Cummins Inc., successor-by-merger to Cummins Mid-South, L.L.C. ("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 Jefferson Parish, St. Mary Parish, Bossier Parish, and Calcasieu Parish, Louisiana ("the Facilities").

II

On July 23, 2015, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. AE-CN-15-00839 (Exhibit 1).

The following violations, although not cited in the foregoing enforcement action, were findings from a third party compliance audit, and are included within the scope of this settlement:

February 26, 2015 Third Party Audit Findings - Kenner Facility - AI 9629

Hazardous Waste Violations:

1. The Respondent failed to determine whether several of its generated solid wastes were hazardous wastes, in violation of LAC 33:V.1103. Specifically, the Respondent failed to determine whether the following generated solid wastes were hazardous wastes prior to disposal: 1) aerosol cans found in a trash can; 2) paint waste debris from an oven; 3) paint and rainwater mixture observed in open cans and 4) paint filters.

2. The Respondent failed to label two (2) containers of used oil with the words "Used Oil" in violation of LAC 33:V.4013.D.

3. The Respondent failed to store waste batteries in a structurally sound container, in violation of LAC 33:V.3821.A.1.

4. The Respondent failed to label containers of universal waste lamps, with the words "Universal Waste Lamps," in violation of LAC 33:V.3823.A.6.

5. The Respondent failed to label a container of universal waste antifreeze, with the words "Waste Antifreeze," in violation of LAC 33:V.3823.A.8.

Air Violations:

1. The Respondent failed to document the hours of operation of the backup generator that runs on diesel. Specifically, the hours of operation have not been documented although maintenance and sulfur content have been documented and maintained on-site as required under the New Source Performance Standards (NSPS). This is a violation of 40 CFR 63.10(b)(2), which language has been adopted by LAC 33:III.5311, and La. R.S. 30:2057(A)(2). In correspondence dated September 24, 2015, the Respondent stated that to substantiate "insignificant activity" via a limit of 500 hours of operation per year, the following corrective actions were performed: document the generator activity, log hours of usage, and operate and maintain the engine according to the manufacturer's emission-related written instructions.

2. The Respondent failed to keep records of oven usage hours at the Rebuild Center - Disassembly Area. Specifically, during the third party audit, there were no records of oven usage hours and maintenance records to determine emissions in violation of LAC 33:III.501.B.4 and La. R.S. 30:2057(A)(2). In correspondence dated September 24, 2015, the Respondent stated that the HSE Team would track usage and maintenance records to determine if a permit is required, and demonstrate exemption status if a permit is not required. This corrective action was completed on July 2, 2015.

Water Violations:

1. Stormwater drains contained general refuse and debris that was blocking outfalls. The Water Quality Regulations prohibit the discharge of pollutants into waters of the state via

stormwater that has contacted contaminated surfaces and is in violation of LAC 33:IX.501.C.

2. Many areas were noted with used parts and equipment stored outside without protection from the elements and in a manner that may allow impacts to stormwater. The Water Quality Regulations prohibit the discharge of pollutants into waters of the state via stormwater that has contacted contaminated surfaces and is in violation of LAC 33:IX.501.C.

February 25, 2015 Third Party Audit Findings - Jefferson Facility - AI 23669

Hazardous Waste Violations:

1. The Respondent failed to determine whether several of its generated solid wastes were hazardous wastes, in violation of LAC 33:V.1103. Specifically, the Respondent failed to determine whether the following generated solid wastes were hazardous wastes prior to disposal: 1) spent paint booth filters; 2) spent solvents; 3) waste lamps disposed of in the trash and 4) wastes whose characterizations were not consistent with their respective SDSs.

2. The Respondent failed to provide requisite training to employees responsible for the management of universal waste, in violation of LAC 33:V.3827.

3. The Respondent failed to label and properly close multiple containers storing used oil, in violation of LAC 33:V.4013.B and D.

July 29, 2015 Third Party Audit Findings – Morgan City Facility - AI 154300

Hazardous Waste Violations:

1. The Respondent failed to label containers of waste lamps with the words, "Universal Waste Lamps" or mark those containers or document the date of accumulation in violation of LAC 33:V.3823.A.6. Additionally, the Respondent failed to store universal waste lamps in containers suitable to prevent breakage.

2. The Respondent failed to mark or document the date upon which universal waste antifreeze accumulation began, in violation of LAC 33:V.3825.

3. The Respondent failed to label containers of waste lamps with the words, "Universal Waste Lamps" or mark those containers or document the date of accumulation in violation of LAC 33:V.3823.A.1.

4. The Respondent failed to label multiple containers storing used oil, in violation of LAC 33:V.4013.D.

5. The Respondent failed to provide secondary containment for the AST unit, which was collecting used oil, in violation of LAC 33:V.4013. According to the audit findings, storage capacity of petroleum/used oil at the facility exceeded 1320 gallons.

6. The Respondent failed to develop and maintain a Spill Prevention, Control, and Countermeasures Plan (SPCC Plan) in accordance with the requirements specified in 40 CFR Part 112, in violation of LAC 33:V.4049.

Air Violation:

1. The Respondent failed to provide records of the emergency generator maintenance. Records are kept in the BMS system; however, they were not provided. In addition, operations monitoring records were not present on-site, as required by NESHAP Subpart ZZZZ and NSPS Subpart IIII. This is a violation of 40 CFR 63.10(b)(2), which language has been adopted by LAC 33:III.5311, and La. R.S. 30:2057(A)(2). In correspondence dated September 24, 2015, the Respondent stated that to substantiate "insignificant activity" via a limit of 500 hours of operation per year, the following corrective actions were performed: document generator activity, log hours of usage, and operate and maintain the engine according to the manufacturer's emission-related written instructions. This corrective action was completed September 1, 2015. During the December 21, 2015 conference between the representatives of the Department and the Respondent, it was noted that the source's operating rate was less than 500 hr/yr.

Water Violation:

1. Many areas were noted with used parts and equipment stored outside without protection from the elements and in a manner that may allow impacts to stormwater. The Water Quality Regulations prohibit the discharge of pollutants into waters of the state via stormwater that has contacted contaminated surfaces and is in violation of LAC 33:IX.501.C.

<u>July 29, 2015 Third Party Audit Findings – Lake Charles Facility</u>

Hazardous Waste Violation:

1. The Respondent stored universal waste antifreeze in excess of one (1) year, in violation of LAC 33:V.3825.A.

<u>July 29, 2015 Third Party Audit Findings – Shreveport Facility</u>

Hazardous Waste Violation:

1. The Respondent stored universal waste antifreeze in excess of one (1) year, in violation of LAC 33:V.3825.A.

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 TWENTY-THREE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($23,500.00), of which Four Thousand Eight Hundred Ten and 25/100 Dollars ($4,810.25) 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 permit record(s), the Consolidated Compliance Order & Notice of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

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 Jefferson Parish, St. Mary Parish, Bossier Parish, and 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, or wireless transfer payable to the Department of

Environmental Quality. Checks are to be 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.

CUMMINS INC., successor-by-merger to
CUMMINS MID-SOUTH, L.L.C.

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

BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana

DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

July 23, 2015

CERTIFIED MAIL (7014 0510 0002 3595 2918)
RETURN RECEIPT REQUESTED

CUMMINS MID-SOUTH, L.L.C.
c/o Corporation Service Company
Agent for Service of Process
320 Somerulos Street
Baton Rouge, LA 70802-6129

RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-15-00839
AGENCY INTEREST NO. 9629

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 **CUMMINS MID-SOUTH, L.L.C. (RESPONDENT)** for the violation described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violation 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 Bridget Rogers at (225) 219-3748 or via email at Bridget.Rogers@la.gov.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/BDR/bdr
Alt ID No. 1340-00364
Attachment

EXHIBIT
1

c: Cummins Mid-South, L.L.C.
c/o Mitchell Kemp, HSE Director
110 East Airline Highway
Kenner, LA 70062

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY

OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF	*	
	*	
CUMMINS MID-SOUTH, L.L.C.	*	ENFORCEMENT TRACKING NO.
JEFFERSON PARISH	*	
ALT ID NO. 1340-00364	*	AE-CN-15-00839
	*	
	*	AGENCY INTEREST NO.
PROCEEDINGS UNDER THE LOUISIANA	*	
ENVIRONMENTAL QUALITY ACT,	*	9629
La. R.S. 30:2001, ET SEQ.	*	

CONSOLIDATED

COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **CUMMINS MID-SOUTH, L.L.C. (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 Kenner Facility (the facility), an engine and generator repair/maintenance facility, located at 110 East Airline Highway in Kenner, Jefferson Parish, Louisiana. On or about July 14, 2015, the Respondent submitted an expedited air permit application for this facility, which is not currently operating under an air permit.

II.

On or about July 14, 2015, the Respondent met with the Department to request interim authorization to operate the facility prior to the issuance of the air permit. At the time of the meeting, the Respondent informed the Department that the Kenner Facility had been shut down on July 10, 2015, pending the Department's review and issuance of interim limitations and/or an air minor source permit. The Department received a formal request for interim emission limits from the facility on July 17, 2015.

III.

The Department conducted a file review on or about July 14, 2015 to determine the degree of compliance with the Act and the Air Quality Regulations. While the Department's investigation is not yet complete, the following violation was noted during the course of the file review:

> The Respondent operated the Kenner Facility from February 14, 2014 through July 10, 2015 without an authorized air permit. Cummins, Inc. gained management authority over Cummins Mid-South, LLC on February 14, 2014 when it entered into a transaction to become the sole owner. Due to a third party compliance audit conducted by T & M Associates on February 26, 2015, the facility discovered that their potential to emit (PTE) meets or exceeds the threshold for an air minor source permit. The Respondent submitted an expedited air permit application and met with the Department on July 14, 2015. Failure to submit a timely and complete permit application prior to construction of the facility is a violation of LAC 33:II.501.C.1 and La. R.S. 30:2057(A)(2). Operation of the facility from February 14, 2014 to July 10, 2015 resulting in an initiation of, or an increase in, air contaminants is a violation of LAC 33:III.501.C.2 and La. R.S. 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.

II.

To protect the air quality, the Respondent is required to comply with the following at the Cummins Mid-South, L.L.C. Kenner Facility:

A. If the Respondent chooses to emit any air contaminant in the State of Louisiana from the Kenner Facility, the following interim limitations shall apply:

Pollutant	Emission Rate (Tons per Year)
CO	6.7
NO_X	14.8
VOC	3.84
PM	2.4
SO_2	1.83
Total HAPs	0.72

HAP and TAP Pollutants	Emission Rate (Tons per Year)
1,1,2,2-Tetrachloroethane	< 0.01
1,1,2-Trichloroethane	< 0.01
1,3-Butadiene	< 0.01
1,3-Dichloropropene	< 0.01
2,2,4-Trimethylpentane	< 0.01
2-Methylnaphthalene	< 0.01
Acenaphthene	< 0.01
Acenaphthylene	< 0.01
Acetaldehyde	0.04
Acrolein	0.03
Anthracene	< 0.01
Arsenic	< 0.01
Benz(a)anthracene	< 0.01
Benzene	< 0.01
Benzo(b)fluoranthene	< 0.01
Benzo(a)pyrene	< 0.01
Benzo(g,h,I)perylene	< 0.01
Benzo(k)fluoranthene	< 0.01
Biphenyl	< 0.01
Cadmium	< 0.01
Carbon Tetrachloride	< 0.01
Chlorobenzene	< 0.01
Chloroform	< 0.01
Chromium	< 0.01
Chrysene	< 0.01
Cobalt	< 0.01
Dichlorobenzene	< 0.01
Dibenz(a,h)anthracene	< 0.01
Ethylbenzene	< 0.01
Ethylene Dibromide	< 0.01

HAP and TAP Pollutants	Emission Rate (Tons per Year)
Fluoranthene	< 0.01
Fluorene	< 0.01
Formaldehyde	0.27
Hexane	0.02
Indeno(1,2,3-cd)pyrene	< 0.01
Lead	< 0.01
Manganese	< 0.01
Methanol	0.01
Methylene Chloride	< 0.01
Mercury	< 0.01
Naphthalene	< 0.01
Nickel	< 0.01
PAH	0.01
Phenanthrene	< 0.01
Phenol	< 0.01
Pyrene	< 0.01
Styrene	< 0.01
Tetrachlorethane	< 0.01
Toluene	< 0.01
Vinyl Chloride	< 0.01
Xylene	< 0.01

The interim limitations shall remain in effect until the Department issues an Air Minor Source operating permit to the Kenner Facility or until otherwise notified by the Department in writing.

B. The Respondent shall, at all times, properly operate and maintain all facilities and systems of control (and related appurtenances) which are installed or used by the Respondent to achieve compliance with the conditions of the interim limitations.

C. The Respondent shall report any exceedances of the above listed pollutants to the Department in writing, in accordance with the applicable requirements in LAC 33:I.Chapter 39.

D. If the Respondent does not choose to emit any air contaminants in the State of Louisiana from its Kenner Facility, the Respondent shall, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, provide written documentation to the Department that no activities have taken place at the facility resulting in any unauthorized discharges to the air.

III.

To conduct third party compliance audits of all Cummins Mid-South, L.L.C. facilities located in the State of Louisiana within thirty (30) days after receipt of this **COMPLIANCE ORDER**.

IV.

To submit to the Enforcement Division, within sixty (60) days of receipt of this **COMPLIANCE ORDER**, the results of the third party audits as described in Paragraph III of this **COMPLIANCE ORDER.**

V.

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 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: Bridget Rogers
Re: Enforcement Tracking No. AE-CN-15-00839
Agency Interest No. 9629

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-15-00839
Agency Interest No. 9629

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 Bridget Rogers at (225) 219-3748 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 23 day of July, 2015.

D. Chance McNeely
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: Bridget Rogers