STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:	*	**Settlement Tracking No.**
	*	**SA-AE-20-0011**
SHINTECH LOUISIANA, LLC	*	
	*	**Enforcement Tracking No.**
AI # 126578	*	**AE-CN-16-00809**
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	
ENVIRONMENTAL QUALITY ACT	*	
LA. R.S. 30:2001, ET SEQ.	*	

SETTLEMENT

The following Settlement is hereby agreed to between Shintech Louisiana, 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 facility located in Iberville Parish, Louisiana ("the Facility").

II

On April 18, 2018, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. AE-CN-16-00809 (Exhibit 1).

III

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties.

IV

Nonetheless, Respondent, without making any admission of liability under state or federal

statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of EIGHTY THOUSAND AND NO/100 DOLLARS ($80,000.00), of which Four Thousand One Hundred Sixty-Four and 55/100 Dollars ($4,164.55) 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 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 Iberville 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.

SHINTECH LOUISIANA, LLC

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

April 18, 2018

CERTIFIED MAIL (7016 2140 0000 5132 8437)
RETURN RECEIPT REQUESTED

SHINTECH LOUISIANA, LLC
c/o Capitol Corporate Services, Inc.
Agent for Service of Process
8550 United Plaza Building II, Ste. 305
Baton Rouge, LA 70809

RE: CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-16-00809
AGENCY INTEREST NO. 126578

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 **SHINTECH LOUISIANA, 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 Christopher Clement at (225) 219-3748 or Christopher.Clement@la.gov.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/CGC/cgc
Alt ID No. 1280-00118
Attachment

EXHIBIT
1

Post Office Box 4312 • Baton Rouge, Louisiana 70821-4312 • Phone 225-219-3715 • Fax 225-219-3708
www.deq.louisiana.gov

c: Shintech Louisiana. LLC
c/o Timothy Bergeron – Environmental Manager
P.O. Box 358
Addis, LA 70710

Unit	Permit No.	Issue Date	Expiration Date
SPP-1 (VCM-1)	1280-00118-V3	September 16, 2010	September 16, 2015
SPP-1 (VCM-1)	1280-00118-V4	May 9, 2012	September 16, 2015
SPP-1 (VCM-1)	1280-00118-V5	September 25, 2013	September 16, 2015
SPP-1 (VCM-1)	1280-00118-V6	November 16, 2015	November 16, 2020
SPP-1 (VCM-1)	1280-00118-V6 AA	January 8, 2016	November 16, 2020
SPP-2 (VCM-2)	3063-V0	July 10, 2008	July 10, 2013
SPP-2 (VCM-2)	3063-V1	May 20, 2010	July 10, 2013
SPP-2 (VCM-2)	3063-V2	July 31, 2012	July 10, 2013
SPP-2 (VCM-2)	3063-V3	September 25, 2013	September 25, 2018
SPP-2 (VCM-2)	3063-V4	April 17, 2014	September 25, 2018
SPP-2 (VCM-2)	3063-V5	January 30, 2017	September 25, 2018
Hydrochloric Acid Production Furnace 1 (HAPF-1)	3064-V0	February 27, 2009	February 27, 2014
HAPF-1	3064-V1	June 29, 2012	February 27, 2014
HAPF-1	3064-V2	February 1, 2013	February 27, 2014
HAPF-1	3064-V3	February 26, 2014	February 26, 2019
HAPF-2	3066-V0	June 29, 2010	June 29, 2015
HAPF-2	3066-V1	June 29, 2012	June 29, 2015
HAPF-2	3066-V2	February 1, 2013	June 29, 2015
HAPF-2	3066-V3	May 1, 2015	May 1, 2020
Plaquemine Ethylene Plant 1 (PEP-1)	3129-V0	December 4, 2014	December 4, 2019
PEP-1	3129-V1	June 11, 2015	December 4, 2019
PEP-1	3129-V2	June 20, 2016	December 4, 2019
HAPF-3	3110-V0	September 4, 2013	September 4, 2018
HAPF-3	3110-V1	April 15, 2014	September 4, 2018

II.

On or about September 22, 2014, September 23, 2014, September 25, 2014, September 26, 2014, October 1, 2014, October 2, 2014, October 3, 2014, October 6, 2014, October 13, 2014, October 14, 2014, October 15, 2014, October 16, 2014, October 17, 2014, November 12, 2014, and November 22, 2014, inspections of the Respondent's facility were conducted 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 violations were noted during the course of the inspections and subsequent file review conducted December 20, 2017:

A. During a review of the daily visual inspection records for opacity monitoring for the cyclones/baghouses for the silos (EQTs 0032, 0033, 0034, 0035, 0036, 0037, and 0038) and hoppers (EQTs 0175 and 0176; 0177 not constructed at the time of inspection), collectively (CRG0001), in the PVC Unit, it was

discovered that there was no record of inspections conducted on February 2, 2012, January 10, 2013, January 29, 2013, January 30, 2013, January 31, 2013, February 6, 2013, February 7, 2013, February 24, 2013, and October 2, 2013. Each failure to maintain daily visual inspection records as required is a violation of Specific Requirement No. 5 of Title V Permit Nos. 1280-00118-V3/V4/V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated the daily visual inspections have been revised to require the inspection records to be reviewed by the shift supervisor daily to ensure all daily visual inspections are performed and records maintained as required.

B. There was no record of weekly visual inspections for approximately 29 weeks, between March 8, 2012, and January 28, 2014, for pumps in the PVC Unit. Each failure to maintain weekly visual inspection records for each pump as required is a violation of Specific Requirement Nos. 1239, 1258, and 1241 of Title V Permit Nos. 1280-00118-V3/V4/V5, LAC 33:III.501.C.4, 40 CFR 63.181(c), which language has been adopted as a Louisiana regulation in LAC 33:III.5122 and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that procedures have been revised such that the pump inspections are now performed by the Respondent's Operations personnel rather than contract employees and the inspection requirement is listed on the Operation's checklist.

C. The Respondent failed to record the monitoring of pumps that are not equipped with a dual mechanical seal (Pump Seal Check Sheet) for leaks once per month from June 2012 to November 2013, a period of 20 months, and February 2014 in the PVC Unit. Each failure to record the monitoring of pumps monthly as required is a violation of Specific Requirement Nos. 1171, 1190, and 1173, respectively, of Title V Permit Nos. 1280-00118-V3/V4/V5, LAC 33:III.501.C.4, 40 CFR 63.163(b)(1), which language has been adopted as a Louisiana regulation in LAC 33:III.5122, and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that procedures have been revised such that the pump inspections are now performed by the Respondent's Operations personnel rather than contract employees and the inspection requirement is listed on the Operation's checklist.

D. The 2013 Leak Detection and Repair (LDAR) Leaking Components Record for Compressors PCM-1351A, B, and C in the PVC Unit revealed a leak was found for these compressors on May 20, 2013. The repairs were completed on June 13, 2013, a period of 24 days from the date the leak was detected. Therefore, repairs were not completed within 15 days of finding a leak. Each failure to complete leak repairs within 15 days of detection is a violation of Specific Requirement Nos. 1191, 1210, and 1193, respectively, of Title V Permit Nos. 1280-00118-V3/V4/V5, LAC 33:III.501.C.4, 40 CFR 63.164(g)(1), which language has been adopted as a Louisiana regulation in

LAC 33:III.5122, and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that procedures have been revised such that the PVC Unit delay of repair program has been improved, updated and implemented. A third party contractor has been contracted to perform the LDAR monitoring in the PVC Unit.

E. The weekly visual inspection records for pumps in the VCM-2 Unit, (see Table A), in which a leak was checked as having occurred, did not have comments as to whether it was stopped, repaired, or other records documenting the repair. Therefore, the Respondent did not retain records of repair for the leaks from pumps listed in Table A in the VCM-2 Unit. Each failure to retain records of repair for the leaks from pumps is a violation of Specific Requirement Nos. 498 and 546 of Title V Permit Nos. 3063-V2/V3/V4, LAC 33:III.501.C.4, 40 CFR 63.181(d), which language has been adopted as a Louisiana regulation in LAC 33:III.5122, and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that procedures have been revised such that a new third party contractor has been contracted to perform the LDAR monitoring in the VCM-2 Unit and all leak repair records will be retained.

Table A	
Pump in VCM-2	**Date of Leak**
2MPU-313B	January 5, 2013
2MPU-407A	January 12, 2013
2MPU-407B	January 12, 2013
2MPU-409A	January 12, 2013
2MPU-409B	January 12, 2013
2MPU-731	March 2, 2013
2MCM-419B	March 9, 2013
2MPU-491B	March 9, 2013
D1 Area Pumps (Except 2MPU-309A and B – Canned Pumps [Sealed])	June 14, 2014
2MPU-402A	July 5, 2014
2MPU-695B	October 11, 2014
2MPU-730B	October 11, 2014

F. The weekly visual inspection records for pumps in VCM-2 revealed the Respondent did not have a record of this inspection being conducted for all the applicable pumps in Table B. Therefore, the Respondent did not maintain weekly visual inspection records for the leaks on pumps in Table B in the VCM-2 Unit. Each failure to maintain weekly visual inspection records for leaks from pumps is a violation of Specific Requirement No. 546 of Title V Permit Nos. 3063-V3/V4, LAC 33:III.501.C.4, 40 CFR 63.181(c), which language has been adopted as a Louisiana regulation in LAC 33:III.5122 and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that a daily review of all VCM-1 and VCM-2

environmental records by the Environmental Department has been implemented, including the weekly VCM-2 pump inspection records.

Table B	
Pump in VCM-2	Date No Weekly Inspection Conducted
2MPU-506A	March 8, 2014
2MPU-506B	March 8, 2014
2MPU-496	March 8, 2014
All Pumps	Between April 12, 2014, and April 26, 2014
2MPU-300A	May 3, 2014
2MPU-300B	May 3, 2014
2MPU-300C	May 3, 2014

G. The Respondent was using an alternate method for sampling for leaks from heat exchange systems in the VCM-1 Plant for Units VCM-1 (EQT0012) and VCM-2 (EQT0128). Respondent representatives stated that the analysis used has no method number and the Respondent/permitee was in the process of requesting approval for this alternate monitoring. This method has been used since the facility started. However, approval had not been obtained from the Department. Failure to obtain approval to use an alternate method of sampling for leaks from heat exchange systems is a violation of Specific Requirement Nos. 79 and 113, respectively, of Title V Permit Nos. 1280-00118-V5 and 3063-V4, LAC 33:III.501.C.4, 40 CFR 63.104(b)(3), which language has been adopted as a Louisiana regulation in LAC 33:III.5122 and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that a procedure for quarterly heat exchange system sampling as required by 40 CFR 63.104(b) will be implemented. Samples will be analyzed using EPA approved methods found in 40 CFR 136.

H. The Title V Semiannual Monitoring Reports listed in Table C were submitted after the required date of submission. A subsequent file review revealed that the Title V Annual Compliance Certifications listed in Table C were submitted after the required date of submission. Each failure to timely submit the reports listed in Table C is a violation of the Title V Permit Nos. listed below, LAC 33:III.535.A General Conditions K and M, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that a reporting schedule has been created and implemented. Reports will be submitted on or before the required submittal date.

Table C. Title V Annual Compliance Certifications / Semiannual Monitoring Reports			
Title V Report	Title V Permit No.	Date Submitted (Postmark Date)	Due Date
2012 Semiannual First Half Monitoring Report	3066-V1	October 2, 2012	September 30, 2012
2012 Annual Compliance Certification	1280-00118-V4	April 2, 2013	March 31, 2013
2012 Semiannual Second Half Monitoring Report	1280-00118-V4	April 2, 2013	March 31, 2013
2012 Annual Compliance Certification	3063-V2	April 2, 2013	March 31, 2013
2012 Semiannual Second Half Monitoring Report	3063-V2	April 2, 2013	March 31, 2013
2012 Annual Compliance Certification	3066-V1	April 2, 2013	March 31, 2013
2012 Semiannual Second Half Monitoring Report	3066-V1	April 2, 2013	March 31, 2013
2012 Annual Compliance Certification	3064-V1	April 3, 2013	March 31, 2013
2012 Semiannual Second Half Monitoring Report	3064-V1	April 3, 2013	March 31, 2013

I. The LDAR Semiannual Reports required by 40 CFR 63 Subpart H from the Second Half 2012 through the First Half 2014 for Air Permits 3063-V2 and 1280-00118-V3 (PVC and VCM-1 Units) were submitted later than the six (6) month time period after the Notification of Compliance Status and semiannually thereafter as required by 40 CFR 63.182(d)(1). Failure to timely submit LDAR Semiannual Reports is a violation of Title V Permit Nos. 3063-V1 (Specific Requirement 572), 3063-V2 (Specific Requirement 502), 3063-V3 (Specific Requirement 550), 3063-V4 (Specific Requirement 550), and 1280-00118-V3 (Specific Requirements 1147 and 1243), 1280-00118-V4 (Specific Requirements 1166 and 1262), 1280-00118-V5 (Specific Requirements 1149 and 1245), LAC 33:III.501.C.4, 40 CFR 63.182(d)(1), which language has been adopted as a Louisiana regulation in LAC 33:III.5122 and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that a reporting schedule has been

created and implemented. The Subpart H reports were submitted on February 27, 2015.

J. The Periodic Reports required by 40 CFR 63 Subpart G (HON) for the Second Half 2012 through the First Half 2014 for Title V Permit Nos. 3063-V2 and 1280-00118-V3 (PVC and VCM-1 Units) were not submitted or were postmarked later than 60 calendar days after the end of each six (6) month period as required by 40 CFR 63.152(c)(1). The reports for the Second Half 2012 through the First Half 2014 for Title V Permit No. 1280-00118-V3 were submitted and postmarked February 27, 2015. First Half 2014 Periodic reports for Title V Permit No. 3063-V2 were submitted and postmarked February 27, 2015. Second Half 2012 through Second Half 2013 Periodic Reports for Title V Permit No. 3063-V2 were not submitted. Each failure to timely submit and/or to submit Periodic Reports is a violation of LAC 33:III.501.C.4, 40 CFR 63.152(c)(1), which language has been adopted as a Louisiana regulation in LAC 33:III.5122 and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that a reporting schedule has been created and implemented.

K. The 40 CFR 63 Subpart G (HON) Periodic Report for Title V Permit No. 1280-00118-V4 for the Semiannual period from February 18, 2012, through August 17, 2012, was submitted to the Department on November 29, 2012, which is greater than sixty (60) days after the six month period covered by the report. Therefore, the Respondent submitted the report late. Failure to timely submit Periodic Reports is a violation of Specific Requirement No. 1433 of Title V Permit No. 1280-00118-V4, LAC 33:III.501.C.4, 40 CFR 63.152(c)(1), which language has been adopted as a Louisiana regulation in LAC 33:III.5122 and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that a reporting schedule has been created and implemented.

L. The following reports listed in Table D that are required by 40 CFR Part 60 Subpart Db were not submitted or were postmarked after the 30th day following the end of the reporting period as required by 40 CFR 60.49b(w). Failure to timely submit Semiannual Reports is a violation of Specific Requirements as shown in Table D of Title V Permit Nos. 1280-00118-V4/V5, Title V Permit Nos. 3063-V3/V4, 40 CFR 60.49b(w), which language has been adopted as a Louisiana regulation in LAC 33:III.3003 and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that a reporting schedule has been created and implemented.

Table D. 40 CFR Part 60 Subpart Db Semiannual Reports				
Reporting Period	Permit No.	Emission Point	Specific Requirement(s)	Submittal / Postmark Date
2012 First Half Semiannual Report	1280-00118-V4	Boilers A, B, C, and D (EQTs 0039, 0040, 0041, 0042)	188, 189, 207, 208, 226, 227, 245, 246	Not Submitted
2012 Second Half Semiannual Report	1280-00118-V4	Boilers A, B, C, and D (EQTs 0039, 0040, 0041, 0042)	188, 189, 207, 208, 226, 227, 245, 246	Not Submitted
2013 First Half Semiannual Report	1280-00118-V4	Boilers A, B, C, and D (EQTs 0039, 0040, 0041, 0042)	188, 189, 207, 208, 226, 227, 245, 246	Not Submitted
2013 Second Half Semiannual Report	1280-00118-V4	Boilers A, B, C, and D (EQTs 0039, 0040, 0041, 0042)	188, 189, 207, 208, 226, 227, 245, 246	Not Submitted
2014 First Half Semiannual Report	1280-00118-V5	Boilers A, B, C, and D (EQTs 0039, 0040, 0041, 0042)	186, 187, 205, 206, 224, 225, 243, 244	January 30, 2015
2012 First Half Semiannual Report	3063-V3	Boilers A, B, and C (EQTs 0112, 0113, 0226)	40 CFR 60.49b(h), (i), and (w)	Not Submitted
2012 Second Half Semiannual Report	3063-V3	Boilers A, B, and C (EQTs 0112, 0113, 0226)	40 CFR 60.49b(h), (i), and (w)	Not Submitted
2013 First Half Semiannual Report	3063-V3	Boilers A, B, and C (EQTs 0112, 0113, 0226)	40 CFR 60.49b(h), (i), and (w)	Not Submitted
2013 Second Half Semiannual Report	3063-V3	Boilers A, B, and C (EQTs 0112, 0113, 0226)	40 CFR 60.49b(h), (i), and (w)	Not Submitted

Table D. 40 CFR Part 60 Subpart Db Semiannual Reports				
Reporting Period	Permit No.	Emission Point	Specific Requirement(s)	Submittal / Postmark Date
2014 First Half Semiannual Report	3063-V4	Boilers A, B, and C (EQTs 0112, 0113, 0226)	40 CFR 60.49b(h), (i), and (w)	January 30, 2015

M. The Notification of Compliance Status (NCS) required by 40 CFR Part 63 Subpart G (HON) was submitted for the VCM-2 Plant (Air Permit 3063-V4) more than 150 calendar days after the applicable compliance date in 40 CFR 63.152(b). The VCM-2 Plant is considered a new source and according to 40 CFR 63.100(k)(1)(ii) shall be in compliance upon initial startup. According to an email dated December 18, 2017, the VCM-2 Plant commenced operations on July 7, 2011. The NCS was required to be submitted no later than December 4, 2011. Therefore, the NCS was submitted late. Failure to timely submit NCS is a violation of Title V Permit No. 1280-00118-V4, LAC 33:III.501.C.4, 40 CFR 63.152(b), which language has been adopted as a Louisiana regulation in LAC 33:III.5122 and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that the Subpart G NCS was submitted on February 27, 2015.

N. The Respondent submitted the NCS for the HAPF-1 Unit on or about September 10, 2013, which is greater than ninety (90) days after completion of the Comprehensive Performance Test (CPT) on or about February 1, 2012. Therefore, the NCS was submitted late. Failure to timely submit NCS is a violation of Specific Requirement No. 27 of Title V Permit No. 3064-V3, LAC 33:III.501.C.4, 40 CFR 63.9(h)(3) and 40 CFR 63.1207(j)(1)(i), which language has been adopted as a Louisiana regulation in LAC 33:III.5122 and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that reports will be submitted on or before the required submittal date.

O. The Respondent did not develop a Quality Improvement Program (QIP) as required by 40 CFR Part 64 (Compliance Assurance Monitoring (CAM)) for the delivery silos (EQTs 0032, 0033, 0034, 0035, 0036, 0037, and 0038) and loading hoppers (EQTs 0175, 0176, and 0177), collectively (CRG 0001), in the PVC Plant. Failure to develop a QIP is a violation of Specific Requirement No. 11 of Title V Permit No. 1280-00118-V5, LAC 33:III.501.C.4, and 40 CFR 64.8(c). In correspondence dated September 30, 2016, the Respondent stated that at the time of the inspection, no exceedances had, or have since, occurred at the delivery silos and loading hoppers (CRG 0001) requiring the implementation of a QIP. Therefore, a QIP has not been required to be developed and implemented. If exceedances occur that require the

implementation of a QIP, the plan will be developed and implemented as expeditiously as practicable.

P. The Respondent did not either determine the design criteria applicable to the presence of and frequency of drips or did not record the design criteria for dual mechanical seal pumps in the VCM-2, VCM-1, and PVC Plants (FUG 0008, FUG 0002, and FUG 0004). These pumps can be exempt from the requirements of 40 CFR 63 Subpart H (HON) 40 CFR 63.163(a) through (d) if the requirements under 40 CFR 63.163(e)(1) through (6) are met. The requirement at 40 CFR 63.163(e)(6)(i) requires the facility to determine criteria applicable to the presence of and frequency of drips. The requirement at 40 CFR 63.181(b)(6)(i) is to record the design criteria required in 40 CFR 63.163(e)(6)(i). The NCS for VCM-1 and VCM-2 Plants dated May 21, 2009, and September 10, 2012, respectively, states there are approximately 90 dual mechanical seal pumps each in VCM-1 and VCM-2 Plants. Failure to determine the design criteria applicable to the presence of and frequency of drips or record the design criteria for dual mechanical seal pumps is a violation of Specific Requirement No. 477 of Title V Permit No. 3063-V4 and Specific Requirement Nos. 1084 and 1182 of Title V Permit No.1280-00118-V5, LAC 33:III.501.C.4, 40 CFR 63.163(e)(6)(i) and 63.181(b)(6)(i), which language has been adopted as a Louisiana regulation in LAC 33:III.5122 and La. R.S. 30:2057(A)(2). In correspondence dated September 30, 2016, the Respondent stated that a definition of pump seal leaks, including design criteria applicable to the presence of and frequency of drips has been developed for the dual mechanical seal pumps in the VCM-1, VCM-2, and PVC Plants.

Q. The Respondent submitted the permit renewal application for Title V Permit No. 3064-V2 on or about December 11, 2013, approximately 78 days before Title V Permit No. 3064-V2 expired on February 27, 2014. The failure to submit the renewal application at least 180 days prior to the expiration date of a permit is a violation of Part 70 General Condition A of Title V Permit No. 3064-V2, LAC 33:III.535.A. LAC 33:III.501.C.4, LAC 33:III.507.E.4, and La. R.S. 30:2057(A)(2). Title V Permit No. 3064-V3 was issued on February 26, 2014.

R. As of the site tour of the facility on October 16, 2014, the Respondent was using vinyl chloride calibration gases in two cylinders in the PVC Plant for the fugitive emission source vinyl chloride area monitoring system that had expired on September 27, 2014. Therefore, the Respondent failed to maintain a reliable and accurate vinyl chloride monitoring system for detection of major leaks as specified in 40 CFR 61.65(b)(8)(i)(D)(1). Failure to maintain a reliable and accurate vinyl chloride monitoring system is a violation of Specific Requirement No. 1166 of Title V Permit No. 1280-00118-V5, 40 CFR 61.65(b)(8)(i), which language has been adopted as a Louisiana regulation in LAC 33:III.5116, LAC 33:III.501.C.4 and

La. R.S. 30:2057(A)(2). Included in the inspection report the Respondent submitted a Certificate of Analysis dated October 23, 2014, and photographs of the calibration gas cylinders to the inspector after the site visit with an expiration date of October 23, 2016.

S. During a site tour of the facility on October 17, 2014, it was observed that vinyl chloride calibration gases in two cylinders in the VCM-2 Plant for the fugitive emission source vinyl chloride area monitoring system expired on September 27, 2014. Therefore, the Respondent failed to maintain a reliable and accurate vinyl chloride monitoring system for detection of major leaks as specified in 40 CFR 61.65(b)(8)(i)(D)(1). Failure to maintain a reliable and accurate vinyl chloride monitoring system is a violation of Specific Requirement No. 1062 of Title V Permit No. 3063-V4, 40 CFR 61.65(b)(8)(i), which language has been adopted as a Louisiana regulation in LAC 33:III.5116, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2). Included in the inspection report the Respondent submitted a Certificate of Analysis dated October 23, 2014, and photographs of the calibration gas cylinders to the inspector after the site visit with an expiration date of October 23, 2016.

III.

On or about December 20, 2017, a file review of the Respondent's facility was conducted 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 violations were noted during the course of the subsequent file review:

A. On or about December 16, 2012 a release of 46.5 pounds of ethylene, 0.45 pounds of VCM, and 142.2 pounds of 1,2 dichloroethane (EDC), Incident No. T-145380, occurred at the facility. VCM-1 unit lost supply pressure on the steam header due to a loss of utility boilers causing a disturbance in the process resulting in the gas thermal oxidizer (GTO) tripping offline. The VCM distillation column unloaded and VCM was vented through the vent header to the GTOs. The GTOs tripped resulting in VCM, EDC, and Ethylene from the Oxy process to vent to the atmosphere through storage tank (EQTs 0069 - 0074, 0077, and 0078) emergency vents and process vents. In the Unauthorized Discharge Notification Report dated December 28, 2012, the Respondent determined that this release was preventable. Therefore, the preventable release is a violation of LAC 33:III.905 and La. R.S. 30:2057(A)(2).

B. On or about March 21, 2013, a release of 411 pounds of VCM, Incident No. 147505, was vented to the atmosphere at the facility. VCM was inadvertently released from the reactor during degassing of the reactor through a Polyvinyl Chloride (PVC) water knock out tank after returning the reactor from a planned maintenance outage during a reactor evacuation step. The sequence valves automatically closed once the evacuation step was completed and

normal operations resumed once it was safe to charge the reactor system. According to a response dated April 3, 2013, the Respondent determined that this release was preventable. Therefore, the preventable release is a violation of LAC 33:III.905 and La. R.S. 30:2057(A)(2).

C. The Department received the Unauthorized Discharge Notification Report on or about April 17, 2013, twenty-seven (27) days after the release, Incident No. T-147505, that occurred on March 21, 2013. The 411 pounds of VCM released exceeded the reportable quantity of one (1) pound of VCM. Therefore, the Respondent submitted the Unauthorized Discharge Notification Report late. The Respondent's failure to timely submit the written notification is a violation of LAC 33:I.3925.A and La. R.S. 30:2057(A)(2).

IV.

On or about July 2, 2012, July 3, 2012, July 4, 2012, July 5, 2012, and July 6, 2012, inspections of the Respondent's facility were conducted 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 violations were noted during the course of the inspections and subsequent file review conducted on May 2, 2017:

A. On or about July 14, 2011, a release of 74.6 pounds of Hydrochloric Acid (HCl), 0.1 pounds of EDC and 14.3 pounds of VCM, Incident No. 132477, was released to the atmosphere at the facility. The release occurred when an operator attempted to isolate a small leak in a 3/8 tubing and the tubing ruptured causing the release. According to a response dated July 21, 2011, the Respondent determined that this release was preventable. Therefore, the preventable release is a violation of LAC 33:III.905 and La. R.S. 30:2057(A)(2).

B. On or about October 9, 2011, 10.2 pounds of HCl, 17.5 pounds of VCM and 839.6 pounds of EDC, Incident No. T-134475, was released to the atmosphere at the facility. The release occurred from a tube leak on the shell side of heat exchanger (2MHE-310) due to unexpected corrosion. The plant where the tubing was located was constructed in the preceding two (2) years. Metallurgy tests were conducted to determine if the tube metal was defective. The Respondent determined that the release was preventable. Therefore, the preventable release is a violation of LAC 33:III.905 and La. R.S. 30:2057(A)(2).

C. On or about June 19, 2012, the Department responded to a release of 0.03 pounds of chlorine at the facility, Incident T-140599. The level controller on tank ATK-211 was being replaced while operating. ATK-211 overflowed to ATK-212 and the seal pot on ATK-212 over pressured causing an intermittent release of chlorinated brine to the pad releasing chlorine in a burping fashion.

Two (2) contractors were injured during the incident and required medical treatment. The preventable release is a violation of LAC 33:III.905, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

V.

On or about March 26, 2012, March 27, 2012, March 28, 2012, and March 29, 2012, inspections of the Respondent's facility were conducted 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 violations were noted during the course of the inspections and subsequent file review conducted on May 2, 2017:

A. The Process Hazard Analyses (PHA) failed to address human factors. There was one scenario related to human factors that resulted in a recommendation but the PHA as a process did not incorporate an evaluation of a wide scope of common and usual human factors evaluated during an initial PHA. Each failure to address human factors as required is a violation of Specific Requirement 1460 of Title V Permit No. 1280-00118-V3, LAC 33:III.501.C.4, 40 CFR 68.67(c)(6), which language has been adopted as a Louisiana regulation in LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2).

B. The Respondent did not establish written procedures for maintaining instruments. Each failure to establish written procedures for maintaining instruments as required is a violation of Specific Requirement 1460 of Title V Permit No. 1280-00118-V3, LAC 33:III.501.C.4, 40 CFR 68.73(b), which language has been adopted as a Louisiana regulation in LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2). According to a response dated April 13, 2012, the Respondent stated that the written procedures for Mechanical Integrity (MI) of Pressure Safety Valves (PSV) and pumps were presented to the inspector on or about April 5, 2012, during a follow up inspection. The Respondent also stated that the policies and procedures need to include the document number, affected dates, review dates, and who approved them.

C. The Respondent failed to ensure that the frequency of pump and instrument inspections are consistent with the manufacturer's recommendations, good engineering practices and prior operating experience. Oil changes for pumps in the VCM-1 unit are scheduled for every 180 days however; they were conducted every 365 days. Each failure to ensure that the frequency of pump and instrument inspections were consistent with the manufacturer's recommendations, good engineering practices and prior operating experience as required is a violation of Specific Requirement 1460 of Title V Permit No. 1280-00118-V3, LAC 33:III.501.C.4, 40 CFR 68.73(d)(3), which language has been adopted as a Louisiana regulation in LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2). According to a response dated April 13, 2012, the Respondent stated that the documentation for oil changes on rotating

equipment was presented to the inspector on or about April 5, 2012, during a follow up inspection.

D. The Respondent failed to perform inspections and tests on instruments. The stated inspection/testing interval for instruments in policy SLA SAF 026 R00 section 6.5 is quarterly and scheduled outages. This is not consistent with the section covering alarm, interlocks, emergency shutdowns, and control devices where no inspection interval is identified. Each failure to perform inspections and tests on instruments as required is a violation of Specific Requirement 1460 of Title V Permit No. 1280-00118-V3, LAC 33:III.501.C.4, 40 CFR 68.73(d)(1), which language has been adopted as a Louisiana regulation in LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2). According to a response dated April 13, 2012, the Respondent stated that PSVs were not inspected during the preceding turnaround because they were only two (2) years old and API 506 and 510 standards were discussed. Additionally, the VCM-1 Unit operator inspects for blown RDs by checking the pressure gauge between the RD and the PSV monthly.

E. The Respondent failed to meet documentation requirements for instrument and pump inspections. Instruments in the Phase 1 part of VCM-1 should have been tested during the 2010 turnaround. Flowserve conducted inspections of all their control valves but did not document the inspections. No instruments reviewed by the inspector met the documentation requirements in the rule with the exception of a small set of instruments. Each failure to meet documentation requirements for instrument and pump inspections as required is a violation of Specific Requirement 1460 of Title V Permit No. 1280-00118-V3, LAC 33:III.501.C.4, 40 CFR 68.73(d)(4), which language has been adopted as a Louisiana regulation in LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2). According to a response dated April 13, 2012, the Respondent stated that the written procedures required for instruments and pumps were presented to the inspector on or about April 5, 2012, during a follow up inspection.

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 Act, Air Quality Regulations, and all applicable permits.

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written document detailing the sampling method used for leaks in the

VCM-1 Plant and/or documentation from LDEQ and/or EPA approving any alternate method used, as referenced in Paragraph II.G of this Order.

III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the Periodic Reports required by 40 CFR 63 Subpart G (HON) for the 1st Half 2013 through the 2nd Half 2013 for Air Permit 3063-V2, as referenced in Paragraph II.J of this Order.

IV.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the 2013 Semiannual Reports required by 40 CFR Part 60 Subpart Db for Boilers A, B, C, D (Permit 1280-00118-V4 – EQTs 0039, 0040, 0041, 0042) in the SPP-1 Plant and Boilers A, B, and C (Permit 3063-V3 – EQTs 0112, 0113, 0226) in the SPP-2 Plant, as referenced in Paragraph II.L of this Order.

V.

To submit to the Enforcement Division, within ninety (90) days after receipt of this **COMPLIANCE ORDER**, a QIP as required by 40 CFR Part 64 (Compliance Assurance Monitoring (CAM)) and Specific Requirement No. 11 of Title V Permit No. 1280-00118-V5 for the delivery silos and loading hoppers (CRG 0001) in the PVC Plant, as referenced in Paragraph II.O of this Order.

VI.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, documentation determining the design criteria applicable to the presence of and frequency of drips or records of the design criteria for dual mechanical seal pumps in the VCM-1, VCM-2, and PVC Plants, as referenced in Paragraph II.P of this Order.

VII.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, documentation of Process Hazard Analyses (PHA) addressing human factors, as referenced in Paragraph V.A of this Order.

VIII.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, documentation demonstrating inspections and tests on instruments are conducted at the required frequencies, as referenced in Paragraph V.D of this Order.

IX.

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: Christopher Clement
Re: Enforcement Tracking No. AE-CN-16-00809
Agency Interest No. 126578

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-16-00809
Agency Interest No. 126578

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 Christopher Clement 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. 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 18th day of April, 2018.

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: Christopher Clement

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.	AE-CN-16-00809	Contact Name	Christopher Clement
Agency Interest (AI) No.	126578	Contact Phone No.	(225) 219-3748
Alternate ID No.	1280-00118		
Respondent:	SHINTECH LOUISIANA, LLC	Facility Name:	Plaquemine PVC Plant
	c/o Capitol Corporate Services, Inc.	Physical Location:	26270 Louisiana Highway 405
	Agent for Service of Process		
	8550 United Plaza Building II, Ste. 305	City, State, Zip:	Plaquemine, LA, 70764
	Baton Rouge, LA 70809	Parish:	Iberville

STATEMENT OF COMPLIANCE

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph IX of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraphs II through IV and VI through VIII of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 45 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) ? of the "Order" portion of the COMPLIANCE ORDER.	N/A	N/A
All necessary documents were submitted to the Department within 90 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph V of the "Order" portion of the COMPLIANCE ORDER.		
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:		

SETTLEMENT OFFER *(OPTIONAL)*

(check the applicable option)

____	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:I.Subpart1.Chapter7.
____	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-16-00809), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
____	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-16-00809), 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-CN-16-00809) 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: Christopher Clement