

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

SYNGENTA CROP PROTECTION, LLC

AI # 2367

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

* Settlement Tracking No.
* SA-AE-20-0014
*
* Enforcement Tracking No.
* AE-CN-16-00092
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SETTLEMENT

The following Settlement is hereby agreed to between Syngenta Crop Protection, 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 pesticide manufacturing facility located in St. Gabriel, Iberville Parish, Louisiana (“the Facility”).

II

On February 5, 2019, the Department issued to Respondent Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. AE-CN-16-00092 (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 SEVENTEEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$17,500.00), of which Two Thousand Three Hundred Thirty-Two and 48/100 Dollars (\$2,332.48) 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.

SYNGENTA CROP PROTECTION, LLC

BY: Kevin Duhe'
(Signature)

Kevin Duhe'
(Printed)

TITLE: Head of Supply N. America

THUS DONE AND SIGNED in duplicate original before me this 30th day of June, 20 20, at Guilford County, NC



Kearsten M Fike
NOTARY PUBLIC (ID # N/A)

Kearsten M Fike
(stamped or printed)

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

BY: [Signature]
Lourdes Iturralde, Assistant Secretary
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 1st day of October, 20 20, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # 92503)

Amber Gremillion Litchfield
(stamped or printed)

Approved: [Signature]
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

February 5, 2019

CERTIFIED MAIL (7005 1820 0002 2361 5910)
RETURN RECEIPT REQUESTED

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

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-16-00092
AGENCY INTEREST NO. 2367**

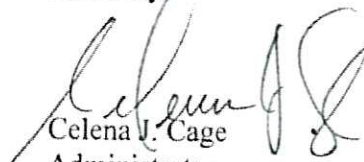
Dear Sir:

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 **SYNGENTA CROP PROTECTION, 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 Antoinette Cobb at (225) 219-3072 or via email at antoinette.cobb@la.gov.

Sincerely,


Celena J. Cage
Administrator
Enforcement Division

CJC/AFC/afc
Alt ID No. 1280-00007
Attachment



c: Syngenta Crop Protection, LLC
Attn: Mr. Victor Cross, Environmental Lead
P.O. Box 11
St. Gabriel, LA 70776

STATE OF LOUISIANA
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF

SYNGENTA CROP PROTECTION, LLC
 IBERVILLE PARISH
 ALT ID NO. 1280-00007

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

*
 *
 * ENFORCEMENT TRACKING NO.
 *
 * AE-CN-16-00092
 *
 * AGENCY INTEREST NO.
 *
 * 2367
 *

CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **SYNGENTA CROP PROTECTION, LLC (RESPONDENT)** by the Louisiana Department of Environmental Quality (the Department), under the authority granted by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001, et seq., and particularly by La. R.S. 30:2025(C), 30:2050.2 and 30:2050.3(B).

FINDINGS OF FACT

I.

The Respondent owns and/or operates St. Gabriel Plant (the facility), a pesticide manufacturing facility, located at 3905 Louisiana Highway 75 in St. Gabriel, Iberville Parish, Louisiana. The Facility operates or has operated under the authority of the following Title V Air Quality Permits:

UNIT	PERMIT	ISSUE DATE	EXPIRATION DATE
Utilities Area	2610-V4	04/20/2017	04/20/2022
	2610-V3	12/19/2011	12/19/2016
Environmental Operations	2718-V7	04/09/2018	02/16/2022
	2718-V6	02/16/2017	02/16/2022
	2718-V5	09/17/2015	06/23/2016
	2718-V4	06/23/2011	06/23/2016

UNIT	PERMIT	ISSUE DATE	EXPIRATION DATE
Multiproduct Facility	2842-V4	01/20/2017	07/08/2019
	2842-V3	07/08/2014	07/08/2019
	2842-V2	07/21/2009	07/21/2014
Packaging Facility	2987-V4	09/23/2016	09/23/2021
	2897-V3AA	02/07/2014	01/13/2016
	2897-V3	11/25/2013	01/13/2016
	2897-V2	10/29/2012	01/13/2016
Hydrogen Cyanide Production	2898-V5	08/26/2016	08/26/2021
	2898-V4	11/08/2011	02/07/2016
	2898-V3	02/07/2011	02/07/2016
Herbicide Production Facility	2904-V5	01/19/2017	01/19/2022
	2904-V4	09/17/2015	04/20/2016
	2904-V3AA	01/15/2013	04/20/2016
Micro-manufacturing Unit	2931-V9	03/09/2018	07/21/2022
	2931-V8	07/21/2017	07/21/2022
	2931-V7	12/27/2016	02/03/2017
	2931-V6	05/09/2016	02/03/2017
	2931-V5	02/12/2014	02/03/2017
	2931-V4AA	08/05/2013	02/03/2017
	2931-V4	04/10/2013	02/03/2017
	2931-V3	02/03/2012	02/03/2017
Inteon Facility	3045-V4	01/19/2017	01/19/2022
	3045-V3	09/14/2011	09/14/2016

II.

The Department conducted Full Compliance Evaluation (FCE) Inspections on the following days at the facility: December 28, 2011-January 11, 2012, December 18-20, 2013 and January 7, 2014, and November 17, 23-24, 2015 and December 3, 2015. Subsequent file reviews were conducted on or about August 25, 2015, June 19-20, 2017, and October 1, 2018. The inspections and file reviews were conducted by the Department to determine the Respondent's degree of compliance with the Act, the Air Quality Regulations, all applicable permits, and reports encompassing the July 1, 2013 through December 31, 2015 reporting period. While the Department's review is not complete, the following

violations found in Paragraphs III-IX of the Findings of Fact portion of this enforcement action were noted during the course of the inspections and/or file reviews.

III.

The Respondent reported the following unauthorized releases:

	REPORT (date)	PERMIT NUMBER (source)	INCIDENT DATE (duration)	POLLUTANTS RELEASED	QUANTITY REPORTED (LBS)	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	Unauthorized Discharge Notification Report for Incident T153217 (01/15/2014)	2904-V3AA (FUG0003)	01/08/2014 (30 minutes)	Cyanogen Chloride	2.95	Leaking caused by high dryer drain levels; Preventable	LAC 33:III.501.C.4
B.	Unauthorized Discharge Notification for Incident T154868 (04/04/2014)	2904-V3AA (EQT 0048 Thermal Oxidizer 2904; EQT 0058 CATV 2904)	03/29/2014 (9 hours)	Toluene	437	Power failure caused by maintenance; preventable	LAC 33:III.905.A
	2014 1 st Semiannual Monitoring Report (09/30/2014)			Hydrogen Chloride	3.6		
	2014 1 st Semiannual Pesticide Active Ingredient MACT Report (09/30/2014)						
	2014 1 st Semiannual Monitoring Report (09/30/2014)						
C.	2015 2 nd Semiannual Monitoring Report (03/31/2016)	2904-V3AA (Thermal Oxidizer Collection Header)	07/04/2015 (19 minutes)	Toluene	4.5	TRZ Unit Thermal Oxidizer shut down during the Rotary Drum Filter upset causing air flow upset in vacuum header to thermal oxidizer.	LAC 33:III.501.C.4
D.	2015 2 nd Semiannual Monitoring Report (03/31/2016)	2904-V3AA (Thermal Oxidizer Collection Header)	07/17/2015 (29 minutes)	Toluene	19	TRZ Unit Thermal Oxidizer shutdown four (4) times while water flushing the reactors and strippers during the product change over.	LAC 33:III.501.C.4

	REPORT (date)	PERMIT NUMBER (source)	INCIDENT DATE (duration)	POLLUTANTS RELEASED	QUANTITY REPORTED (LBS)	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
E.	2015 2 nd Semiannual Monitoring Report (03/31/2016)	2904-V3AA (Thermal Oxidizer Collection Header)	07/27/2015 (15 minutes)	Toluene	1.52	TRZ Unit Thermal Oxidizer shutdown on high LEL while heating up stripper-115E. The shutdown was due to cooling water not lined up to overhead condenser.	LAC 33:III.501.C.4
F.	2015 2 nd Semiannual Monitoring Report (03/31/2016)	2904-V4 (Thermal Oxidizer Collection Header)	12/23/2015 (6 minutes)	Toluene	0.038	TRZ Unit Thermal Oxidizer shutdown while technicians were attempting to restart North Rotatory Drum Filter. Vacuum swing led to low air flow safety Interlock shutdown.	LAC 33:III.501.C.4

Each unauthorized release of emissions is a violation of any applicable permit and associated requirement(s) listed above, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

IV.

The Respondent reported the following violations of permitted operating parameters:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	2013 2 nd Semiannual Monitoring Report-Revision (04/07/2014)	2842-V2	RLP 0125 7-87 MPF Vent Gas Combustor	07/25/2013 (1 minute)	pH >=5.5 when combusting halogenated compounds	MPF unit personnel were venting transfer trailer being used for Carbon Tetrachloride recovery when the pH indication on the scrubber at the unit's Vent Gas Combustor fell to 4. Caustic had been added to the scrubber prior to the beginning of the operation and was immediately restarted when it was noted that the pH was dropping on the scrubber system.	Specific Requirement 58

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
B.	2013 2 nd Semiannual Monitoring Report-Revision (04/07/2014)	2842-V2	RLP 0125 7-87 MPF Vent Gas Combustor	07/30/2013	pH >=5.5 when combusting halogenated compounds	MPF unit personnel were blowing out the recycle line on a reactor when the pH indication on the scrubber at the unit's Vent Gas Combustor fell to 3.5 pH. Caustic had been added to the scrubber prior to the beginning of the operation and was immediately restarted when it was noted that the pH was dropping on the scrubber system.	Specific Requirement 58
C.	2013 2 nd Semiannual Monitoring Report-Revision (04/07/2014)	2904-V3AA	EQT0058 4-91 CATV System	11/22/2013	Carbon bed must be cooled to at least 38°C	The HPF Carbon Adsorption Unit (CATV-EQT 0058) shutdown due to a bed being advanced to the adsorb mode before it cooled down to 40°C on 60T10003. A diverter valve failed in the open position and should have been closed when the bed went into the regeneration mode.	LAC 33:III.905.A, Specific Requirement 90
D.	2013 2 nd Semiannual Monitoring Report-Revision (04/07/2014)	2904-V3AA	EQT0058 4-91 CATV System	11/22/2013 (14 hours)	Regeneration frequency cannot exceed 10 hours	Carbon bed remained in ADSORB mode for 14 hours	40 CFR 63.1368, LAC 33:III.905.A, Specific Requirement 87
E.	2014 1 st Semiannual Monitoring Report (09/30/2014)	2842-V2	RLP0125 7-87 MPF Vent Gas Combustor	03/01/2014 (2 minutes)	Operating temperature has to be greater than or equal to 1782°F	The BTU analyzer was working properly, but was unable to respond fast enough to handle a sudden burst of acetone vapors being introduced from a line that was being blown from vessel 3245-F. Temperature=1750°F	LAC 33:III.2115.B, Specific Requirement 55

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
F.	2014 1 st Semiannual Monitoring Report (09/30/2014)	2842-V2	RLP0125 7-87 MPF Vent Gas Combustor	03/04/2014 (2 minutes)	Operating temperature has to be greater than or equal to 1782°F	Automation BTU analyzer was working properly, but it expected the unit to be venting hydrogen due to the solvent/water batch from Step 2 Benoxacor. Gas valve compensated for programmed hydrogen content which caused temperature to drop due to less fuel in the actual stream vent; Temperature=1766°F	LAC 33:III.2115.B, Specific Requirement 55
G.	2014 1 st Semiannual Monitoring Report (09/30/2014)	2842-V2	RLP0125 7-87 MPF Vent Gas Combustor	03/20/2014 (2 minutes)	Operating temperature has to be greater than or equal to 1782°F	Temperature dip during Benoxacor campaign; temperature=1750°F	LAC 33:III.2115.B, Specific Requirement 55
H.	2014 1 st Semiannual Monitoring Report (09/30/2014)	2842-V2	RLP0125 7-87 MPF Vent Gas Combustor	05/31/2014 (4 minutes)	Operating temperature has to be greater than or equal to 1782°F	Venting hydrogen from vessels reduced the natural gas feed to the VGC allowing the carbon dioxide and nitrogen to drop the temperature; temperature=1751°F	LAC 33:III.2115.B, Specific Requirement 55
I.	2014 1 st Semiannual Monitoring Report (09/30/2014)	2842-V2	RLP0125 7-87 MPF Vent Gas Combustor	06/06/2014 (4 minutes)	Operating temperature has to be greater than or equal to 1782°F	Operator error- O ₂ analyzer for the Vent Gas Combustor was left in manual mode after calibration; temperature=1724°F	LAC 33:III.2115.B, Specific Requirement 55
J.	2014 1 st Semiannual Monitoring Report (09/30/2014)	2904-V3AA	EQT0036 003 Grinder Discharge Vents	03/08/2014	Prevent particulate matter from becoming airborne	Triazine unit technician observed some minor visible powder from exit of the scrubber blower (less than 0.25 lbs) for A after-grinder bag-house (EQT 0036).	LAC 33:III.1305, Specific Requirement 40
K.	2014 1 st Semiannual Monitoring Report (09/30/2014)	2904-V3AA	EQT048 1-03 Thermal Oxidizer EQT0058 4-91 CATV System	03/29/2014	Use and/or diligently maintain control device in proper working order	Operator error- power failure caused by maintenance	LAC 33:III.905.A

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
L.	2014 1 st Semiannual Pesticide Active Ingredient MACT Report (09/30/2014)	2904-V3AA	EQT048 1-03 Thermal Oxidizer	04/09/2014	Use and/or diligently maintain control device in proper working order	Thermal oxidizer shut down due to low flow, <25 gpm, to quench pot	LAC 33:III.905.A
M.	2014 2 nd Semiannual Monitoring Report (03/30/2015)	2718-V4	EQT0262 4-78 Carbon Regeneration Furnace	07/06/2014 (5 hours)	pH≥6.5	Operator error- operator manually added caustic during acidify, insufficient pH logic, inadequate procedure, and operator did not recognize instantaneous pH in alarm state for greater than five (5) hours	Specific Requirement 118
N.	2014 2 nd Semiannual Monitoring Report (03/30/2015)	2842-V2	RLP0125 7-87 MPF Vent Gas Combustor	11/12/2014 (12 minutes)	Temperature ≥1600°F	Low emergency water pressure caused by the switching of emergency water pumps in Utilities; Temperature=1116°F	LAC 33:III.2115.B, Specific Requirement 50
O.	2015 1 st Semiannual Monitoring Report (09/30/2015)	2842-V2	RLP0125 7-87 MPF Vent Gas Combustor	03/08/2015 (26 minutes)	pH≥5.5	3209-D was feeding HCl for carbonate destruct. 3209-D HCl charging likely contributed to the low pH condition. pH=2.9	Specific Requirement 58
P.	2015 1 st Semiannual Monitoring Report (09/30/2015)	2842-V2	RLP0125 7-87 MPF Vent Gas Combustor	06/01/2015 (22 minutes)	Operating temperature has to be greater than or equal to 1782°F	Temperature dropped below 1782°F as a result of temporary excess nitrogen through the VGC during the purging of unit for cleanout turnaround	LAC 33:III.2115.B, Specific Requirement 55
Q.	2015 2 nd Semiannual Monitoring Report (03/31/2016)	2610-V3	UNF 009 Entire Facility	10/19/2015	Comply with the applicable provisions in LAC 33:III.5151 for asbestos	Insulators were tasked with removing a small section of insulation from a steam line in Utilities to allow for more room to install a spool piece on the adjacent pipe. Insulators removed approximately three (3) feet of insulation from an area marked as "Asbestos". The insulators were not certified to remove asbestos material.	LAC 33:III.5151, Specific Requirement 38

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

V.

The Respondent reported the following violation of monitoring requirements:

REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	MONITORING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
2014 2 nd Semiannual Monitoring Report (03/30/2015)	2904-V3AA	EQT048 1-03 Thermal Oxidizer EQT0058 4-91 CATV System	12/19/2014-12/29/2014	Equipment/operational data recordkeeping by electronic or hard copy continuously.	Monitoring data for Thermal Oxidizer (EQT0048) and Carbon Adsorption (EQT0058) was lost from 12/19/14-12/29/14 due to the failure of the Triazine application station; operators did not respond to the network communication error	Specific Requirement 69

The failure to monitor as required is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

VI.

The Respondent reported the following emission exceedances:

	INSPECTION OR REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	POLLUTANTS RELEASED (permit limit)	QUANTITY REPORTED	REPORTED CAUSE
A.	2013 2 nd Semiannual Monitoring Report-Revision (04/07/2014)	2904-V3AA	EQT0048 1-03 Thermal Oxidizer	07/17/2013 (30 minutes)	Toluene (0.27 max lb/hr)	1 lb	Operator error-operator was attempting to acid wash scrubber following the old procedure
B.	2013 2 nd Semiannual Monitoring Report-Revision (04/07/2014)	2904-V3AA	EQT0048 1-03 Thermal Oxidizer	07/21/2013 (15 minutes)	Toluene (0.27 max lb/hr)	45 lbs	Operator error-lack of proper training
C.	2013 2 nd Semiannual Monitoring Report-Revision (04/07/2014)	2904-V3AA	EQT0048 1-03 Thermal Oxidizer	07/23/2013 (2 minutes)	Toluene (0.27 max lb/hr)	35 lbs	Operator error-lack of proper training
D.	2013 2 nd Semiannual Monitoring Report-Revision (04/07/2014)	2904-V3AA	EQT0034 002 CC Vent to Combustor	09/22/2013 (57 minutes)	Carbon Tetrachloride (34.13 max lb/hr)	40.122 lbs	Operator error-failure to closely monitor the parameters when performing unit activities
					VOC (35.46 max lb/hr)	40.842 lbs	

	INSPECTION OR REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	POLLUTANTS RELEASED (permit limit)	QUANTITY REPORTED	REPORTED CAUSE
E.	2014 2 nd Semiannual Monitoring Report (03/30/2015)	2718-V4	EQT0262 4-78 Carbon Regeneration Furnace	07/06/2014 (5 hours)	Hydrochloric Acid (1.00 max lb/hr)	270 lbs	Operator error- operator manually added caustic during acidify, insufficient pH logic, inadequate procedure, and operator did not recognize instantaneous pH in alarm state for greater than five (5) hours

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

VII.

The Respondent reported the following deviations from fugitive emission requirements:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	DESCRIPTION	REGULATORY or PERMIT REQUIREMENTS
A.	2013 2 nd Semiannual Monitoring Report- Revision (04/07/2014)	2842-V2	FUG0007	10/31/2013	Three LDAR secondary plugs missing on organic line components; 3 open ended lines	40 CFR 63.2480(a), Specific Requirement 38
B.	2013 2 nd Semiannual Monitoring Report- Revision (04/07/2014)	2718-V4	FUG0006	09/27/2013	One (1) open ended line found during survey	40 CFR 63.2480(a), Specific Requirement 137
C.	2013 2 nd Semiannual Monitoring Report- Revision (04/07/2014)	2904-V3AA	FUG0003	07/23/2013	One (1) open ended line (OEL tag 161440) found during unit audit; OEL not plugged	40 CFR 63.1363, Specific Requirement 111

Each failure to meet fugitive emission requirements is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, LAC 33:III.2121, and La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

VIII.

On or about June 10, 13, and 14, 2014, and July 1, 2014, the Department conducted a compliance audit for the Chemical Accident Prevention Provisions (CAPP) set forth in 40 CFR Part 68. While the Department's investigation is not yet complete, the following violations were discovered during the course of the inspection:

- A. The Respondent failed to conduct inspections on covered pipes and vessels. Numerous pipes and vessels were not identified as subject to the program and inspections were not scheduled nor conducted. Each failure to conduct the required inspections is a violation of 40 CFR 68.73(d)(1), which language has been adopted as a Louisiana regulation in LAC 33:III.5901.A, Specific Requirement 128 of Title V Permit No. 2898-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

- B. The Respondent failed to establish written procedures to maintain rotating equipment. The MNT PDM MNL 0021 policy does not define the procedure for inspection and maintenance of the equipment. The vibration analysis and oil analysis were performed; however, the approach and procedure are not defined in a policy or procedure. Failure to establish a written procedure to maintain rotating equipment is a violation of 40 CFR 68.73 (b), which language has been adopted as a Louisiana regulation in LAC 33:III.5901.A, Specific Requirement 128 of Title V Permit No. 2898-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

IX.

The Respondent reported the following deviations:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	OPERATING PARAMETER	REPORTED CAUSE	CORRECTIVE ACTION
A.	2013 2 nd Semiannual Monitoring Report-Revision (04/07/2014)	2931-V4	EQT0150 Z1-74 Thermal Oxidizer	07/21/2013 (2 minutes)	Operating temperature has to be greater than or equal to 1600°F	Severe Weather	A planned engineering project to investigate and implement controls that are less affected by rainstorm events.
B.	2013 2 nd Semiannual Monitoring Report-Revision (04/07/2014)	2931-V4AA	EQT0150 Z1-74 Thermal Oxidizer	08/11/2013 (5 minutes)	Operating temperature has to be greater than or equal to 1600°F Minimum Oxygen 2%	Severe Weather	A planned engineering project to investigate and implement controls that are less affected by rainstorm events.
C.	2013 2 nd Semiannual Monitoring Report-Revision (04/07/2014)	2931-V4AA	EQT0150 Z1-74 Thermal Oxidizer	08/13/2013 (4 minutes)	Operating temperature has to be greater than or equal to 1600°F	Severe Weather	A planned engineering project to investigate and implement controls that are less affected by rainstorm events.
D.	2013 2 nd Semiannual Monitoring Report-Revision (04/07/2014)	2931-V4AA	EQT0150 Z1-74 Thermal Oxidizer	09/21/2013 (3 minutes)	Operating temperature has to be greater than or equal to 1600°F Minimum Oxygen 2%	Severe Weather	A planned engineering project to investigate and implement controls that are less affected by rainstorm events.
E.	2015 1 st Semiannual Monitoring Report (09/30/2015)	2931-V5	EQT0150 Z1-74 Thermal Oxidizer	04/27/2015 (3 minutes)	Operating temperature has to be greater than or equal to 1600°F	Temperature=1563; temperature dropped during a severe rainstorm at the site	A planned engineering project to investigate and implement controls that are less affected by rainstorm events.

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 ensure compliance with all current Title V Permits and all applicable federal and state Air Quality Regulations.

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report outlining the corrective actions taken to achieve compliance as related to the violations cited in Paragraph VIII.A-B of the **FINDINGS OF FACT** portion of this action. The report shall include, but not be limited to, the following corrective actions: 1.) to ensure the required inspections are conducted; and 2.) establish a written procedure to maintain rotating equipment.

III.

To submit to the Enforcement Division, within sixty (60) days after receipt of this **COMPLIANCE ORDER**, an update on the investigation for possible air pollution controls that are less affected by rainstorm events regarding the deviations reported in Paragraph IX of the **FINDINGS OF FACT** portion of this action.

IV.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Antoinette Cobb
Re: Enforcement Tracking No. AE-CN-16-00092
Agency Interest No. 2367

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-16-00092
Agency Interest No. 2367

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Division of Administrative Law (DAL) Procedural Rules. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although

the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

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

NOTICE OF POTENTIAL PENALTY

I.

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

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Antoinette Cobb at (225)219-3072 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

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

the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

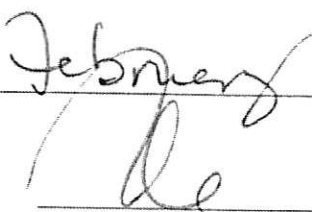
IV.

The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "**CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form. The Respondent must include a justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

V.

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

Baton Rouge, Louisiana, this 5th day of February, 2019.



Lourdes Iturralde
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Antoinette Cobb

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
 OFFICE OF ENVIRONMENTAL COMPLIANCE
 ENFORCEMENT DIVISION CONSOLIDATED COMPLIANCE ORDER &
 POST OFFICE BOX 4312 NOTICE OF POTENTIAL PENALTY
 BATON ROUGE, LOUISIANA 70821-4312 REQUEST TO CLOSE



Enforcement Tracking No.	AE-CN-16-00092	Contact Name	Antoinette Cobb
Agency Interest (AI) No.	2367	Contact Phone No.	(225) 219-3072
Alternate ID No.	1280-00007		
Respondent:	Syngenta Crop Protection, LLC	Facility Name:	St. Gabriel Plant
	c/o C T Corporation System	Physical Location:	3905 Louisiana Highway 75
	Agent for Service of Process		
	3867 Plaza Tower Drive	City, State, Zip:	St. Gabriel, LA 70776
	Baton Rouge, LA 70816	Parish:	Iberville

STATEMENT OF COMPLIANCE

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph IV of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) II of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 60 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) III of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 90 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) ? of the "Order" portion of the COMPLIANCE ORDER.		
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:		

SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:I.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-16-00092), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-16-00092), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> • 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.
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-CN-16-00092) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

CERTIFICATION STATEMENT		
<p><i>I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.</i></p>		
Respondent's Signature	Respondent's Printed Name	Respondent's Title
Respondent's Physical Address	Respondent's Phone #	Date
MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:		
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Antoinette Cobb		