

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

EXXON MOBIL CORPORATION

AI # 858, 2638

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

\* Settlement Tracking No.  
\* SA-AE-21-0012  
\*  
\* Enforcement Tracking Nos.  
\* AE-CN-12-00215  
\* AE-CN-12-00215A  
\*  
\*  
\*  
\*  
\*

SETTLEMENT

The following Settlement is hereby agreed to between Exxon Mobil Corporation (“Respondent”) and the Department of Environmental Quality (“DEQ” or “the Department”), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. (“the Act”).

I

Respondent is a corporation that owns and/or operates facilities located in East Baton Rouge Parish and West Baton Rouge Parish, Louisiana (“the Facilities”).

II

On April 11, 2014, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. AE-CN-12-00215 (Exhibit 1).

On September 4, 2015, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. AE-CN-12-00215A (Exhibit 2).

III

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

#### IV

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of FORTY THOUSAND AND NO/100 DOLLARS (\$40,000.00), of which Seven Thousand Four Hundred Fifty and 04/100 Dollars (\$7,450.04) represents the Department's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

#### V

Respondent further agrees that the Department may consider the permit record(s), the Consolidated Compliance Order & Notice of Potential Penalty, Amended 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 East Baton Rouge Parish and West Baton Rouge 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.

EXXON MOBIL CORPORATION

BY: [Signature]  
(Signature)

David Oldreive  
(Printed)

TITLE: Agent and Attorney-in-Fact

THUS DONE AND SIGNED in duplicate original before me this 17<sup>th</sup> day of JANUARY, 20 22, at BATON ROUGE, LOUISIANA

[Signature]  
NOTARY PUBLIC (ID # 151615)

TISHA L. WINSTEAD  
Notary Public - State of Louisiana  
Notary ID Number 151615  
(stamped or printed)

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chuck Carr Brown, Ph.D., Secretary

BY: [Signature]  
Deleena J. Cage, Assistant Secretary  
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 17<sup>th</sup> day of May, 20 22, at Baton Rouge, Louisiana.

[Signature]  
NOTARY PUBLIC (ID # 92503)

AMBER G. LITCHFIELD  
Notary Public  
State of Louisiana  
Notary ID # 92503  
East Baton Rouge Parish  
(stamped or printed)

Approved: [Signature]  
Lourdes Iturralde, Assistant Secretary



BOBBY JINDAL  
GOVERNOR

PEGGY M. HATCH  
SECRETARY

# State of Louisiana

DEPARTMENT OF ENVIRONMENTAL QUALITY

April 11, 2014 OFFICE OF ENVIRONMENTAL COMPLIANCE

CERTIFIED MAIL (7003 2260 0000 5827 0103)  
RETURN RECEIPT REQUESTED

**EXXON MOBIL CORPORATION**  
c/o Corporation Service Company  
Agent of Service  
320 Somerulos Street  
Baton Rouge, Louisiana 70802

**RE: CONSOLIDATED COMPLIANCE ORDER  
& NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. AE-CN-12-00215  
AGENCY INTEREST NO. 858 & 2638**

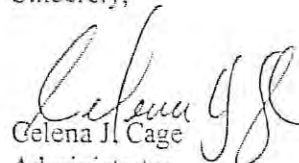
Dear Sir:

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 **EXXON MOBIL CORPORATION (RESPONDENT)** for the violations described therein.

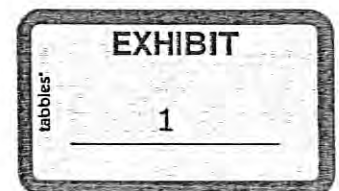
Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Tonya Landry at (225) 219-3785.

Sincerely,

  
Celena J. Cage  
Administrator  
Enforcement Division

CJC/TBL/tbl  
Alt ID No. 0840-00015 & 3120-00056  
Attachment



c: Exxon Mobil Corporation  
c/o Stacey D. Frens  
4045 Scenic Highway  
Baton Rouge, Louisiana 70805



STATE OF LOUISIANA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF	*	
	*	
EXXON MOBIL CORPORATION	*	ENFORCEMENT TRACKING NO.
MULTI PARISH	*	
ALT ID NO. 0840-00015 & 3120-00056	*	AE-CN-12-00215
	*	
	*	AGENCY INTEREST NO.
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	858 & 2638
ENVIRONMENTAL QUALITY ACT,	*	
La. R.S. 30:2001, <u>ET SEQ.</u>	*	

CONSOLIDATED  
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

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

**FINDINGS OF FACT**

I.

The Respondent owns and/or operates the Baton Rouge Refinery (AI 2638), a petroleum refining and supply facility, located at or near 4045 Scenic Highway in Baton Rouge, East Baton Rouge Parish, Louisiana. The facility operates under multiple air permits, including PSD Permit Nos. PSD-LA-667(M-4)AA and PSD-LA-775 and Title V Permit Nos. 2047-V2, 2176-V4, 2234-V6, 2261-V3, 2296-V5, 2300-V2, 2341-V2, 2363-V3, 2385-V5, 2447-V3, 2589-V6, 2755-V5, 2795-V7, and 2926-V2. Exxon Mobil Corporation is also subject to a Consent Decree



that was lodged on October 11, 2005, and entered by the United States District Court for the Northern District of Illinois (the Court) on December 13, 2005. The first non-material modification to the Consent Decree was filed with the Court on June 1, 2006. The second non-material modification to the Consent Decree was filed with the Court on November 13, 2007. The third material modification to the Consent Decree was filed with the Court on January 26, 2009.

## II.

On or about February 20, 2013, April 10, 2013, and January 15, 2014, file reviews of the Respondent's Baton Rouge Refinery (AI 2638) were performed 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 these investigations.

- A. According to the Respondent's letters dated September 27, 2011, February 3, 2012, May 24, 2012, and August 10, 2012, and Part 70 Annual Compliance Certification dated March 30, 2012, the Respondent reported it evaluated all compressors within the facility that had similar configurations and found that the compressors listed below did not meet the requirements as specified in 40 CFR 60 Subpart GGG or LA Refinery MACT Determination for Refinery Equipment Leaks as regulated in 40 CFR 60.482-3(b)2. According to the Respondent's letter dated August 10, 2012, Stratco C-101 (FUG 0016) is in compliance after required controls were installed in October 2011, and controls will be installed on KDLA C-101 (FUG 0005) and KDLA C-102 (FUG 0005) during the next scheduled turnaround, which is scheduled for September 2015 or by year end of 2015.

Source	Permit	Permitted Emission	Emissions from Source to Atmosphere	Status
Stratco C-101 LE/FUG FUG 0016	2589-V5	Vent emissions should be controlled	1 lb/hr VOC (isobutene)	Controls installed October 2011
KDLA C-101 SPEC/FUG FUG 0005	2341-V2	Degassing reservoir vent should be controlled	1 lb/hr VOC (propane)	Controls to be installed

Source	Permit	Permitted Emission	Emissions from Source to Atmosphere	Status
KDLA C-102 SPEC/FUG FUG 0005	2341-V2	Degassing reservoir vent should be controlled	1 lb/hr VOC (propane)	Controls to be installed

Additionally, the Respondent reported “. . . (C-101 and C-102 at KDLA [Ketone Dewaxing]) were not designed in accordance with requirements that became applicable as result of the consent degree.” Each failure to equip the above referenced compressors with a barrier fluid system degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device is a violation of 40 CFR 60.482-3(b)2, which language has been adopted as a Louisiana regulation in LAC 33:III.3003, Subsection E of the Louisiana MACT Determination for Refinery Equipment Leaks dated July 26, 1994, LAC 33:III.5109.A, Title V Permit Nos. 2589-V5 or 2341-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent also reported this in its Part 70 General Condition K and R Report dated September 30, 2011.

- B. According to the Respondent’s correspondence December 5, 2011, e-mail dated December 14, 2011, and correspondence dated May 24, 2012, the Respondent reported that it had identified the potential for hydrogen sulfide (H<sub>2</sub>S) emission to be present in select crude and process gas oil streams. The Respondent reported H<sub>2</sub>S emissions for 2011 from the following:

GRP 0081-RTF/BLUFF-Refinery Tank Cap-Bluff Field	12.16 tons per year for 2011
GRP 0083-RTF/EAST S- Refinery Tank Cap-East Area South Field	6.310 tons per year for 2011

Hydrogen sulfide was not included as a pollutant for Emission Point Nos. GRP 0081 or GRP 0083 in Title V Permit No. 2795-V6AA. The unpermitted H<sub>2</sub>S emissions from Emission Point Nos. GRP 0081 and GRP 0083 are in violation of LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent also reported this in its Part 70 Annual Compliance Certification dated March 30, 2012, and Continuous Release Notifications for LDEQ Incident No. T-128655 dated January 18, 2011, February 17, 2012, and March 12, 2013. Title V Permit No. 2795-V7 was issued on November 1, 2012. This permit added 15.23 tons per year of H<sub>2</sub>S for Emission Point No. GRP 0081 and 17.43 tons per year of H<sub>2</sub>S for Emission Point No. GRP 0083.

- C. According to the Respondent's correspondence dated December 5, 2011, and May 24, 2012, and e-mail dated December 14, 2011, and July 10, 2012, the Respondent reported the following H<sub>2</sub>S emissions from GRP 0082:

GRP 0082-RTF/EAST N- Refinery Tank Cap- East Area North Field H <sub>2</sub> S emissions for 2011	6.46 tons per year
Permit No. 2795-V6 annual H <sub>2</sub> S permit limit for GRP 0082	0.37 tons per year

The H<sub>2</sub>S permit limit exceedance for Emission Point No. GRP 0082 is a violation of Title V Permit No. 2795-V6AA, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent also reported this in its Part 70 Annual Compliance Certification dated March 30, 2012, and Continuous Release Notifications for LDEQ Incident No. T-128655 dated January 18, 2011, February 17, 2012, and March 12, 2013. Title V Permit No. 2795-V7 was issued on November 1, 2012. This permit increased the H<sub>2</sub>S emission limit to 15.97 tons per year for Emission Point No. GRP 0082.

- D. According to the Respondent's Continuous Release Notification for LDEQ Incident No. 135706 dated December 9, 2011, and e-mail dated March 28, 2011, the Respondent reported that the Catalytic Cracking Complex (CAT/WGS, Emission Point No. EQT 0087) has had a continuous release of hydrogen cyanide (HCN) above the reportable quantity. HCN is not a permitted pollutant for the CAT/WGS in Title V Permit No. 2385-V5. The unpermitted emissions of HCN from the CAT/WGS is a violation of LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). According to the Respondent's Stack Compliance Test Result Report dated July 20, 2012, testing, which included testing for HCN, was conducted on May 18, 2012, and May 21 through May 24, 2012. The Respondent submitted a modification application dated January 23, 2013. This modification requested the addition of HCN as a pollutant to Emission Point No. EQT 0087.
- E. According to the Respondent's e-mail dated May 3, 2013, emissions testing was conducted in May and December of 2012. The Respondent submitted an Application for the Modification of Title V Permit No. 2385-V5 dated January 23, 2013, to add the following pollutants to the Cat Complex Wet Gas Scrubber (CAT/WGS, Emission Point No. EQT 0087): Lead, 1,2,4-trichlorobene, 1,3-butadiene, 1,4-dichlorobenzene, 2,4,5-trichlorophenol, 2,4,6-trichlorophenol, 2,4-dinitrophenol, 2,4-dinitrotoluene, 2,6-dinitrotoluene, 3,3'-dichlorobenzidine, 3,3'-dimethylbenzidine, 4-nitrophenol, acetaldehyde, acrolein, aniline,

antimony, arsenic, barium, benzene, benzidine, beryllium, biphenyl, bis (2-ethylhexyl) phthalate, bis (2-chloroethyl) ether, cadmium, carbon disulfide, chlorine, chromium (hex), cobalt, copper, di-n-butyl phthalate, dimethyl phthalate, ethylbenzene, formaldehyde, hexachlorobenzene, hexachlorobutadiene, hexachlorocyclopentadiene, hexachloroethane, hydrochloric acid, hydrocyanic acid, isophorone, manganese, mercury, methylene chloride, n-nitrosodimethylamine, naphthalene, nickel, nitrobenzene, o-toluidine, pentachlorophenol, phenol, PM<sub>2.5</sub>, polynuclear aromatic, pyridine, quinoline, selenium, sulfuric acid, toluene, xylene, and (1,1'-biphenyl)-4,4'-diamine. These emissions were not reported in the Respondent's corresponding annual or semiannual reports. Each failure to report compliance deviation is a violation of Part 70 General Conditions K, R, and M, State Only General Condition XI, Specific Condition Nos. 117 and 119 of Title V Permit No. 2385-V5, LAC 33:III.501.C.4, LAC 33:III.507.H, and La. R.S. 30:2057(A)(2). Additionally, each unpermitted emission from Emission Point No. EQT 0087 is a violation of LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). Title V Permit No. 2385-V6 was issued on October 1, 2013. This permit incorporated the above listed pollutants.

- F. According to Respondent's Coke Drum Vent Emissions Reports dated January 24, 2012, and March 15, 2012, the Respondent reported the following pollutants were released from the Coker Complex Coke Drum Vents (COKER/DRUMS, Emission Point No. EQT 0593) in 2011:

Pollutants	Amount Release In 2011 (tons/year)	Permit Limit (ton/year)
Carbon Monoxide	0.0009	Not permitted
Particulate Matter	0.8608	Not permitted
Sulfur Dioxide	0.0153	Not permitted
VOC	11.5568	2.01
Acetaldehyde	0.0014	Not permitted
Aniline	0.0031	Not permitted
Benzene	0.1408	Not permitted
Biphenyl	0.0019	Not permitted
Carbon Disulfide	0.0373	Not permitted
Carbonyl Sulfide	0.1505	Not permitted
Chlorine	0.0004	Not permitted
Cresol (mixed isomers)	0.0031	Not permitted
Cumene	0.0016	Not permitted
Ethylbenzene	0.0401	Not permitted
Hydrogen Chloride	0.0013	Not permitted
Hydrogen Fluoride	0.0013	Not permitted



Pollutants	Amount Release In 2011 (tons/year)	Permit Limit (ton/year)
Hydrogen Sulfide	1.8033	1.20
Methyl Tert-Butyl Ether	0.0028	Not permitted
Naphthalene	0.1774	Not permitted
Phenol	0.0031	Not permitted
Polynuclear Aromatic Hydrocarbons	0.0583	Not permitted
Styrene	0.0011	Not permitted
Tetrachloroethylene	0.0023	Not permitted
Toluene	0.5285	Not permitted
Trichloroethylene	0.0049	Not permitted
Xylenes (mixed isomers)	0.3270	Not permitted

Each exceedance of the volatile organic compound (VOC) and H<sub>2</sub>S ton per year permit limit for Emission Point No. 0593 is a violation of Title V Permit No. 2234-V5, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). Additionally, each unpermitted emission from Emission Point No. EQT 0593 is a violation of LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). Title V Permit No. 2234-V6 was issued on June 4, 2013. This permit added the above listed pollutants that were not previously permitted and changed the emission limits for VOC and H<sub>2</sub>S for Emission Point No. EQT 0593.

- G. According to the Respondent's Reformer Purger Vent Report dated February 3, 2012, the Respondent reported that 127 pounds of benzene and 167 pounds of xylene were emitted above the maximum pounds per hour permit limit for each pollutant from the Powerforming 2 Reactor Purger Vent (PHLA2/PV-PURGE, Emission Point No. RLP 0160) on October 17, 2011. According to the Respondent's Part 70 General Condition K and R Report dated March 30, 2012, the hourly permitted limit for naphthalene was exceeded for Emission Point No. RLP 0160. The maximum pounds per hour permit limit for benzene is 15.11 lbs/hr, xylene is 33.04 lbs/hr, and naphthalene is 0.42 lbs/hr. Each maximum pounds per hour permit limit exceedance of benzene, xylene, and naphthalene is a violation of LAC 33:III.501.C.4, Title V Permit No. 2261-V2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). Title V Permit No. 2261-V3 was issued on December 4, 2013. This permit increased the benzene, xylene, and naphthalene emission limits.
- H. According to the Respondent's Part 70 General Condition K and R Report dated March 30, 2012, Powerformer 2 Regenerator Vent (Catalytic Reforming Unit) (PHLA2/PV-Regen, Emission Point No. RLP 0161) exceeded the hourly permit limit for benzene, xylene, VOC, and sulfur

dioxide (SO<sub>2</sub>). The Respondent reported these emissions were discovered in 2011 as a result of an Environmental Protection Agency (EPA) Information Collection Request. Each exceedance of the maximum pounds per hour permit limit of benzene, xylene, VOC, and SO<sub>2</sub> is a violation of LAC 33:III.501.C.4, Title V Permit No. 2261-V2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). Title V Permit No. 2261-V3 was issued on December 4, 2013. This permit increased the benzene, xylene, VOC, and SO<sub>2</sub> emission limits.

- I. According to the Respondent's Reformer Purger Vent Report dated February 3, 2012, and correspondence dated May 24, 2012, the Respondent reported the following were released from the Powerformer 2 Regenerator Purge Vent (PHLA2/PV-PURGE, Emission Point No. RLP 0160):

Pollutants	Amount Release in 2011 (tons/year)	Permit Limit (ton/year)
1,2-Dibromoethane	0.071	Not permitted
1,3-Butadiene	0.001	Not permitted
2,2,4-Trimethylpentane	0.003	Not permitted
2-Nitropropane	0.021	Not permitted
Acetonitrile	0.007	Not permitted
Acrolein	0.001	Not permitted
Acrylonitrile	0.001	Not permitted
Biphenyl (POM)	0.002	Not permitted
Carbon Monoxide	0.180	Not permitted
Chlorobenzene	0.003	Not permitted
Cumene	0.010	Not permitted
Methanol	0.002	Not permitted
Methyl Isobutyl Ketone	0.013	Not permitted
Methyl t-Butyl Ether	0.001	Not permitted
Dichloromethane	0.016	Not permitted
Nitrobenzene	0.011	Not permitted
Tetrachloroethene	0.001	Not permitted
Trichloroethylene	0.001	Not permitted

Each unpermitted emission from Emission Point No. RLP 0160 is a violation of LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). Title V Permit No. 2261-V3 was issued on December 4, 2013. This permit added the above listed pollutants that were not previously permitted for RLP 0160.

- J. According to the Respondent's correspondence dated May 24, 2012, the Respondent reported the following were released from the Powerformer 2 Regenerator Vent (Catalytic Reforming Unit) (PHLA2/PV-REGEN, Emission Point No. RLP 0161):

Pollutants	Amount Release in 2011 (tons/year)	Permit Limit (ton/year)
Sulfur Dioxide	4.100	0.53
Total VOC (including those listed below)	3.364	0.25
Benzene	0.120	0.02
Ethyl Benzene	0.235	0.06
Sulfuric Acid	0.310	0.04
Toluene	0.183	0.08
Xylenes (mixed isomers)	1.778	0.06
Particulate Matter (PM <sub>2.5</sub> )	0.160	Not permitted
1,3-Butadiene	0.019	Not permitted
2,2,4-Trimethylpentane	0.002	Not permitted
2-Nitropropane	0.017	Not permitted
3,3'-Dimethoxybenzidine	0.001	Not permitted
3,3'-Dimethylbenzidine	0.001	Not permitted
Acetonitrile	0.014	Not permitted
Acrolein	0.034	Not permitted
Acrylonitrile	0.014	Not permitted
Benzidine	0.002	Not permitted
Biphenyl (POM)	0.001	Not permitted
Carbon Disulfide	0.028	Not permitted
Chlorobenzene	0.003	Not permitted
Cumene	0.021	Not permitted
Formaldehyde	0.001	Not permitted
n-Hexane	0.019	Not permitted
Lead	0.001	Not permitted
Methanol	0.012	Not permitted
Methyl Isobutyl Ketone	0.016	Not permitted
Methyl t-Butyl Ether	0.013	Not permitted
Methylene Chloride	0.599	Not permitted
Nitrobenzene	0.072	Not permitted
Styrene	0.002	Not permitted
Tetrachloroethene	0.070	Not permitted
Trichloroethylene	0.090	Not permitted



Each exceedance of the ton per year permit limit for each of the above listed pollutants from Emission Point No. RLP 0161 is a violation of Title V Permit No. 2261-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). Additionally, each unpermitted emission from Emission Point No. RLP 0161 is a violation of LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). Title V Permit No. 2261-V3 was issued December 4, 2013. This permit changed the emission limits for SO<sub>2</sub>, VOC, benzene, ethyl benzene, toluene, and xylene and added the above listed pollutants that were not previously permitted.

- K. In a letter dated May 24, 2012, and July 9, 2012, the Respondent reported that data from testing required by a March 2011 EPA Information Collection Request indicated additional sulfur compounds in addition to H<sub>2</sub>S in the Refinery's NSPS and HPBL fuel gas systems. According to the Respondent's letters dated July 8, 2012, and December 20, 2012, and e-mail dated August 10, 2012, continuous sampling and analysis of sulfur compounds on the New Source Performance Standard (NSPS) fuel gas system was conducted on August 2 through 27, 2012, and September 28, 2012, through October 8, 2012, and on the High Pressure Burner Line (HPBL) fuel gas system on October 8, 2012, through November 9, 2012. According to the test results dated December 20, 2012, the Respondent reported that the NSPS fuel gas system is able to meet the permitted annual tons per year for SO<sub>2</sub> for each furnace; however, the maximum pounds per hour permit limits need to be increased. Furthermore, the Respondent reported that the testing period for the HPBL system was only for four (4) weeks which has proven insufficient to determine the root cause of transient peaks and to determine if a higher sulfur content should be utilized for emission limits. According to the Respondent's e-mail dated May 3, 2013, additional fuel gas testing began on January 25, 2013, and was concluded on March 25, 2013. The Respondent reported that the analyzers indicated the potential for elevated methylmercaptan levels during summer months due to higher ambient temperatures. Based on previews of the data collected and trends of online analyzers, the Respondent proposes additional testing during the summer months to identify potential sources of elevated sulfur. According to the Respondent's letters dated December 10 and 19, 2013, and test results dated November 20, 2013, continuous sampling and analysis for sulfur compounds on the HPBL fuel gas system began on June 14, 2013, and was completed on September 12, 2013. According to the Respondent's letter dated December 19, 2013, the Respondent intends to permit SO<sub>2</sub> emissions based on this test run for HPBL furnaces. According to the Respondent's correspondence dated May 24, 2012, e-mail dated July 16 and 17, 2012, and Annual Compliance Certification dated March 28, 2013, the Respondent reported higher than normal sulfur levels in fuel gas which resulted in exceedances of the maximum pounds per hour permit limit for SO<sub>2</sub> for the number of hours indicated in the table below. Furthermore,

according to correspondence dated June 24, 2013, the Respondent reported a potential increase in the annual SO<sub>2</sub> emissions for certain sources using HPBL as fuel.

Source	Date of Exceedance	Number of Hours	Total Amount of SO <sub>2</sub> Over Permit Limit (pounds)	Permit No.
PCLA2/F-2 EQT 0085	4/4/12	1	0.18	2385-V5
FDPREP/F30 EQT 0637	10/24-26/12	22	123.63	2261-V2
FDPREP/F31 EQT 0638	10/19, 24-27/12 11/7-9/12	65	725.31	2261-V2
PHLA2/F1 EQT 0639	10/18-19, 24-27/12 11/7-9/12	89	761.39	2261-V2
PHLA2/F2 EQT 0640	10/18-19, 24-27/12 11/7-9/12	110	882.12	2261-V2
PHLA2/F3 EQT 0641	10/19, 24-27/12 11/7-9/12	61	327.78	2261-V2
PHLA2/F4 EQT 0642	10/24-27/12 11/7-9/12	67	600.20	2261-V2
PHLA2/F5 EQT 0643	10/24/12	6	0.78	2261-V2
PHLA2/F6 EQT 0644	10/19/12 11/7-8/12	20	7.28	2261-V2
LEU4/F1E EQT 0663	10/24-27/12 11/7-9/12	59	111.67	2589-V5
LEU4/F1E EQT 0664	10/19, 24-27/12 11/7-9/12	63	241.17	2589-V5
LEU4/F2 EQT 0665	10/19, 24-27/12 11/7-9/12	60	212.15	2589-V5
LELAE/F1 EQT 0106	10/19, 24-27/12 11/7-9/12	59	422.29	2341-V2
KDLA/F425 EQT 0102	10/18-19, 24-27/12 11/7-9/12	82	249.56	2341-V2
KDLA/F451 EQT 0103	10/24-27/12 11/7-9/12	53	333.48	2341-V2

Each exceedance of the maximum pound per hour permit limit for SO<sub>2</sub> is a violation of PSD Permit No. PSD-LA-667(M-4)AA, Title V Permit Nos. 2385-V5, 2261-V2, 2589-V5, or 2341-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

- L. According to the Respondent's letter dated January 11, 2013, the Respondent reported that it initially discovered leaks in a seal around its

Catalytic Cracking Unit CO Furnace, PCLA3/F301 (Emission Point No. EQT 0636, CRP 0038), during the Respondent's December 17, 2012, inspection and subsequent inspections revealed additional leaks at the tube seals and on the metal part of the sleeve. According to the January 11, 2013 letter, the Respondent reported the emission rate to be 111 pounds per day of SO<sub>2</sub>. The Respondent plans to perform permanent repairs on PCLA3/F301 during its April 2015 turnaround. The failure to diligently maintain PCLA3/F301 resulted in the release of uncontrolled emissions. This is a violation of LAC 33:III.905 which states, "When facilities have been installed on a property, they shall be used and diligently maintained in proper working order whenever any emissions are being made which can be controlled by the facilities, even though the ambient air quality standards in affected areas are not exceeded." Control equipment is defined by LAC 33:III.111 is "any device or contrivance, operating procedure or abatement scheme used to prevent or reduce air pollution." This is also a violation of La. R.S. 30:2057(A)(1) and 30:2057(A)(2). This event is related to an unauthorized discharge, LDEQ Incident No. T-145413.

### III.

The Respondent owns and/or operates the Anchorage Tank Farm (AI 858), a petroleum storage tank facility, located at or near 1420 Lafiton Lane, Port Allen, West Baton Rouge Parish, Louisiana. The Anchorage Tank Farm receives crude brought in by pipeline, ships, and barges. The crude is transferred from the Anchorage Tank Farm across the Mississippi River to the Baton Rouge Refinery. The facility currently operates under Title V Permit No. 3120-00056-V4.

### IV.

The Respondent submitted a letter dated December 5, 2011, to report that it "identified the potential for H<sub>2</sub>S to be present in selected crude and process gas oil streams (PGO). This information was based on updated Material Safety Data Sheets (MSDS) which indicated the potential concentration of H<sub>2</sub>S. Based on historical data, the average concentration in these streams for Baton Rouge is 2-15 ppm." The Respondent also reported that the crude and PGO tanks are permitted under the Baton Rouge Refinery's (AI 2638) Title V Permit No. 2795-V6AA. The Respondent provided additional information in e-mail dated December 14, 2011, and July 10, 2012, and correspondence dated May 23, 2012.

### V.

On or about February 20, 2013, and April 10, 2013, file reviews of the Respondent's Anchorage Tank Farm (AI 858) were performed to determine the degree of compliance with the

Act and the Air Quality Regulations. While the Department's investigation is not yet complete, the following violation was noted during the reviews:

According to the Respondent's correspondence dated December 5, 2011, e-mail dated December 14, 2011, and July 10, 2012, and correspondence dated May 24, 2012, the Respondent reported that it had identified the potential for H<sub>2</sub>S emissions to be present in select crude and process gas oil streams. The Respondent reported H<sub>2</sub>S emissions for 2011 from the following:

Tank Cap: GRP 0001-ATF Tank Cap All the following are Crude Tanks	
Group Members of Tank Cap	H <sub>2</sub> S Emission Estimates (tons)
EQT 0004-ATF/TK1500	0.0007
EQT 0005-ATF/TK1501	0.0063
EQT 0006-ATF/TK1502	0.0027
EQT 0007-ATF/TK1503	0.0023
EQT 0008-ATF/TK1504	0.0028
EQT 0009-ATF/TK1505	0.0017
EQT 0010-ATF/TK1506	0.0035
EQT 0011-ATF/TK1509X	0.0016
EQT 0014-ATF/TK1518	0.0015
EQT 0017-ATF/TK1523	0.0010
EQT 0018-ATF/TK1525	0.0012
EQT 0021-ATF/TK1536	0.0012
EQT 0022-ATF/TK1537	0.0025
EQT 0023-ATF/TK1538	0.0014
EQT 0024-ATF/TK1539	0.0012
EQT 0025-ATF/TK1540	0.0008
<b>TOTAL FOR GRP 0001</b>	<b>0.0323 tons per year for 2011</b>

Title V Permit No. 3120-00056-V4 does not have any H<sub>2</sub>S emissions for Emission Point No. GRP 0001. The unpermitted H<sub>2</sub>S emissions from Emission Point No. GRP 0001 is a violation of LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent also reported this in its Part 70 General Condition K and R Report and Part 70 Annual Compliance Certification dated March 30, 2012, and Continuous Release Notifications for LDEQ Incident No. T-128655 dated January 18, 2011, February 17, 2012, and March 12, 2013. The Respondent submitted a permit renewal application dated February 11, 2013. This renewal application requested the addition of H<sub>2</sub>S as a pollutant to Emission Point No. GRP 0001.

COMPLIANCE ORDER

Based on the foregoing, the Respondent is hereby ordered:

I.

To immediately take, upon receipt of this COMPLIANCE ORDER, any and all steps necessary to achieve and maintain compliance with the Act and the Air Quality Regulations.

II.

To protect the air quality, the Respondent is required to comply with the following at the Respondent's Anchorage Tank Farm (AI 858):

- A. If the Respondent chooses to emit any air contaminant in the State of Louisiana from Emission Source: ATF Tank Cap (Emission Point No. GRP 001) of its Anchorage Tank Farm, the following interim limitations shall apply:

H <sub>2</sub> S FOR EMISSION POINT NO. GRP 0001	0.05 tons per year
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All emission limitations, monitoring requirements, and permit conditions of Title V Permit No. 3120-00056-V4 shall remain in full force and effect and shall remain enforceable. The interim limitations shall remain in effect until a new or modified Title V Operating Permit is issued or until otherwise notified by the Department in writing.

- B. The Respondent shall at all times properly operate and maintain all facilities and systems of control (and related appurtenances) which are installed or used by the Respondent to achieve compliance with the conditions of the interim limitations.
- C. The Respondent shall report the permit limit exceedance of H<sub>2</sub>S, as set forth in Title V Permit No. 3120-00056-V4, for Emission Point No. GRP 0001 in the appropriate reports including, but not limited to, the Annual Compliance Certification and Title V Deviation Reports.

III.

To protect the air quality, the Respondent is required to comply with the following at the Respondent's Baton Rouge Refinery (AI 2638):



- A. If the Respondent chooses to emit any air contaminant in the State of Louisiana from the below listed Emission Sources of its Baton Rouge Refinery, the following interim limitations shall apply:

Description	Emission Source No.	SO <sub>2</sub> Maximum (lb/hr)	Permit No.
East Coker F-1 Furnace	EQT 0044	92.64	2234-V6; PSD-LA-667(M-4)AA
Far East Coker F-501A Furnace	EQT 0045	52.80	2234-V6; PSD-LA-667(M-4)AA
Far East Coker F-501B Furnace	EQT 0046	52.80	2234-V6; PSD-LA-667(M-4)AA
West Coker F-101 Furnace	EQT 0043	68.16	2234-V6; PSD-LA-667(M-4)AA
Cat Complex 2 F-2 Preheat Furnace	EQT 0085	91.20	2385-V5; PSD-LA-667(M-4)AA
Cat Complex 3 Preheat Furnace	EQT 0086	91.20	2385-V5; PSD-LA-667(M-4)AA
Powerforming 2 F-1 Furnace	EQT 0639	54.38	2261-V2; PSD-LA-667(M-4)AA
Powerforming 2 F-2 Furnace	EQT 0640	55.12	2261-V2; PSD-LA-667(M-4)AA
Powerforming 2 F-3 Furnace	EQT 0641	43.95	2261-V2; PSD-LA-667(M-4)AA
Powerforming 2 F-4 Furnace	EQT 0642	52.39	2261-V2; PSD-LA-667(M-4)AA
Powerforming 2 F-5 Furnace	EQT 0643	20.36	2261-V2; PSD-LA-667(M-4)AA
Powerforming 2 F-6 Furnace	EQT 0644	5.46	2261-V2; PSD-LA-667(M-4)AA

Description	Emission Source No.	SO <sub>2</sub> Maximum (lb/hr)	Permit No.
Powerforming 2 F-7 Furnace	EQT 0645	15.36	2261-V2; PSD-LA-667(M-4)AA
Reforming 2 F-600 Furnace	EQT 0646	18.00	2261-V2; PSD-LA-667(M-4)AA
Feed Preparation F-30 Furnace	EQT 0637	87.40	2261-V2; PSD-LA-667(M-4)AA
Feed Preparation F-31 Furnace	EQT 0638	87.40	2261-V2; PSD-LA-667(M-4)AA
Hydrofining East F-501 Furnace	EQT 0632	19.20	2447-V3; PSD-LA-667(M-4)AA
Hydrofining North F-401 Furnace	EQT 0633	11.04	2447-V3; PSD-LA-667(M-4)AA
Hydrofining South F-201 Furnace	EQT 0634	14.64	2447-V3; PSD-LA-667(M-4)AA
Light Ends 2 F-501 Furnace	EQT 0661	67.92	2589-V5; PSD-LA-667(M-4)AA
Light Ends 4 F-101 Furnace	EQT 0662	57.36	2589-V5; PSD-LA-667(M-4)AA
Light Ends 4 F-1 Furnace (East Splitter)	EQT 0663	13.90	2589-V5; PSD-LA-667(M-4)AA
Light Ends 4 F-1 Furnace (West Splitter)	EQT 0664	29.80	2589-V5; PSD-LA-667(M-4)AA
Light Ends 4 F-2 Furnace	EQT 0665	29.80	2589-V5; PSD-LA-667(M-4)AA
Heavy Cat Naphtha F-201 Furnace	EQT 0692	14.88	2176-V4; PSD-LA-667(M-4)AA
Heavy Cat Naphtha F-202 Furnace	EQT0693	18.96	2176-V4; PSD-LA-667(M-4)AA



Description	Emission Source No.	SO <sub>2</sub> Maximum (lb/hr)	Permit No.
Intermediate Cat Naphtha F-801 Furnace	EQT 0694	36.23	2176-V4; PSD-LA-667(M-4)AA
Intermediate Cat Naphtha F-820 Furnace	EQT 0695	47.51	2176-V4; PSD-LA-667(M-4)AA
Reforming 1 F-700 Furnace	EQT 0696	33.60	2176-V4; PSD-LA-667(M-4)AA
Wax Hydrofiner F-150 Furnace	EQT0115	4.08	2341-V2
Lubes Extraction F-1-NX Furnace	EQT 0171	7.44	2341-V2
Lubes Extraction F-1 Furnace	EQT 0106	51.40	2341-V2
Lubes Extraction F-3 Furnace	EQT 0109	51.60	2341-V2
Lubes Extraction F-4 Furnace	EQT 0110	7.44	2341-V2
Ketone Dewaxing F-425 Furnace	EQT 0102	22.84	2341-V2
Ketone Dewaxing F-451 Furnace	EQT 0103	46.93	2341-V2
Lubes Extraction F-301 Furnace	EQT 0108	9.12	2341-V2
Hydro Cracking F-101 Furnace	EQT 0631	38.16	2447-V3; PSD-LA-667(M-4)AA
Hydrofining Unit F-901 Furnace	EQT 0521	18.96	2447-V3

All emission limitations, monitoring requirements, and permit conditions of Title V Permit Nos. 2234-V6, 2385-V5, 2261-V2, 2447-V3, 2589-V5, 2176-V4, 2341-V2, and 2447-V3 and PSD Permit No. PSD-LA-667(M-4)AA shall remain in full force and effect and shall remain enforceable. The interim limitations shall remain in effect until a new or modified Title V Operating Permit is issued or until otherwise notified by the Department in writing.

- B. The Respondent shall at all times properly operate and maintain all facilities and systems of control (and related appurtenances) which are

installed or used by the Respondent to achieve compliance with the conditions of the interim limitations.

- C. The Respondent shall report the permit limit exceedance of above listed pollutants, as set forth in Title V Permit Nos. 2234-V6, 2385-V5, 2261-V2, 2447-V3, 2589-V5, 2176-V4, 2341-V2, and 2447-V3 and PSD Permit No. PSD-LA-667(M-4)AA, for the above listed Emission Sources in the appropriate reports including, but not limited to, the Annual Compliance Certification and Title V Deviation Reports.

#### IV.

To submit to the Enforcement Division, within thirty (30) days of receiving this **COMPLIANCE ORDER**, a written report that includes the following for the compressors listed in paragraph II.A of the Findings of Fact portion of this CONOPP:

- A. The initial date the compressors became subject to 40 CFR 60.482-3 and Subsection E of the Louisiana MACT Determination for Refinery Equipment Leads dated July 26, 1994.
- B. Date the compressors were installed and became operational.
- C. Detailed description of the method(s), such as installation of equipment and/or controls that will be or have been taken to achieve compliance with all applicable requirements, including but not limited to 40 CFR 60.482-3 and Subsection E of the Louisiana MACT Determination for Refinery Equipment Leaks dated July 26, 1994.
- D. If compressors were monitored to determine compliance, include the monitoring records, readings, and the method used to monitor each compressor for the years of 2010, 2011, 2012, 2013, and 2014.
- E. A description of the preventative measures that have been incorporated or will be incorporated into the facility's procedures that will prevent future recurrence of compressors not being in compliance with the requirements of 40 CFR 60.482-3 and Subsection E of the Louisiana MACT Determination for Refinery Equipment Leaks dated July 26, 1994.

- F. A description of any interim control that can be put in place to reduce emissions to the atmosphere until controls are installed, as required by paragraph VI of this COMPLIANCE ORDER.

V.

To submit to the Air Permits Division, within ninety (90) days after receiving this COMPLIANCE ORDER, the appropriate air permit application(s), if applicable, to reflect the current operating conditions for the compressors, as described in paragraph II.A of the Findings of Fact portion of this CONOPP, subject to 40 CFR 60.482-3 and Section E of the Louisiana MACT Determination for Refinery Equipment Leaks dated July 26, 1994. The Respondent shall submit a copy of the cover letter of the permit application to the Enforcement Division.

VI.

To, by the next turnaround, but no later than December 31, 2015, install, operate, and maintain a control device as required by 40 CFR 60.482-3 and Subsection E of the Louisiana MACT Determination for Refinery Equipment Leaks dated July 26, 1994, for each compressor subject to these regulation that is located at the Baton Rouge Refinery including, but not limited to, the compressors listed in paragraph II.A of the Findings of Fact portion of this CONOPP.

VII.

To submit to the Enforcement Division, within thirty (30) days of receiving this COMPLIANCE ORDER, a written report that includes the following:

- A. Baton Rouge Refinery (AI 2638)-the amount of H<sub>2</sub>S emitted annually from RTF/BLUFF-Refinery Tank Cap-Bluff Field (GRP 0081) and RTF/EAST S-Refinery Tank Cap- East Area South Field (GRP 0083), as described in paragraph II.B of the Findings of Fact portion of this CONOPP, for the duration that H<sub>2</sub>S was emitted from Emission Point Nos. GRP 0081 and GRP 0083 to present.
- B. Baton Rouge Refinery (AI 2638)- the amount of H<sub>2</sub>S emitted annually that exceeded the annual permit limit for RTF/EAST N-Refinery Tank Cap-East Area North Field (GRP 0082), as described in paragraph II.C of the Findings of Fact portion of this CONOPP.

- C. Baton Rouge Refinery (AI 2638)-the amount of H<sub>2</sub>S emitted annually that exceeded the annual permit limit for RTF/SOUTH-Refinery Tank Cap-South Field (GRP 0085).
- D. Anchorage Tank Farm (AI 858)-the amount of H<sub>2</sub>S emitted annually from ATF Tank Cap (GRP 0001), as described in paragraph V of the Findings of Fact portion of this CONOPP, for the duration that H<sub>2</sub>S was emitted to present.

VIII.

To submit to the Enforcement Division, within thirty (30) days of receiving this **COMPLIANCE ORDER**, a written report that includes the total amount emitted for each unpermitted pollutant listed in paragraphs II.D, II.E, II.F, II.I, and II.J of the Findings of Fact portion of this CONOPP that were emitted prior to being included in an issued permit. If a permit has not been issued, for each pollutant provide the total amount of the pollutant that was emitted, by month, from the date of discovery.

IX.

To submit the appropriate air permit modification application(s) to reflect the current emissions from combustion sources associated with the NSPS and HPBL fuel gas systems at the Baton Rouge Refinery, including, but not limited to SO<sub>2</sub> emissions from the furnaces listed in paragraph III of the Order portion of this CONOPP, to the Air Permits Division by no later than December 1, 2014. The Respondent shall submit a copy of the cover letter(s) to the Enforcement Division.

X.

To complete repairs to Emission Source PCLA3/F301 (Emission Point No. EQT 0636, CRP 0038), as described in paragraph II.L of the Findings of Fact portion of this CONOPP, by the end of the 2015 turnaround, but no later than April 30, 2015.

XI.

To conduct monitoring and/or testing regularly until repairs have been made and no leaks are detected from Emission Source PCLA3/F301 (Emission Point No. EQT 0636, CRP 0038), as described in paragraph II.L of the Findings of Fact portion of this CONOPP. The Respondent shall also notify the Department in writing if emissions are emitted at a rate greater than 111 pounds per day of SO<sub>2</sub>.

## XII.

To conduct monitoring and/or testing after repairs are completed to demonstrate to the Department that Emission Source PCLA3/F301 (Emission Point No. EQT 0636, CRP 0038), as described in paragraph II.L of the Findings of Fact portion of this CONOPP, is in compliance with the Act and the Air Quality Regulations, and to submit the monitoring and/or test results to the Department within sixty (60) days after repairs are complete, which shall include, but not be limited to, the total amount of pollutants emitted from Emission Point No. EQT 0636.

## XIII.

The Respondent shall submit quarterly reports to the Enforcement Division within thirty (30) days following the end of each calendar quarter commencing with the effective date of this COMPLIANCE ORDER until completion/conclusion of the items described in this COMPLIANCE ORDER. The reports shall document the compliance status for the Respondent's Baton Rouge Refinery (AI 2638) and Anchorage Tank Farm (AI 858) in regard to the interim limits established in paragraph II and III of this COMPLIANCE ORDER. In particular, the quarterly report shall indicate any exceedances of the interim limits including the pollutant, amount of the exceedance, and the cause of the exceedance. If no exceedance occurred during the quarterly period, this shall be stated.

## XIV.

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  
 Attention: Tonya Landry  
 Enforcement Tracking No. AE-CN-12-00215  
 Agency Interest No. 858 & 2638

**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-12-00215  
Agency Interest No. 858 & 2638

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 Tonya Landry at (225) 219-3785 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty



will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement.

IV.

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

Baton Rouge, Louisiana, this 11 day of April, 2014.



\_\_\_\_\_  
Cheryl Sonnier Nolan  
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: Tonya Landry

BOBBY JINDAL  
GOVERNOR



PEGGY M. HATCH  
SECRETARY

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

September 4, 2015

CERTIFIED MAIL (7004 1160 0000 3803 4384)  
RETURN RECEIPT REQUESTED

**EXXON MOBIL CORPORATION**  
c/o Corporation Service Company  
Agent for Service of Process  
320 Somerulos Street  
Baton Rouge, Louisiana 70802


**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &  
NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. AE-CN-12-00215A  
AGENCY INTEREST NOS. 858 & 2638**

Dear Sir:

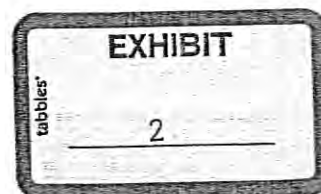
Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **EXXON MOBIL CORPORATION (RESPONDENT)** for the violation described therein.

Any questions concerning this action should be directed to Alissa Cockerham at (225) 219-3785.

Sincerely,

  
Celena J. Cage  
Administrator  
Enforcement Division

CJC/ARC/arc  
Alt ID Nos. 0840-00015 & 3120-00056  
Attachment



c: Exxon Mobil Corporation  
c/o Jenny M. Brionnes  
4045 Scenic Highway  
Baton Rouge, Louisiana 70805

STATE OF LOUISIANA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

<p>IN THE MATTER OF</p> <p>EXXON MOBIL CORPORATION MULTI PARISH ALT ID NOS. 0840-00015 &amp; 3120-00056</p> <p>PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, ET SEQ.</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>ENFORCEMENT TRACKING NO.</p> <p>AE-CN-12-00215A</p> <p>AGENCY INTEREST NOS.</p> <p>858 &amp; 2638</p>
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AMENDED CONSOLIDATED COMPLIANCE ORDER &  
NOTICE OF POTENTIAL PENALTY

The Louisiana Department of Environmental Quality (the Department) hereby amends the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-CN-12-00215** issued to **EXXON MOBIL CORPORATION (RESPONDENT)** on April 11, 2014 in the above-captioned matter as follows:

I.

The Department hereby amends paragraph II.A of the Findings of Fact to read as follows:

“II.

- A. According to the Respondent’s letters dated September 27, 2011, February 3, 2012, May 24, 2012, and August 10, 2012, and Part 70 Annual Compliance Certification dated March 30, 2012, the Respondent reported it evaluated all compressors within the facility that had similar configurations and found that the compressor listed below did not meet the requirements as specified in 40 CFR 60 Subpart GGG or LA Refinery MACT Determination for Refinery Equipment Leaks as regulated in 40 CFR 60.482-3(b)2. According to the Respondent’s letter dated August 10, 2012, Stratco C-101 (FUG 0016) is in compliance after required controls were installed in October 2011.

Source	Permit	Permitted Emission	Emissions from Source to Atmosphere	Status
Stratco C-101 LE/FUG FUG 0016	2589-V5	Vent emissions should be controlled	1 lb/hr VOC (isobutene)	Controls installed October 2011

Each failure to equip the above referenced compressor with a barrier fluid system degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device is a violation of 40 CFR 60.482-3(b)2, which language has been adopted as a Louisiana regulation in LAC 33:III.3003, Subsection E of the Louisiana MACT Determination for Refinery Equipment Leaks dated July 26, 1994, LAC 33:III.5109.A, Title V Permit Nos. 2589-V5 or 2341-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent also reported this in its Part 70 General Condition K and R Report dated September 30, 2011.”

II.

The Department hereby adds Paragraph II.M to the Findings of Fact portion of Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-12-00215 as follows:

“M. According to the Respondent’s correspondence dated July 1, 2015, compressors C-101 and C-102 at the KDLA unit have vents off of the second stage degassing reservoirs that are part of the barrier fluid system. These vents have a small amount of hydrocarbon emissions to the atmosphere and are unpermitted. Each unpermitted emission point is a violation of LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).”

III.

The Department hereby adds Paragraph VI to the Findings of Fact as follows:

“VI.

According to the Respondent’s correspondence dated July 1, 2015, the Respondent reported that among the compressors identified as needing controls were compressors C-101 and C-102 at the KDLA unit (part of the Specialties Complex Permit No. 2341-V3.) Following a detailed review of the facilities installed and the operating procedures in place for those compressors, Baton Rouge Refinery concluded that controls currently in place meet the requirements of the regulations. Specifically, each compressor seal system is operated with the barrier fluid at a pressure that is greater than the compressor stuffing box pressure as per the provisions of 40 CFR 60.482-3(b)(1) and MACT Determination E.3(a). A drop in barrier fluid pressure results in an initial alarm followed by a shut-down of the compressor if fluid pressure continues to fall below the trip point. This satisfies the compliance option noted in

40 CFR 60.482-3(b)(1). The Respondent noted that the three (3) compliance options provided in the regulations only require that one (1) of the options be met.

Baton Rouge Refinery recognized that the vents off of the second stage degassing reservoirs that are part of the barrier fluid system can have a small amount of hydrocarbon emissions to the atmosphere, and should be captured in the air permit. The Respondent stated they will submit a Case-by-Case Insignificant Activity to quantify these emissions under separate cover, and include them as an Insignificant Activity in the next permit modification.”

IV.

The Department hereby removes Paragraph VI of the Order portion of Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-12-00215.

V.

The Department hereby adds Paragraph XV to the Order portion of Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-12-00215 as follows:

“XV.

To submit to the Air Permits Division, within sixty (60) days after receipt of this **COMPLIANCE ORDER**, an updated permit modification application that reflects the current operating conditions of compressors C-101 and C-102 at the KDLA unit, including but not limited to, updating the emissions of the vents of the second stage degassing reservoirs that are part of the barrier fluid system, described in Paragraph VI of this Amended Consolidated Compliance Order & Notice of Potential Penalty. The Respondent shall submit a copy of the cover letter of the permit application to the Enforcement Division.”

VI.

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



Office of Environmental Compliance  
Post Office Box 4312  
Baton Rouge, Louisiana 70821-4312  
Attn: Alissa Cockerham  
Re: Enforcement Tracking No. AE-CN-12-00215  
Agency Interest No. 858 & 2638

VII.

The Department incorporates all of the remainder of the original **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-CN-12-00215** and **AGENCY INTEREST NO. 858 & 2638** as if reiterated herein.

VIII.

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

Baton Rouge, Louisiana, this 4 day of September, 2015.



D. Chance McNeely  
Assistant Secretary  
Office of Environmental Compliance

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

Louisiana Department of Environmental Quality  
Office of Environmental Compliance  
Enforcement Division  
Post Office Box 4312  
Baton Rouge, LA 70821-4312  
Attention: Alissa Cockerham