

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

LION COPOLYMER GEISMAR, LLC

AI # 1433

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

* Settlement Tracking No.
* SA-MM-20-0093
*
* Enforcement Tracking Nos.
* AE-CN-11-00317
* WE-CN-17-01069
*
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SETTLEMENT

The following Settlement is hereby agreed to between Lion Copolymer Geismar, 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 an integrated chemical production and synthetic rubber manufacturing facility located in Geismar, Ascension Parish, Louisiana (“the Facility”).

II

On July 17, 2012, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. AE-CN-11-00317 (Exhibit 1).

On December 13, 2017, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement No. WE-CN-17-01069 (Exhibit 2).

Additional violations, although not cited in the foregoing enforcement actions, are included

within the scope of this settlement (Exhibit 3). Exhibit 3 constitutes a complete and exclusive listing of all such additional violations subject to this settlement.

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 ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00), of which Five Thousand Seven Hundred Twelve and 64/100 Dollars (\$5,712.64) represents the Department's enforcement costs, in settlement of all 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 Orders & Notices of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

VI

This agreement shall be considered a final order of the Secretary for all purposes, including,

but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may be required for interpretation of this agreement in any action by the Department to enforce this agreement.

VII

This settlement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and settlement, the Department considered the factors for issuing civil penalties set forth in La. R. S. 30:2025(E) of the Act.

VIII

As required by law, the Department has submitted this Settlement Agreement to the Louisiana Attorney General for approval or rejection. The Attorney General's concurrence is appended to this Settlement Agreement.

IX

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Ascension Parish, Louisiana. The advertisement, in form and wording approved by the Department, announced the availability of this settlement for public view and comment and the opportunity for a public hearing. Respondent has submitted an original proof-of-publication affidavit and an original public notice to the Department and, as of the date this Settlement is executed on behalf of the Department, more than forty-five (45) days have elapsed since publication of the notice.

X

An initial payment of \$25,000.00 is to be made within ten (10) days from notice of the

Secretary's signature. The remaining \$75,000.00 is to be made in three equal installments of \$25,000, payable in six (6) month increments 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.

LION COPOLYMER GEISMAR, LLC

BY: Paul West
(Signature)

Paul West
(Printed)

TITLE: Plant Mgr.

THUS DONE AND SIGNED in duplicate original before me this 1 day of June, 20 21, at Geismar, LA.

Michelle Guidroz
NOTARY PUBLIC (ID # 57855)



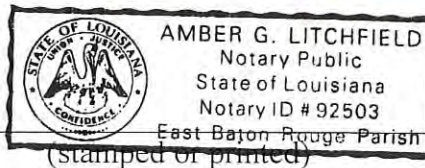
(stamped or printed)

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 10th day of August, 20 21, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # 92503)



(stamped or printed)

Approved: [Signature]
Lourdes Iturralde, Assistant Secretary



BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

July 17, 2012

CERTIFIED MAIL (7004 2510 0005 5753 5728)
RETURN RECEIPT REQUESTED

LION COPOLYMER GEISMAR, LLC
c/o C T Corporation System
Agent for Service of Process
5615 Corporate Boulevard, Suite 400B
Baton Rouge, LA 70808

**RE: CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-11-00317
AGENCY INTEREST NO. 1433**

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 **LION COPOLYMER GEISMAR, 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 Trisha Barbay at (225) 219-3169.

Sincerely,
M. Leigh Hawthorne
for
Celena J. Cage
Administrator
Enforcement Division

CJC/TAB/tab
Alt ID No. 0180-00012
Attachment



c: Lion Copolymer Geismar, LLC
c/o Mr. Phillip Spillane, Plant Manager
36191 Highway 30
Geismar, LA 70734

STATE OF LOUISIANA
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF	*	
	*	
LION COPOLYMER GEISMAR, LLC	*	ENFORCEMENT TRACKING NO.
ASCENSION PARISH	*	
ALT ID NO. 0180-00012	*	AE-CN-11-00317
	*	
	*	AGENCY INTEREST NO.
PROCEEDINGS UNDER THE LOUISIANA	*	
ENVIRONMENTAL QUALITY ACT,	*	1433
La. R.S. 30:2001, ET SEQ.	*	

CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **LION COPOLYMER GEISMAR, 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 the Geismar Facility (the facility), an integrated chemical production facility located at 36191 Louisiana Highway 30 in Geismar, Ascension Parish, Louisiana. Ownership of the facility was transferred to the Respondent on or about June 29, 2007. The Facility operates or has operated under the authority of the following Title V Air Permits:

UNIT	PERMIT	ISSUE DATE	EXPIRATION DATE
UBOB (para-aminodiphenylamine) Unit	1186-V1	12/1/2006	5/18/2011 (rescinded on 7/27/2010)
Royalene and Trilene Unit	2041-V0	8/5/2005; Administratively Amended on 12/22/2005	8/5/2010
	2041-V1	2/27/2009	8/5/2010

UNIT	PERMIT	ISSUE DATE	EXPIRATION DATE
	2041-V2	2/10/2010; Administratively Amended on 3/1/2010	8/5/2010
	2041-V3	7/28/2010	8/5/2010
	2041-V4	7/7/2011	7/7/2016
	2041-V5	9/12/2011	7/7/2016
THIAZOLES® Unit	2099-V2	8/1/2006	8/1/2011 (rescinded on 1/6/2009)
CELOGEN® OT-MBT Unit	2242-V1	8/26/2005	8/26/2010
	2242-V2	10/23/2008	8/26/2010
	2242-V3	3/4/2011	3/4/2016
Wastewater Treatment System	2292-V1	12/30/2004, Administratively Amended on 5/19/2005	12/30/2009
	2292-V2	2/28/2011	2/28/2016
Sulfur Recovery Unit/Tailgas Incinerator- Scrubber	2305-V1	10/16/2003	10/16/2008 (rescinded on 1/6/2009)
MH/MBT Unit	2327-V2	10/25/2003	10/25/2008 (rescinded on 1/6/2009)
Flexzone Unit	2333-V1	12/30/2004, Administratively amended on 4/20/2005	12/30/2009 (rescinded on 1/20/2010)
Royallene Wastewater Treatment Plant	2531-V1	2/25/2005; Administratively Amended on 7/8/2005	2/25/2010
	2531-V2	6/8/2011	6/8/2016
	2531-V3	9/29/2011	6/8/2016
Services and Laboratory	2551-V0	6/30/1998; Administratively Amended on 9/8/2002	6/30/2003
	2551-V1	2/5/2007	2/5/2012
	2551-V2	Permit Application dated 8/4/2011	
BHT/B-NINE Unit	2572-V4	12/6/2006; Administratively Amended on 2/28/2007	5/19/2009 (rescinded on 6/17/2009)
438L Unit	3041-V0	7/2/2007	7/2/2012 (rescinded on 7/27/2010)
CELOGEN® AZ Unit	514C-V2	10/2/2006	10/2/2011
	514C-V3	Permit Application dated 3/31/2011	

II.

On or about January 27, 2011, through February 27, 2011, the Department conducted inspections and a subsequent file review on or about April 27, 2012, to determine the Respondent's degree of

compliance with the Act, the Air Quality Regulations, and all applicable permits from June 29, 2007, through April 27, 2012. While the review is not complete, the Department noted the violations found in paragraphs III-VII of the Findings of Fact portion of this enforcement action.

III.

The Respondent reported the following unauthorized releases:

	REPORT (date)	PERMIT NUMBER	SOURCE	INCIDENT DATE (duration)	POLLUTANTS RELEASED (quantity reported)	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	Unauthorized Discharge Notification for T91203 (10/12/2006)	1186 V0	Storage Tank	10/7/2006	Toluene (997 lbs)	Storage Tank overflowed. Production rates on the front end of the process were increased during the day while back end rates were not. The discharge was due to operator error.	Failure to maintain control device (LAC 33:III.905)
B.	Unauthorized Discharge Notification for T99271 (9/11/2007)	2242 V1	PSV in Celogen OT Unit	9/7/2007 (20 minutes)	1,2 Dichloroethane (942 lbs)	A plugged flame arrestor led to over-heating and excessive pressure in a reactor.	Failure to maintain control device (LAC 33:III.905)
C.	Unauthorized Discharge Notification for T101911 (1/2/2008)	2041 V0	Vent line on Poly 2 Monomer Compressor	12/26/2007 (3 hours and 45 minutes)	n hexane (3,688 lbs)	The release began at 14:30 and at approximately 16:30, a production technician discovered solvent being discharged from vent line. The release was a result of faulty check valve allowed hexane solvent to flow back into compressor oil reservoir which overflowed.	Failure to maintain control device (LAC 33:III.905)
D.	Unauthorized Discharge Notification for T105836 (5/27/2008)	2242 V1	PSV on anhydrous ammonia unloading compressor	5/27/2008	Ammonia (38 lbs)	During unloading Anhydrous Ammonia tank car with the compressor turned on, the unloading system over-pressured to 250 psi causing the relief valve to open.	Failure to maintain control device (LAC 33:III.905)
E.	Unauthorized Discharge Notification for T106155 (6/6/2008)	2242 V1	Dehumidification Column Vent	6/4/2008	HCl (100 lbs)	Emissions due to fouling of an upstream Wastewater Stripper Column.	Failure to maintain control device (LAC 33:III.905)
F.	Unauthorized Discharge Notification For T112561 (2/11/2009)	2242-V1	Wastewater tanks, equipment	2/5/2009	Ethylene Dichloride (EDC) (13 lbs)	The Celogen OT Unit wastewater stripper was inadvertently mis-valved which allowed high concentration of ethylene dichloride to contaminate water.	Failure to maintain control device (LAC 33:III.905)
G.	Unauthorized Discharge Notification for T120217 (12/21/2009)	2041 V1	2 nd Stage Monomer Compressor PC 403	12/16/2009 (7 minutes)	Ethylene (36 lbs) Propylene (763 lbs)	A welded nipple was sheared. The root cause is unknown.	Failure to maintain control device (LAC 33:III.905)
H.	2011 Title V First Semiannual Monitoring Report (9/30/2011)	2041 V3	Royalene/Trilene Semiworks Fugitive Emissions (FUG0009)	3/25/2011 (15 minutes)	VOC (360.75 lbs) n-hexane (232.06 lbs)	Leaking corroded lines due to improper insulation.	Specific Requirement 85 40 CFR 63.160-182 Failure to properly insulate lines (LAC 33:III.905)

Each unauthorized release of emissions 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).

IV.

The Respondent reported the following deviations from permitted operating parameters:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	OPERATING PARAMETER	POLLUTANTS INVOLVED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	2007 Title V Second Semiannual Monitoring Report (3/14/2008)	2327-V2	Hydrazine Storage Vent Condenser (EQT5002)	7/31/2007 (1 hour and 25 minutes)	Maintain maximum exit cooling water temperature below 50°F	Hydrazine	Storage tank condenser was plugged resulting in restricted cooling water flow.	Part 70 Specific Condition 1-Table 2
B.	2008 Title V Annual Compliance Certification (3/31/2009)	514C V2	Blend Fugitive Dust collector (EQT086)	1/10/2008 (45 minutes)	Opacity <=20%	Particulate Matter	A rupture disk was compromised and one dust collector bag had fallen.	Specific Requirement 135 LAC 33:III.1311.C
C.	2008 Title V Annual Compliance Certification (3/31/2009)	2327 V2	Hydrazine Storage Vent Condenser (EQT5002)	2/16/2008 (7 hours and 30 minutes)	Maintain maximum exit cooling water temperature below 50°F	Hydrazine	Cooling water supply was interrupted while water lines to and from a decommissioned unit were being blinded off.	Part 70 Specific Condition 1-Table 2
D.	2008 Title V Annual Compliance Certification (3/31/2009)	2327 V2	Hydrazine Storage Vent Condenser (EQT5002)	3/2/2008 3/10/2008 (194 hours)	Maintain maximum exit cooling water temperature below 50°F	Hydrazine	Refrigeration unit was shut down due to damage to compressor and evaporator tubes.	Part 70 Specific Condition 1-Table 2
E.	2008 Title V Annual Compliance Certification (3/31/2009)	2327-V2	Hydrazine Storage Vent Condenser (EQT5002)	4/20/2008 (45 minutes)	Maintain maximum exit cooling water temperature below 50°F	Hydrazine	Condenser water supply line was plugged.	Part 70 Specific Condition 1-Table 2
F.	2008 Title V Annual Compliance Certification (3/31/2009)	2242 V1	Celogen OT Centrifuge (EQT441)	8/18/2008 8/19/2008 (26 hours)	Control emissions of TAPs to a degree that constitutes MACT	1,2 Dichloroethane	Breakthrough of the carbon canister and was not detected by the AreaRae monitor.	Specific Requirement 22 LAC 33:III.5109.A.1
G.	2008 Title V Annual Compliance Certification (3/31/2009)	2327 V2	Hydrazine Storage Vent Condenser (EQT5002)	8/25/2008 (6 hours and 45 minutes)	Maintain maximum exit cooling water temperature below 50°F	Hydrazine	The cooling water supply to condenser was interrupted while water lines to and from a decommissioned unit were being blinded off.	Part 70 Specific Condition 1-Table 2
H.	2008 Title V Annual Compliance Certification (3/31/2009) & 40 CFR 63 Subpart FFFF Initial Compliance Report (2/27/2009)	2242 V1	Celogen OT Centrifuge (EQT441)	9/9/2008 09/11/2008 (48 hours)	Control emissions of TAPs to a degree that constitutes MACT	1,2 Dichloroethane	Breakthrough of carbon canister; >20 ppm emissions over a 24 hour period. Exceeded on 9/10/2008 with average emissions of 195.70 ppm.	Specific Requirement 22 LAC 33:III.5109.A.1

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	OPERATING PARAMETER	POLLUTANTS INVOLVED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
I.	2008 Title V Annual Compliance Certification (3/31/2009)	2041 V0	Royalene Flare (EQT257)	9/16/2008 (1 hour)	Opacity <=20%	Particulate Matter	Plug in barometric loop	Specific Requirement 62 LAC 33:III.1311.C
J.	2008 Title V Annual Compliance Certification (3/31/2009)	2242-V1	Dehumidification Column (EQT440)	11/2/2008 11/3/2008 (13 hours)	Maintain exit temperature <=23 F*	1,2 Dichloroethane	The refrigeration unit shutdown due to unit freezing up.	Specific Requirement 20 LAC 33:III.5109
K.	2008 Title V Annual Compliance Certification (3/31/2009)	2242-V1	Dehumidification Column (EQT440)	11/8/2008 (8 hours)	Maintain exit temperature <=23 F*	1,2 Dichloroethane	The refrigeration unit shutdown due to low suction pressure on heat exchanger resulting from control valve being bypassed.	Specific Requirement 20 LAC 33:III.5109
L.	2009 Title V Annual Compliance Certification (3/26/2010)	2242-V2	Dehumidification Column (EQT0440)	1/7/2009 (10 hours)	Maintain exit temperature <=23 F*	1,2 Dichloroethane	Dehumidification column froze up due to recirculation problems that resulted in inadequate flow through column.	Specific Requirement 24 LAC 33:III.5109
M.	2009 Title V Annual Compliance Certification (3/26/2010)	2242-V2	Dehumidification Column (EQT0440)	1/8/2009 (2 hours)	Maintain exit temperature <=23 F*	1,2 Dichloroethane	Column shutdown due to operational error.	Specific Requirement 24 LAC 33:III.5109
N.	2009 Title V Annual Compliance Certification (3/26/2010)	2242-V2	Dehumidification Column (EQT0440)	2/23/2009 2/24/2009 (1.25 days)	Maintain exit temperature <=23 F*	1,2 Dichloroethane	Dehumidification column shutdown due to freeze up from a low acid level.	Specific Requirement 24 LAC 33:III.5109
O.	2009 Title V Annual Compliance Certification (3/26/2010)	2242-V2	Celogen OT Centrifuge (EQT0441)	2/24/2009 2/26/2009 (2 days)	Control emissions of TAPs to a degree that constitutes MACT	1,2 Dichloroethane	The first carbon canister exceeded 20 ppm and was not changed out within 24 hours.	Specific Requirement 27 LAC 33:III.5109.A
P.	2009 Title V Annual Compliance Certification (3/26/2010)	2242 V2	Dehumidification Column (EQT0440)	4/16/2009 (1 hour)	Maintain exit temperature <=23 F*	1,2 Dichloroethane	Dehumidification column shutdown due to freeze up from a low acid level and excess water in column during cleaning.	Specific Requirement 24 LAC 33:III.5109
Q.	2009 Title V Annual Compliance Certification (3/26/2010)	2242 V2	Celogen OT Centrifuge (EQT0441)	4/23/2009 4/24/2009 (1 day)	Control emissions of TAPs to a degree that constitutes MACT.	1,2 Dichloroethane	The first carbon canister exceeded 20 ppm and was not changed out within 24 hours.	Specific Requirement 27 LAC 33:III.5109.A
R.	2009 Title V Annual Compliance Certification (3/26/2010)	2242 V2	Finishing Vent (EQT0438) Fugitive Emissions (FUG0012)	8/10/2009 (20 minutes)	Opacity <=20%	SO ₂ NO NO ₂	Decomposition in the Celogen OT Finishing Area due to friction build up of the rotary valve. The Opacity exceeded 20%.	Specific Requirement 8 & 32 LAC 33:III.5109.A
S.	2009 Title V Annual Compliance Certification (3/26/2010)	2242 V2	Dehumidification Column (EQT0440)	9/10/2009 (4 hours)	Maintain exit temperature <=23 F*	1,2 Dichloroethane	Leak on EOC chiller.	Specific Requirement 24 LAC 33:III.5109

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	OPERATING PARAMETER	POLLUTANTS INVOLVED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
T.	2009 Title V Annual Compliance Certification (3/26/2010)	2242 V2	Dehumidification Column (EQT0440)	11/9/2009 (2 hours)	Maintain exit temperature <=23 F*	1,2 Dichloroethane	Leak on flange gasket.	Specific Requirement 24 LAC 33:III.5109
U.	2009 Title V Annual Compliance Certification (3/26/2010)	2041 V1	Royalene Flare (EQT0257)	12/8/2009	Opacity <=20%	VOC	Power failure resulted in loss of steam followed by shutdown. The Opacity was >20% for .167 hours.	Specific Requirement 69 LAC 33:III.1311.C
						n-hexane		
						CO		
						NO ₂		
V.	2010 Title V Annual Compliance Certification (3/31/2011)	2041 V1/V2	Diene-Free Hexane Storage Tank (EQT0278)	1/1/2010 6/30/2010 (intermittently)	The internal floating roof shall be floating on the liquid surface at all times	VOC	The internal floating roof was not resting on liquid surface at all time during normal operations.	Specific Requirement 153 40 CFR 63.119(b)(1)
						n hexane		
W.	2010 Title V Annual Compliance Certification (3/31/2011)	2041-V1/V2	Dry Hexane Storage Tank (EQT286)	1/1/2010 6/30/2010	The internal floating roof shall be floating on the liquid surface at all times	VOC	The internal floating roof was not resting on liquid surface at all time during normal operations.	Specific Requirement 192 40 CFR 63.119(b)(1)
						n-hexane		
X.	2010 Title V Annual Compliance Certification (3/31/2011)	2041 V3	Dry Hexane Storage Tank (EQT0286)	7/1/2010 10/1/2010 (intermittently)	The internal floating roof shall be floating on the liquid surface at all times	VOC	The internal floating roof was not resting on liquid surface at all time during normal operations.	Specific Requirement 56 40 CFR 63.119(b)(1)
						n hexane		
Y.	2010 Title V Annual Compliance Certification (3/31/2011)	2242 V2	Finishing Vent (EQT0438) & Fugitive Emissions (FUG0012)	12/21/2010 (8 minutes)	Opacity <=20%	SO ₂	Potential irregularities in raw materials resulted in decomposition. The Opacity exceeded 20%.	Specific Requirement 8 & 32 LAC 33:III.5109.A
						NO		
						NO ₂		

Each deviation from permitted operating parameters 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).

V.

The Respondent reported the following deviations from monitoring requirements:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	MONITORING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	2007 Title V Second Semiannual Monitoring Report (3/14/2008)	2333 V1	BHT Flare (EQT403)	8/26/2007 (12 hours)	Presence of flame monitored by flame monitor continuously	The process computer failed to record the presence of a flame.	Specific Requirement 19 LAC 33:III.2115 40 CFR 64
B.	2007 Title V Second Semiannual Monitoring Report (3/14/2008)	2333 V1	BHT Flare (EQT403)	10/8/2007 (12 hours)	Presence of flame monitored by flame monitor continuously	The process computer failed to record the presence of a flame.	Specific Requirement 19 LAC 33:III.2115 40 CFR 64

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	MONITORING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
C.	2009 Title V Annual Compliance Certification (3/26/2010)	2242-V2	Celogen OT Centrifuge (EQT0441)	11/15/2009 (1 week)	Monitor the dual carbon canister on the centrifuge vent according to the alternate monitoring plan	Not Monitored.	Specific Requirement 27 LAC 33:III.5109.A
D.	2011 Title V First Semiannual Monitoring Report (9/30/2011)	2041-V3	Royalene Flare (EQT0257)	2/28/2011 3/16/2011	Presence of a flame monitored by flame monitor continuously	Flare monitor was inadvertently taken offline during the Poly 3 shutdown.	Specific Requirement 28 40 CFR 63.11(b)(5) Failure to maintain a control device (LAC 33:III.905)

Each failure to monitor as required 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)

VI.

The Respondent reported the following emission exceedances:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	POLLUTANTS RELEASED (Max lb/hr permit limit)	EXCESS EMISSIONS REPORTED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	2009 Title V Annual Compliance Certification (3/26/2010) & First Half 2009 Semi-Annual HON Report (8/26/2009)	2041-V0	Dry Hexane Storage Tank (EQT0286)	1/13/2009	VOC (50 lbs/hr)	43.37 lbs	Vacuum resulted due to pumping out of the tank with the conservation vent removed while the opening was covered.	Specific Requirement 197 40 CFR 60.112b(a)(1) Failure to maintain control device (LAC 33:III.905)
				1/16/2009 (2.9 days)	n-hexane (33 lbs/hr)	24.10 lbs		
B.	2009 Title V Annual Compliance Certification (3/26/2010)	2292-V1	Hold Tank (EQT168) & Lift Station (EQT171)	2/6/2009	EQT 168: 1,2 Dichloroethane (<.001 lbs/hr)	19.64 lbs	EDC was sent to the lift station and the neutralization jar due to a plug in the decanter followed by misvalving.	Failure to maintain control device (LAC 33:III.905)
				4/1/2009 (53.33 days)	EQT 171: 1,2 Dichloroethane (.001 lbs/hr)			
C.	2009 Title V Annual Compliance Certification (3/26/2010)	2041-V1	Dewatering Screen Vents (EQT0266;EQT0267); Dryer Feed Conveyers and Cyclone Vents (EQT0268;EQT0269); Dryer Zone Vents (EQT0270;EQT0271; EQT0272;EQT0273); Water Drum (EQT0275); Dewatering Press Vents (EQT0371;EQT0372); Conveyors (EQT0374); Finishing Sump (EQT0375)	4/20/2009 4/22/2009 (2 days)	VOC	176.19 lbs	Exceeded the hourly maximum permit limits due to inadequate steam stripping occurring during processing.	LAC 33:III.501.C.4

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	POLLUTANTS RELEASED (Max lb/hr permit limit)	EXCESS EMISSIONS REPORTED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
D.	2009 Title V Annual Compliance Certification (3/26/2010)	2242 V2	Dehumidification Column (FQT0440)	4/21/2009 (1 hour)	1,2 Dichloroethane (10 482 lbs/hr)	.23 lbs	Disconnected slurry tank from column and vented to atmosphere because production personnel believed emissions control was not necessary due to recent process changes.	Specific Requirement 25 LAC 33:III.5109 Bypassing a control device (LAC 33:III.905)
E.	2009 Title V Annual Compliance Certification (3/26/2010)	2242 V2	Celogen OT Centrifuge (EQT0441)	4/21/2009 (2 hours)	1,2 Dichloroethane (3 125 lbs/hr)	.67 lbs	Operated centrifuge vent without being connected to the carbon canister system because personnel believed emissions control was not necessary due to recent process changes.	Specific Requirement 27 LAC 33:III.5109.A.1 Bypassing a control device (LAC 33:III.905)
F.	2009 Title V Annual Compliance Certification (3/26/2010)	2242 V2	Finishing Vent (EQT0438) Fugitive Emissions (FUG0012)	5/7/2009 (15 minutes)	SO ₂ (unpermitted)	38.00 lbs	Friction build-up on Rotary valve may have sparked decomposition. The Opacity exceeded 20%	Specific Requirement 8 & 32 LAC 33:III.5109.A
					NO (unpermitted)	8.40 lbs		
					NO _x (unpermitted)	12.90 lbs		
G.	2009 Title V Annual Compliance Certification (3/26/2010)	2242 V2	Finishing Vent (EQT0438) Fugitive Emissions (FUG0012)	5/19/2009 (20 minutes)	SO ₂ (unpermitted)	38.00 lbs	Friction build up on Rotary valve may have sparked decomposition. The Opacity exceeded 20%.	Specific Requirement 8 & 32 LAC 33:III.5109.A
					NO (unpermitted)	8.40 lbs		
					NO _x (unpermitted)	12.90 lbs		
H.	2010 Title V Annual Compliance Certification (3/31/2011)	2041 V2	Dry Hexane Storage Tank Condenser (EQT0254)	6/5/2010 (8 hours)	VOC (.27 lbs/hr)	2.72 lbs	Storage tank condenser temperature increased to 8.26F* resulting in excess emissions.	LAC 33:III.501.C.4
					n-hexane (.16 lbs/hr)	1.64 lbs		
I.	2011 Title V First Semiannual Monitoring Report (9/30/2011)	2041 V3	Dry Hexane Storage Tank Condenser (EQT0254)	2/1/2011	VOC (.27 lbs/hr)	6.20 lbs	Electronic controller on refrigeration unit malfunctioned and unit froze up resulting in excess emissions.	LAC 33:III.501.C.4
				2/2/2011 (15 hours)	n-hexane (.16 lbs/hr)	3.72 lbs		
J.	2011 Title V First Semiannual Monitoring Report (9/30/2011)	2041 V3	Dewatering Screen Vents (EQT0266,EQT0267), Dryer Feed Conveyers and Cyclone Vents (EQT0268,EQT0269); Dryer Zone Vents (EQT0270,EQT0271; EQT0272,EQT0273); Water Drum (EQT0275); Dewatering Press Vents (EQT0371,EQT0372); Conveyors (EQT0374); Finishing Sump (EQT0375)	3/28/2011 3/28/2011 (12 hours and 30 minutes)	VOC	227.85 lbs	Hourly and annual emissions are permitted under Finishing Line Cap. The individual maximum hourly permitted rates for these sources did not account for fluctuations in product type or rates.	LAC 33:III.501.C.4

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	POLLUTANTS RELEASED (Max lb/hr permit limit)	EXCESS EMISSIONS REPORTED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
K.	2011 Title V First Semiannual Monitoring Report (9/30/2011)	2041 V3	Dewatering Screen Vents (EQTO266;EQTO267); Dryer Feed Conveyers and Cyclone Vents (EQTO268;EQTO269); Dryer Zone Vents (EQTO270;EQTO271;EQTO272;EQTO273); Water Drum (EQTO275); Dewatering Press Vents (EQTO371;EQTO372); Conveyors (EQTO374); Finishing Sump (EQTO375)Finishing Sump (EQTO375)	4/5/2011 4/6/2011 (intermittently for total of 10 hours)	VOC	242.44 lbs	Hourly and annual emissions are permitted under Finishing Line Cap. The individual maximum hourly permitted rates for these sources did not account for fluctuations in product type or rates.	LAC 33:III.501.C.4

Each emission exceedance of each emission point (source) 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	POLLUTANTS RELEASED	DEVIATIONS	REGULATORY or PERMIT REQUIREMENTS
A.	2007 Title V Second Semiannual Monitoring Report (3/14/2008)	2041-V0	Royalene/Trilene Semiworks Fugitive Emissions (FUG009)	8/5/2005 12/22/2007	VOC	185 valves were not previously identified to be in OHAP service. Valves are to be monitored semiannually.	Specific Requirement 436 40 CFR 63.160-182
B.	2007 Title V Second Semiannual Monitoring Report (3/14/2008)	2041 V0	Royalene/Trilene Semiworks Fugitive Emissions (FUG009)	8/5/2005 12/22/2007	VOC	1723 connectors were not previously identified to be in OHAP service. Connectors are to be monitored annually.	Specific Requirement 436 40 CFR 63.160-182
C.	2009 Title V Annual Compliance Certification (3/26/2010)	2041-V0/V1	Royalene/Trilene Semiworks Fugitive Emissions (FUG0009)	8/5/2005 5/11/2009	VOC	Feed Filters in VOC service were not tagged in the LDAR program.	Specific Requirement 424 40 CFR 63.160-182
D.	2008 Title V Annual Compliance Certification (3/31/2009)	2041 V0	Royalene/Trilene Semiworks Fugitive Emissions (FUG009)	3/3/2008	VOC	The first attempt of repair was inadvertently rescheduled for the sixth day.	Specific Requirement 436 40 CFR 63.160-182
E.	2008 Title V Annual Compliance Certification (3/31/2009)	2041 V0	Royalene/Trilene Semiworks Fugitive Emissions (FUG009)	10/2/2008 10/3/2008	VOC	A leaking valve was not repaired within 15 days of leak being detected; leak repaired on day 16	Specific Requirement 436 40 CFR 63.160-182
F.	2008 Title V Annual Compliance Certification (3/31/2009)	2041-V0	Royalene/Trilene Semiworks Fugitive Emissions (FUG009)	10/15/2008 11/4/2008	VOC	A visual leak found on a regulator and not documented as visual leak subject to LDAR and thus was not repaired within 15 days.	Specific Requirement 436 40 CFR 63.160-182
G.	2008 Title V Annual Compliance Certification (3/31/2009)	2041 V0	Royalene/Trilene Semiworks Fugitive Emissions (FUG009)	10/16/2008 10/18/2008	VOC	A leaking connector was not repaired within 15 days of the leak being detected because clamp was fabricated and inadvertently installed on the wrong connector.	Specific Requirement 436 40 CFR 63.160-182

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	POLLUTANTS RELEASED	DEVIATIONS	REGULATORY or PERMIT REQUIREMENTS
H.	2009 Title V Annual Compliance Certification (3/26/2010)	2041 V1	Royalene/Trilene Semiworks Fugitive Emissions (FUG0009)	4/1/2009 4/16/2009	VOC	A leak was not re-monitored and repaired within 15 days of leak being detected.	Specific Requirement 436 40 CFR 63.160-182
I.	2009 Title V Annual Compliance Certification (3/26/2010)	2041 V1	Royalene/Trilene Semiworks Fugitive Emissions (FUG0009)	4/22/2009 5/13/2009	VOC	A leak was not repaired within 15 days of leak being detected.	Specific Requirement 436 40 CFR 63.160-182
J.	2009 Title V Annual Compliance Certification (3/26/2010)	2041 V1	Royalene/Trilene Semiworks Fugitive Emissions (FUG0009)	6/12/2009 6/17/2009	VOC	A leak was not repaired within 15 days of leak being detected.	Specific Requirement 436 40 CFR 63.160-182
K.	2009 Title V Annual Compliance Certification (3/26/2010)	2242 V2	Fugitive Emissions (FUG0012)	9/1/2009 10/1/2009	Particulate Matter	The Celogen OT pumps were not monitored during the month of September.	
L.	2009 Title V Annual Compliance Certification (3/26/2010)	2041 V1	Royalene/Trilene Semiworks Fugitive Emissions (FUG0009)	12/22/2009	VOC	Visual pump seal leak was repaired on Day 15 but not re-monitored until Day 17.	Specific Requirement 436 40 CFR 63.160-182
M.	2011 Title V Second Semiannual Monitoring Report	2041 V5	Royalene/Trilene Semiworks Fugitive Emissions (FUG0009/10)	09/2010 09/2011	VOC	Tag A3392 for Cat L pump RP-403A was marked OOS in the LDAR monitoring database in Aug 2010. The pump has been in service but was only monitored in Oct 2010, Nov 2010, and Aug 2011 due to visual leaks. Weekly visual inspections were performed during the entire period.	Specific Requirement 21 40 CFR 63.163(b)(1)

Each deviation from 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.2122.C.3, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

VIII.

During the course of the Hazardous Waste Compliance Inspection conducted August 30, 2011, through August 31, 2011, the inspector noted open one (1) gallon and five (5) gallon containers of paint allowed to air dry inside a closed non-ventilated paint room. Each failure to utilize the best practical housekeeping and maintenance practices by leaving containers of volatile organic compounds (VOC) open and the contents allowed to evaporate is a violation of Specific Requirement 8 of Title V Permit No. 2551-V1, LAC 33:III.2113.A.2, La R.S. 30:2057(A)(1), and La R.S. 30:2057(A)(2).

IX.

On or about May 24, 2012, a meeting was held with the Respondent. Written correspondence was received on June 1, 2012. The Emission Point No. EQ1 0254, Dry Hexane Storage Tank Condenser, is permitted to emit 0.83 tons per year (tpy) of total volatile organic compounds (VOCs),

and 0.50 tpy of n-hexane under Title V Permit No. 2041-V5. According to the Respondent, during the preparation of the 2011 Emissions Inventory the calculations performed revealed that EQT 0254 emitted 3.1366 tpy of VOC and 0.6379 tpy of n-hexane. The exceedances of VOC and n-hexane for EQT 0254 is a violation of Title V Permit No. 2041-V5, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

X.

The Respondent reported the following deviations as follows:

REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	POLLUTANTS RELEASED (Max lb/hr permit limit)	REPORTED CAUSE
A 2009 Title V Annual Compliance Certification (3/26/2010)	2041-V1	Dewatering Screen Vents (EQT0266;EQT0267); Dryer Feed Conveyers and Cyclone Vents (EQT0268;EQT0269); Dryer Zone Vents (EQT0270;EQT0271;EQT0272;EQT0273); Water Drum (EQT0275); Dewatering Press Vents (EQT0371;EQT0372); Conveyors (EQT0374); Finishing Sump (EQT0375)	4/20/2009 4/22/2009 (2 days)	n hexane	Exceeded the hourly maximum permit limits due to inadequate steam stripping occurring during processing.
B 2009 Title V Annual Compliance Certification (3/26/2010)	2242-V2	Finishing Vent (EQT0438) Fugitive Emissions (FUG0012)	8/10/2009 (20 minutes)	SO ₂ (unpermitted) NO (unpermitted) NO _x (unpermitted)	Decomposition in the Celogen OT Finishing Area due to friction build up of the rotary valve. The Opacity exceeded 20%.
C 2009 Title V Annual Compliance Certification (3/26/2010)	2041-V1	Dewatering Screen Vents (EQT0266;EQT0267); Dryer Feed Conveyers and Cyclone Vents (EQT0268;EQT0269); Dryer Zone Vents (EQT0270;EQT0271;EQT0272;EQT0273); Water Drum (EQT0275); Dewatering Press Vents (EQT0371;EQT0372); Conveyors (EQT0374); Finishing Sump (EQT0375)	8/19/2009 8/20/2009 (24 hours)	VOC	Inadequate steam stripping in Finishing 3. Exceeded the maximum hourly limit for VOC.
D 2009 Title V Annual Compliance Certification (3/26/2010)	2041-V1	Dewatering Screen Vents (EQT0266;EQT0267); Dryer Feed Conveyers and Cyclone Vents (EQT0268;EQT0269); Dryer Zone Vents (EQT0270;EQT0271;EQT0272;EQT0273); Water Drum (EQT0275); Dewatering Press Vents (EQT0371;EQT0372); Conveyors (EQT0374); Finishing Sump (EQT0375)	10/4/2009 10/6/2009 (46.25 hours)	VOC	Inadequate steam stripping in Finishing 3. Exceeded the maximum hourly limit for VOC.

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	POLLUTANTS RELEASED (Max lb/hr permit limit)	REPORTED CAUSE
E.	2009 Title V Annual Compliance Certification (3/26/2010)	2041 V1	Dewatering Screen Vents (EQT0266;EQT0267); Dryer Feed Conveyers and Cyclone Vents (EQT0268;EQT0269); Dryer Zone Vents (EQT0270;EQT0271; EQT0272;EQT0273); Water Drum (EQT0275); Dewatering Press Vents (EQT0371;EQT0372); Conveyors (EQT0374); Finishing Sump (EQT0375)	10/31/2009 - 11/4/2009	VOC	Inadequate steam stripping in Finishing 3. Exceeded the maximum hourly limit for VOC.
F.	2009 Title V Annual Compliance Certification (3/26/2010)	2041 V1	Royalene Flare (EQT0257)	12/8/2009	VOC (5.52 lbs/hr) n-hexane (2.06 lbs/hr) CO (37.41 lbs/hr) NO _x (6.88 lbs/hr) PM ₁₀ (1.52 lbs/hr)	Power failure resulted in loss of steam followed by an unplanned shutdown. Exceeded the maximum hourly limits. The Opacity was >20% for .167 hours.
G.	2010 Title V Annual Compliance Certification (3/31/2011)	2041 V1	Dewatering Screen Vents (EQT0266;EQT0267); Dryer Feed Conveyers and Cyclone Vents (EQT0268;EQT0269); Dryer Zone Vents (EQT0270;EQT0271; EQT0272;EQT0273); Water Drum (EQT0275); Dewatering Press Vents (EQT0371;EQT0372); Conveyors (EQT0374); Finishing Sump (EQT0375)	2/8/2010 2/12/2010 (94.67 hours)	VOC	Inadequate steam stripping in Finishing 3. Exceeded the maximum hourly limit for VOC.
H.	2010 Title V Annual Compliance Certification (3/31/2011)	2041-V2	Dewatering Screen Vents (EQT0266;EQT0267); Dryer Feed Conveyers and Cyclone Vents (EQT0268;EQT0269); Dryer Zone Vents (EQT0270;EQT0271; EQT0272;EQT0273); Water Drum (EQT0275); Dewatering Press Vents (EQT0371;EQT0372); Conveyors (EQT0374); Finishing Sump (EQT0375)	4/11/2010 4/15/2010 (96.25 hours)	VOC	Inadequate steam stripping in Finishing 3. Exceeded maximum hourly limit for VOC.
I.	2010 Title V Annual Compliance Certification (3/31/2011)	2041-V2	Dewatering Screen Vents (EQT0266;EQT0267); Dryer Feed Conveyers and Cyclone Vents (EQT0268;EQT0269); Dryer Zone Vents (EQT0270;EQT0271; EQT0272;EQT0273); Water Drum (EQT0275); Dewatering Press Vents (EQT0371;EQT0372); Conveyors (EQT0374); Finishing Sump (EQT0375)	7/8/2010 7/11/2010 (48 hours)	VOC	Insufficient stripping resulted in exceedance of maximum hourly limit for VOC.

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	POLLUTANTS RELEASED (Max lb/hr permit limit)	REPORTED CAUSE
J.	2010 Title V Annual Compliance Certification (3/31/2011)	2242 V2	Finishing Vent (EQT0438) & Fugitive Emissions (FUG0012)	12/21/2010 (8 minutes)	SO ₂ (unpermitted) NO (unpermitted) NO _x (unpermitted)	Potential irregularities in raw materials resulted in decomposition. The Opacity exceeded 20%.
K.	2011 Title V First Semiannual Monitoring Report (9/30/2011)	2041 V3	Slurry Tanks (N/A)	1/1/2011 6/30/2011 (intermittently)	VOC	The tanks have periodically operated above their respective relief device set pressure which resulted of venting through safety relief devices during non-emergency situations.

COMPLIANCE ORDER

Based on the foregoing, the Respondent is **hereby ordered**:

I.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Act, the Air Quality Regulations including, but not limited to, all the operating Air permits.

II.

To submit to the Department within thirty (30) days after receipt of this **COMPLIANCE ORDER**, revised reports specifying the amount of excess emissions for each incident identified in the table under Paragraph X. of the Findings of Fact section that was not provided in the associated Annual Compliance Certifications and Semiannual Monitoring Reports.

III.

To immediately, upon receipt of this **COMPLIANCE ORDER**, institute policies and procedures in accordance with the best practical housekeeping and maintenance practices including, but not limited to, practices defined in LAC 33:III.2113.

IV.

To protect air quality, the Respondent is required to comply with the following at the Respondent's facility:

- A. If the Respondent chooses to emit any air contaminant in the State of Louisiana from the Geismar Facility the following interim limitations shall apply at the facility:

Emission Point No.	Pollutant	Emission Rate (average lbs/hr)	Emission Rate (Tons/year)
EQT 0254 (Dry Hexane Storage Tank Condenser)	n-Hexane	0.2353	1.0304
	Chloroethane	<0.001	<0.001
	2,2,4 - Trimethylpentane	<0.0001	<0.0001
	Other VOCs	0.9965	4.3648
	Total VOCs	1.2320	5.3960

- B. The interim limitations shall remain in effect until the Title V Permit is modified incorporating the newly constructed internal floating roof tank in place of EQT 0254 with appropriate emission limitations, or until the Respondent is otherwise notified by the Department. 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 these interim limitations.
- C. If the Respondent does not choose to emit any air contaminant in the State of Louisiana from Geismar Facility (Agency Interest No. 1433) the Respondent shall, within thirty (30) days after receipt of the **COMPLIANCE ORDER**, provide written documentation to the Department that no activities exist at the Respondent's facility resulting in any unauthorized discharges to the air.

V.

To submit to the Air Permits Division, within 180 days after commencement of operation of the internal floating roof tank, a permit modification incorporating the newly constructed internal floating roof tank with appropriate emission limitations.

VI.

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: Trisha Barbay
Re: Enforcement Tracking No. AE-CN-11-00317
Agency Interest No. 1433

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-11-00317
Agency Interest No. 1433

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 Trisha Barbay at (225) 219-3169 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 17 day of July, 2012.



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: Trisha Barbay



JOHN BEL EDWARDS
GOVERNOR

CHUCK CARR BROWN, Ph.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

December 13, 2017

CERTIFIED MAIL (7004 2510 0006 3854 1174)
RETURN RECEIPT REQUESTED

LION COPOLYMER GEISMAR, LLC
c/o C T Corporation System
3867 Plaza Tower Drive
Baton Rouge, Louisiana 70816

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. WE-CN-17-01069
AGENCY INTEREST NO. 1433**

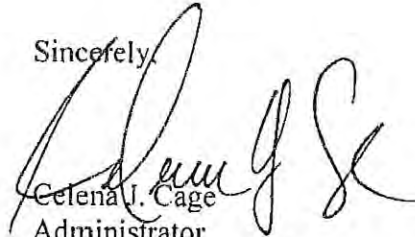
Dear Sir:

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 **LION COPOLYMER GEISMAR, 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 Bernie Boyett at (225) 219-0783.

Sincerely,


Celena J. Cage
Administrator
Enforcement Division

CJC/BKB/bkb
Alt ID No. LA0000752
Attachments

c: e-copy-DHH/Office of Public Health



**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE**

IN THE MATTER OF	*	
	*	
LION COPOLYMER GEISMAR, LLC	*	ENFORCEMENT TRACKING NO.
ASCENSION PARISH	*	
ALT ID NO. LA0000752	*	WE-CN-17-01069
	*	
	*	AGENCY INTEREST NO.
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	1433
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 **LION COPOLYMER GEISMAR, 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) and 30:2050.2.

FINDINGS OF FACT

I.

The Respondent owns and/or operates a synthetic rubber manufacturing facility located at 36191 LA Highway 30 in Geismar, Ascension Parish, Louisiana. The Respondent was issued Louisiana Pollutant Discharge Elimination System (LPDES) permit LA0000752 on May 25, 2011, with an effective date of June 1, 2011, and an expiration date of May 31, 2016. A Major LPDES Permit Modification was issued to the Respondent on March 12, 2012, with an effective date of April 1, 2012, and an expiration date of May 31, 2016. Another Major LPDES Permit Modification was issued to the Respondent on May 24, 2013, with an effective date of June 1, 2013, and an expiration date of May 31, 2016. On or about December 3, 2015, the

Department extended the deadline for submittal of the LPDES permit renewal application to March 2, 2016. The Department reissued LPDES permit LA0000752 to the Respondent on August 29, 2017, with an effective date of August 29, 2017, and an expiration date of August 28, 2022. LPDES permit LA0000752 authorizes the Respondent to discharge treated process wastewater and process area stormwater, treated intermittent plant washdown, and hydroblast waters, miscellaneous operations and maintenance wastewaters, non-process area stormwater runoff, cooling tower blowdown, laboratory wastewater, leachate from the closed landfill, and groundwater purged from onsite groundwater remediation systems via Outfall 001 to an outfall at the neighboring Air Liquide Large Industries U.S. LP Geismar Utility Services Facility, thence to the Mississippi River, waters of the state; and a combined effluent pipeline and non-process area stormwater, intermittent overflow/seepage from the firewater pond and the warehouse firewater pond, stormwater and condensate from Rubicon and REG Geismar, LLC, miscellaneous operational and maintenance wastewaters, stormwater from decommissioned process areas, cooling tower blowdown (optional routing), and post first flush stormwater via Outfall 002 to local drainage, thence New River, waters of the state.

II.

A file review conducted by the Department on or about November 15, 2017, revealed that the Respondent was discharging from a location not authorized by LPDES permit LA0000752. The Respondent reported the following unauthorized discharges:

Date	Discharge	Location	Cause
05/09/2014	Untreated process wastewater	New River via Outfall 002	Rain event
05/28/2014	Untreated process wastewater	New River via Outfall 002	Rain event
06/10/2014	Untreated process wastewater	New River via Outfall 002	Rain event
06/23/2014	Treated process wastewater	New River via Outfall 002	Pump failure
10/10/2014	Untreated sanitary wastewater	New River via Outfall 002	Pump failure
12/04/2014	Treated process wastewater and cooling tower blowdown	New River via Outfall 002	Electrical switchgear failure
04/14/2015	Untreated process wastewater	New River via Outfall 002	Rain event
05/18/2015	Untreated process wastewater	New River via Outfall 002	Rain event
09/22/2015	Treated process wastewater and cooling tower blowdown	New River via Outfall 002	Pump controls disabled due to operator error
10/25/2015	Untreated process wastewater	New River via Outfall 002	Rain event
11/18/2015	Untreated process wastewater	New River via Outfall 002	Rain event
05/01/2016	Untreated process wastewater	New River via Outfall 002	Rain event
06/04/2016	Untreated process wastewater	New River via Outfall 002	Rain event
08/11/2016*	Untreated process wastewater	New River via Outfall 002	Unprecedented storm event

* The Department will not cite the Respondent for this violation because the severe weather event occurring in August of 2016 led to a Declaration of Emergency and Administrative Order that included Ascension Parish.

Each unauthorized discharge of process and sanitary wastewater from a location not authorized by the permit is a violation of La. R.S. 30:2076(A)(1)(a), and LAC 33:IX.501.D. The failure to properly operate and maintain systems of treatment and control is a violation of LPDES permit LA0000752 (Standard Conditions for LPDES Permits, Sections A.2 and B.3.a), La. R.S. 30:2076 (A)(3), and LAC 33:IX.2701.E. Additionally, the November 15, 2017 file review revealed that the Respondent's effluent flow meter for Outfall 001 was not operating properly during the monitoring periods of November 2013, January 2015, and February 2015. During these monitoring periods the Respondent reported flow measurements determined using alternate methods.

III.

A file review conducted by the Department on or about November 15, 2017, revealed that the Respondent had effluent limitation exceedances. These effluent limitation exceedances, as reported by the Respondent on Discharge Monitoring Reports (DMRs) and Non-Compliance Reports (NCRs), are summarized below:

Monitoring Period End Date	Outfall	Parameter	Permit Limit	Reported Value
12/31/2013	002A	pH Instantaneous Maximum - SU	9	9.4
09/30/2015	001A	Oil and Grease Daily Maximum - lb/d	231	361
07/31/2016	002A	Total Organic Carbon Daily Maximum - mg/L	50	52.4
01/31/2017	001A	BOD ₅ Daily Maximum - lb/d	636	664
		Chemical Oxygen Demand Daily Maximum - lb/d	3360	4622

Each effluent exceedance is a violation of LPDES permit LA0000752 (Effluent Limitations and Monitoring Requirements, Pages 2 and 5 of 5 prior to August 29, 2017; and Standard Conditions for LPDES Permits, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A.

IV.

A file review conducted by the Department on or about November 15, 2017, revealed that the Respondent failed to report a sample value for Water Temperature on the January 2016 DMR for Outfall 002A. The failure to report the required information is a violation of LPDES permit LA0000752 (Effluent Limitations and Monitoring Requirements, Page 5 of 5 prior to August 29, 2017; and Standard Conditions for LPDES Permits, Section A.2), La R.S. 30:2076 (A)(3), and LAC 33:IX.2701.A.

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 LPDES permit LA0000752 and the Water Quality Regulations including, but not limited to, ceasing all unauthorized discharges, properly operating and maintaining systems of treatment and control, complying with all effluent limitations, and reporting all sample values.

II.

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: Bernie Boyett
Enforcement Tracking No. WE-CN-17-01069
Agency Interest No. 1433

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. WE-CN-17-01069
Agency Interest No. 1433

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 Bernie Boyett at (225) 219-0783 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 13th day of December, 2017.



Lourdes Iturzaide
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: Bernie Boyett

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
 OFFICE OF ENVIRONMENTAL COMPLIANCE
 ENFORCEMENT DIVISION
 POST OFFICE BOX 4312
 BATON ROUGE, LOUISIANA 70821-4312

**CONSOLIDATED COMPLIANCE ORDER &
 NOTICE OF POTENTIAL PENALTY
 REQUEST TO CLOSE**



Enforcement Tracking No.	WE-CN-17-01069	Contact Name	Bernie Boyett
Agency Interest (AI) No.	1433	Contact Phone No.	(225) 219-0783
Alternate ID No.	LA0000752		
Respondent:	LION COPOLYMER GEISMAR, LLC	Facility Name:	Lion Copolymer Geismar
	c/o C T Corporation System	Physical Location:	36191 LA Highway 30
	Agent for Service of Process		
	3867 Plaza Tower Drive	City, State, Zip:	Geismar, LA 70734
	Baton Rouge, Louisiana 70816	Parish:	Ascension

STATEMENT OF COMPLIANCE

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph II 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 33:1.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (WE-CN-17-01069) , 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 (WE-CN-17-01069) , 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 (WE-CN-17-01069) 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: Bernie Boyett		

SETTLEMENT AGREEMENTS

WHAT IS A SETTLEMENT AGREEMENT?

Once the Department has determined that a penalty is warranted for a violation, the Assistant Secretary of the Department, with the concurrence of the Attorney General, may enter into a settlement agreement with the Respondent as a means to resolve the Department's claim for a penalty.

HOW DOES THE SETTLEMENT AGREEMENT PROCESS WORK?

To begin the settlement agreement process, the Department must receive a written settlement offer. Once this offer is submitted, it is sent for approval by the Assistant Secretary of the Office of Environmental Compliance. The formal Settlement Agreement is drafted and sent to the Attorney General's office where the Attorney General has a 90 day concurrence period. During this time, the Respondent is required to run a public notice in an official journal and/or newspaper of general circulation in each affected parish. After which, a 45 day public comment period is opened to allow the public to submit comments. Once the Department has received concurrence, the settlement agreement is signed by both parties. The Department then forwards a letter to the responsible party to establish a payment plan and/or beneficial environmental project (BEP).

WHAT SHOULD I INCLUDE IN A SETTLEMENT AGREEMENT?

The Department uses the penalty determination method defined in LAC 33:1.705 as a guideline to accepting settlement offers. The penalty matrix is used to determine a penalty range for each violation based on the two violation specific factors, the nature and gravity of the violation and the degree of risk/impact to human health and property.

		NATURE AND GRAVITY OF THE VIOLATION		
		MAJOR	MODERATE	MINOR
DEGREE OF RISK OR IMPACT TO HUMAN HEALTH OR PROPERTY	MAJOR	\$32,500 to \$20,000	\$20,000 to \$15,000	\$15,000 to \$11,000
	MODERATE	\$11,000 to \$8,000	\$8,000 to \$5,000	\$5,000 to \$3,000
	MINOR	\$3,000 to \$1,500	\$1,500 to \$500	\$500 to \$100

Degree of Risk to Human Health or Property

Major: (actual measurable harm or substantial risk of harm) A violation of major impact to an environmental resource or a hazard characterized by high volume and/or frequent occurrence and/or high pollutant concentration.

Moderate: (potential for measurable detrimental impact) A violation of moderate impact and hazard may be one characterized by occasional occurrence and/or pollutant concentration that may be expected to have a detrimental effect under certain conditions

Minor: (no harm or risk of harm) A violation of minor impact are isolated single incidences and that cause no measurable detrimental effect or are administrative in nature.

Nature and Gravity of the Violation

Major: Violations of statutes, regulations, orders, permit limits, or permit requirements that result in negating the intent of the requirement to such an extent that little or no implementation of requirements occurred.

Moderate: Violations that result in substantially negating the intent of the requirements, but some implementation of the requirements occurred.

Minor: Violations that result in some deviation from the intent of the requirement; however, substantial implementation is demonstrated.

The range is adjusted using the following violator specific factors:

1. history of previous violations or repeated noncompliance;
2. gross revenues generated by the respondent;
3. degree of culpability, recalcitrance, defiance, or indifference to regulations or orders;
4. whether the Respondent has failed to mitigate or to make a reasonable attempt to mitigate the damages caused by the violation; and
5. whether the violation and the surrounding circumstances were immediately reported to the department, and whether the violation was concealed or there was an attempt to conceal by the Respondent.



Louisiana Department of Environmental Quality • Office of Environmental Compliance • Enforcement Division

Post Office Box 4312 • Baton Rouge, Louisiana 70821-4312

Phone: 225 | 219 | 3715 | Fax: 225 | 219 | 3708

SETTLEMENT AGREEMENTS

Given the previous information, the following formula is used to obtain a penalty amount.

$$\text{Penalty Event Total} = \text{Penalty Event Minimum} + (\text{Adjustment Percentage} \times [\text{Penalty Event Maximum} - \text{Penalty Event Minimum}])$$

After this, the Department adds any monetary benefit of noncompliance to the penalty event. In the event that a monetary benefit is gained due to the delay of a cost that is ultimately paid, the Department adds the applicable judicial interest. Finally, the Department adds all response costs including, but not limited to, the cost of conducting inspections, and the staff time devoted to the preparation of reports and issuing enforcement actions.

WHAT IS A BEP?

A BEP is a project that provides for environmental mitigation which the respondent is not otherwise legally required to perform, but which the defendant/respondent agrees to undertake as a component of the settlement agreement. Project categories for BEPs include public health, pollution prevention, pollution reduction, environmental restoration and protection, assessments and audits, environmental compliance promotion, and emergency planning, preparedness and response. Other projects may be considered if the Department determines that these projects have environmental merit and is otherwise fully consistent with the intent of the BEP regulations.

WHAT HAPPENS IF MY OFFER IS REJECTED?

If an offer is rejected by the Assistant Secretary, the Legal Division will contact the responsible party, or anyone designated as an appropriate contact in the settlement offer, to discuss any discrepancies.

WHERE CAN I FIND EXAMPLES AND MORE INFORMATION?

Settlement Offers	searchable in EDMS using the following filters Media: Air Quality, Function: Enforcement; Description: Settlement
Settlement Agreements	Enforcement Division's website specific examples can be provided upon request
Penalty Determination Method	LAC 33:1 Chapter 7
Beneficial Environmental Projects	LAC 33:1 Chapter 25 FAQs
Judicial Interest	provided by the Louisiana State Bar Association



Lion Copolymer Geismar, LLC - Geismar Facility
ADDITIONAL VIOLATIONS

Inspection - 11/19/14

1. AE-16-00212: During the ten (10) year inspection dated February 17, 2014, it was noted that the internal roof access hatch (EQT 264) did not fasten closed. This is a violation of 40 CFR 63.484(a), La. R.S. 2057(A)(1), and La. R.S. 30:2057(A)(2).
2. AE-16-00212: EQT-288 (Permit 2041 -V6): Quarterly cooling water monitoring was not performed for the first quarter of 2014, before monitoring had been performed, and remained out of service on 2/28/14, before monitoring had been performed, and remained out of service for the rest of the quarter. The facility reported the deviation in the first semiannual 2014 monitoring certification dated 9/24/14. The deviation was also reported in the 8/25/14 HON report 40 CFR 63.502(n)
3. AE-16-00212: EQT-286 (Permit No. 2041 -V6): On two occasions (5/28/14 and 5/29/14), the internal floating roof was not floating on the liquid surface at all times. The facility reported the deviation in the 1st semiannual 2014 compliance certification dated 9/24/14 and in the 8/25/14 HON report. This is a violation of 40 CFR 63.484(a), La. R.S. 30:2057(A)(1), and La. R.S. 30:2057(A)(2).
4. AE-16-00212: FUG-009 (Permit 2041 -V6): An agitator (LDAR Tag#2268A) was taken out of service on 5/23/14 for unscheduled maintenance on the associated tank and was not returned to service in the database once repaired. Consequently, the agitator was not monitored for the months of June and July of 2014. Several weekly inspections were also missed during this time. The facility reported the deviation in the First Semiannual 2014 dated 9/24/14. This is a violation of 40 CFR 63.173(b) and La. R.S. 30:2057(A)(2).
5. AE-16-00212: FUG-009 (Permit 2041 -V6): Due to a miscommunication, an out-of-service pump (LADAR Tag#2397) was run on two separate occasions after the pump was placed on DOR. It was run following unsuccessful repair attempts in which monitoring was not timely performed, totaling approximately 77 hours of run time. The facility reported the deviation in the 2nd semiannual 2013 dated 3/14/14. It was also reported in the 1/31/14 periodic report for fugitive monitoring. This is a violation of 40 CFR 63.163(c) and La. R.S. 2057(A)(1).
6. AE-16-00212: (Permit 2041 -V5/V6): Three (3) Slurry Tanks: Vented intermittently because they were operated above their respective relief device set pressures. The deviation began on 1/11/11 and ended 4/30/13. The facility reported the deviation in the first semiannual 2013 monitoring certification dated 9/17/13. This is a violation of LAC 33:III.905.A and La. R.S. 30:2057(A)(1).



7. AE-16-00212: 2013 1H Semiannual Monitoring Report and Incident Report T146248 dated 1/31/2013. Excess steam was added to the Royalene flare during deinventorying of a reactor in the Poly II unit for maintenance, quenching the flame. The flare pilot could not be immediately relit, due to water in the pilot ignitor box and flooding of the igniter spark plug. VOC and n-hexane emissions exceeded maximum hourly permit rates during this period, and the event resulted in an exceedance of the RO for propylene. 396 lbs of VOC, 198 lbs of n-hexane, and 153 lbs of propylene were released over 68 minutes. This is a violation of LAC 33:III.905, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).
8. AE-16-00212: 2013 1H Semiannual Monitoring Report: LDAR components added to the Trilene unit were not initially monitored within 120 days of startup, 5/9/2013 - 5/18/2013. This is a violation of LAC 33:III.501, C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).
9. 2013 1H Semiannual Monitoring Report. Internal floating roof on hexane storage tank SV-403 EQT 286 was not resting on liquid surface at all times. Landing time was 7.1 total hours. A low-level alarm card failed and did not give a visual alarm indicating the low level in the tank. This is a violation of Specific Requirement 145 of Title V Permit No. 2041-V5/V6, 40 CFR 63.484(a), La. R.S. 30:2057(A)(1), and 30:2057(A)(2).
10. AE-16-00212: 2013 1H Semiannual Monitoring Report: Visual leak was detected on a pump in light liquid service on 6/9/2013. The first attempt at repair was made on 6/13/2013. However, the component could not be immediately monitored because the unit had shutdown unexpectedly on 6/13/2013. The unit restarted late on 6/14/2013 and the component was not monitored until the next business day, 6/17/2013. 3 days late (6/15-17/2013). This is a violation of LAC 33:III.501, C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

Inspection - 12/12/2016

1. AE-17-00309: Preventable release of approximately 111 lbs of Propylene and 20 lbs of Ethylene, and 295 lbs of hexane on 11/24/14 due to a piping failure on a rupture disc pressure gauge holder at a reactor feed chiller. Incident Report 12/2/14. This is a violation of LAC 33:III.501, C.4, and La. R.S. 30:2057(A)(1).
2. AE-17-00309: Pump (EQT 284) visual inspections records were missing for the week ending 4/4/15 in Royalene and Trilene. Semiannual Monitoring Report 9/24/15. This is a violation of 40 CFR 63.173(b), and La. R.S. 30:2057(A)(2).
3. AE-17-00309: Internal floating roof in the hexane storage tank SV-403 (EQT 0286) was not floating on the liquid surface at all times during Poly III shutdown due to the level of hexane decreasing. It was determined the valve of hexane was not closed completely. Semiannual Monitoring report 9/24/15. This is a violation of 40 CFR 63.119(b)(1), La. R.S. 30:2057(A)(1), and La. R.S. 30:2057(A)(2).
4. AE-17-00309: Monthly monitoring for two tank agitators on floe tanks (FUG0009) in Poly III had not yet been performed during the week of April 27, 2015 when tanks were taken out of service. Semiannual 9/24/15 This is a violation of 40 CFR 63.173(a) and La. R.S. 30:2057(A)(2).

5. AE-17-00309: The Royale Flare (EQT0257) was out for 15 mins due to low purge gas on 7/20/15. Semiannual Monitoring Report 3/16/16 and HON report 2/4/16. This is a violation of 40 CFR 63.11(b)(3), La. R.S. 30:2057(A)(1), and La. R.S. 30:2057(A)(2).

6. AE-17-00309: Thirty six open-ended lines (FLUG0009) were noted during the semiannual monitoring period. Semiannual Monitoring report dated 3/16/16. This is a violation of 40 CFR 63.167, La. R.S. 30:2057(A)(1), and La. R.S. 30:2057(A)(2).

7. AE-17-00309: Leaks from valve and connectors (FUG0009) (Tag 3075 connector) were repaired after the due day. Periodic Report for Fugitive Monitoring dated 7/21/16. 40 CFR 63.163(c) According to the Periodic Report for Fugitive Monitoring dated 7/21/16, The leak was detected for (Tag 5444 valve) on 3/15/16. The first attempt at repair was made the same day. The replacement regulator was received on 3/30/16 and installed on 4/4/16. (5 days late) According to the Periodic Fugitive Monitoring Report dated 7/21/16, the leak on (3075 connector) was detected on 4/4/16. The first attempt at repair was made the same day. Subsequent attempts made on 4/11 and 4/16 were unsuccessful. Gasket was replaced on 4/20/15. (1 day late) This is a violation of 40 CFR 63.163(c), La. R.S. 30:2057(A)(1), and La. R.S. 30:2057(A)(2).

File Review - 9/14/2017

AE-17-00889: Failure to submit an Annual Criteria Pollutant Emissions Inventory in a timely and complete manner. Specifically, the 2016 Annual Emissions Inventory Certification Statement was postmarked on May 1, 2017 This is a violation of LAC 33:III.919.F.1.d and La. R.S. 30:2057(A)(2).

AE-17-00889: Failure to submit an Annual Toxic Emissions Data Inventory in a timely and complete manner. Specifically, the 2016 Annual Emissions Inventory certification statement was postmarked on 5/1/17. This is a violation of LAC 33:III.5107.A and La. R.S. 30:2057.

Inspection - 11/16/2018

1. AE-19-00396; 2018 First Half Semiannual: The internal floating roof of EQT 254 was not resting on liquid surface at all times during normal operations. The roof was landed due to a process upset from preliminary turnaround activities. This is a violation of Specific Requirement No. 133 of Title V Permit No. 2041-V9, 40 CFR 63.484(a), LAC 33:III.501.C.4, La.

2. AE-19-00396; 2018 First Half Semiannual: The internal floating roof of EQT 286 was not resting on liquid surface at all times during normal operations. This is a violation of 40 CFR 63.484(a); Specific Requirement No. 173 of Title V Permit No. 2041-V9, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1), and La. R.S. 30:2057(A)(2).

3. AE-19-00396; 2018 First Half Semiannual: 13 open-ended lines were found during scheduled monitoring. This is a violation of 40 CFR 63.164(d)(2), Specific Requirement No. 48 of Title V Permit No. 2041-V9, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and La. R.S. 30:2057(A)(2).

<p>4. AE-19-00396; 2018 First Half Semiannual: 1 pump was identified in the field as subject to this citation, but was not in the LeakDas system, therefore monthly monitoring was not being done. This is a violation of 40 CFR 63.123(a), Specific Requirement No. 20 of Title V Permit No. 2041-V9, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and La. R.S. 30:2057(A)(2).</p>
<p>5. AE-19-00396; 2018 First Half Semiannual: 104 valves were identified in the field as subject to this citation, but were not in the LeakDas system, therefore quarterly monitoring was not being done. This is a violation of 40 CFR 63.164, Specific Requirement No. 49 of Title V Permit No. 2041-V9, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2)</p>
<p>6. AE-19-00396; 2018 First Half Semiannual: During the internal compliance evaluation, 4,792 connectors were identified which had not been monitored. 369 connectors were identified in the field as subject to this citation, but were not in the LeakDas system, therefore once every two year monitoring was not being done. This is a violation of 40 CFR 63.173(g), Specific Requirement No. 92 of Title V Permit No. 2041-V9, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(2).</p>
<p>7. AE-19-00396; 2017 Annual: These additional emissions caused an exceedance of the n-hexane 12 month rolling Finishing CAP limits for the months of January 2017 (by 5.71 tons) and March 2017 (by 0.40 tons). This is a violation of LAC 33:III.501.C.4, Specific Requirement No. 180 of Title V Permit No. 2041-V9, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1), and La. R.S. 30:2057(A)(2).</p>
<p>8. AE-19-00396; 2017 Second Half Semiannual: The roof on SV-403 was landed twice. This is a violation of 40 CFR 63.484(a), Specific Requirement No. 173 of Title V Permit No. 2041-V9, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and La. R.S. 30:2057(A)(2).</p>
<p>9. AE-19-00396; 2017 Second Half Semiannual: A monomer compressor shutdown resulted in excess smoking at the flare when the unit went down. This is a violation of LAC 33:III.1311.C, Specific Requirement No. 148 of Title V Permit No. 2041-V9, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and La. R.S. 30:2057(A)(2).</p>
<p>10. AE-19-00396; 2017 Second Half Semiannual: Sixteen open-ended lines were found during scheduled monitoring. This is a violation of 40 CFR 63.167, Specific Requirement No. 55 of Title V Permit No. 2041-V9, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and La. R.S. 30:2057(A)(2).</p>
<p>11. AE-19-00396; 2017 Second Half Semiannual: Three (3) pumps were identified in the field as subject to this citation, but were not in the LeakDAS system, therefore monthly monitoring was not being done. This is a violation of 40 CFR 63.163(b)(1), Specific Requirement No. 27 of Title V Permit No. 2041-V9, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(2).</p>
<p>12. AE-PP-19-00396; 2017 Second Half Semiannual: 106 valves were identified in the field as subject to this citation, but were not in the LeakDAS system, therefore the required monitoring (once every 2 quarters) was not being done. This is a violation of 40 CFR 63.168(e), Specific Requirement No. 57 of Title V Permit No. 2041-V9, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>

<p>13. AE-PP-19-00396; 2017 Second Half Semiannual: 301 connectors were identified in the field as subject to this citation, but were not in the LeakDAS system, therefore the required monitoring (once every four (4) years) was not being done. This is a violation of 40 CFR 63.174(b)(1); Specific Requirement No. 97 of Title V Permit No. 2041-V9, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>
<p>14. AE-19-00396; 2017 First Half Semiannual: 11 open-ended lines were found during scheduled monitoring. This is a violation of 40 CFR 63.167; Specific Requirement No. 48 of Title V Permit No. 2041-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>
<p>15. AE-19-00396; 2017 First Half Semiannual: Three (3) pumps were identified in the field as subject to this citation, but were not in the LeakDAS system, therefore monthly monitoring was not being done. This is a violation of 40 CFR 63.163(b)(1), Specific Requirement No. 20 of Title V Permit No. 2041-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>
<p>16. AE-19-00396; 2017 First Half Semiannual: 139 valves were identified in the field as subject to this citation, but were not in the LeakDAS system, therefore quarterly monitoring was not being done. This is a violation of 40 CFR 63.168(c), Specific Requirement No. 49 of Title V Permit No. 2041-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>
<p>17. AE-19-00396; 2017 First Half Semiannual: 367 connectors were identified in the field as subject to this citation, but were not in the LeakDAS system, therefore the required monitoring (once every two (2) years) was not being done. This is a violation of 40 CFR 63.174(b)(3)(ii), Specific Requirement No. 92 of Title V Permit No. 2041-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>
<p>18. AE-PP-19-00396; 2016 Second Half Semiannual: Thirteen open-ended lines (FUG0010) were noted during the semiannual monitoring period. This is a violation of 40 CFR 63.167, Specific Requirement No. 48 of Title V Permit No. 2041-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>
<p>19. AE-PP-00396; 2016 Second Half Semiannual: Three (3) open-ended lines (FUG009) were noted during the semiannual monitoring period. This is a violation of 40 CFR 63.167, Specific Requirement No. 48 of Title V Permit No. 2041-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>
<p>File Review - 7/9/2019</p>
<p>2012 IH Semiannual Monitoring Report. Hexane Storage Tank EQT 0264 annual visual internal floating roof and seal inspection was due 3/31/2012 but was not completed until 4/16/2012. This is a violation of Specific Requirement 133 of Title V Permit No. 2041-V5, 40 CFR 63.120(a)(2)(i), La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>2012 IH Semiannual Monitoring Report. Hexane Storage Tank EQT 0265 annual visual internal floating roof and seal inspection was due 3/31/2012 but was not completed until 4/16/2012. This is a violation of Specific Requirement 137 of Title V Permit No. 2041-V5, 40 CFR 63.120(a)(2)(i), La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>

<p>2012 1H Semiannual Monitoring Report. Hexane Storage Tank EQT 0278 annual visual internal Floating roof and seal inspection was due 3/31/2012 but was not completed until 4/16/2012. This is a violation of Specific Requirement 143 of Title V Permit No. 2041-V5, 40 CFR 63.120(a)(2)(i), La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>2012 1H Semiannual Monitoring Report. Hexane Storage Tank EQT 0286 annual visual internal Floating roof and seal inspection was due 3/31/2012 but was not completed until 4/16/2012. This is a violation of Specific Requirement 154 of Title V Permit No. 2041-V5, 40 CFR 63.120(a)(2)(i), La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>2012 2H Semiannual Monitoring Report. Royalene Flare loss of flare pilot light occurred twice due to a malfunction of a natural gas fuel regulator. 25.8 lbs VOC and 3.7 lbs n-hexane were releases over 13 intermittent minutes. This is a violation of LAC 33:III.905, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>2012 2H Semiannual Monitoring Report. Royalene Flare pilot light was extinguished twice due to purge steam valve being inadvertently left open. 6 lbs VOC and 1.3 lbs n-hexane were released over 5 intermittent minutes. This is a violation of LAC 33:III.905, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>2012 2H Semiannual Monitoring Report. Due to maintenance work associated with the monitoring equipment, the Royalene Flare pilot was not continuously monitored. The pilot was not monitored for 33 hours between 9/26-27/2012. This is a violation of Specific Requirement 121, 40 CFR 63.11(b)(5), La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>Revised 2009 Annual Compliance certification. The initial attempt to repair LDAR A3392 was not made within 5 days. It was repaired 9 days late: 3/22-31/2009. This is a violation of Specific Requirement 121, 40 CFR 63.11(b)(5), La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>2009 2H Semiannual Monitoring Report. The initial attempt to repair LDAR 2372 was not made within 5 days. It was repaired 1 day late: 7/30-31/2009. This is a violation of LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>Revised Compliance Certification. Valves found leaking during LDAR monitoring were timely reported, but not subsequently remonitored within 3 months. 1/1/2008-12/31/2010. This is a violation of Specific Requirement 436, 40 CFR 63.160-182, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>Revised Compliance Certification. A leak on LDAR 1905 was not repaired within 15 days. It was repaired 34 days late (4/3/2009 - 5/7/2009). This is a violation of LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>Revised Compliance Certification. An initial attempt to repair LDAR 2087 was not made until the 7th day. 4/5/2009 - 4/7/2009. This is a violation of LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>Revised Compliance Certification. An initial attempt to repair LDAR 1854 was not made within 5 days. It was attempted 2 days late (4/5/2009 - 4/7/2009). This is a violation of LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>Revised Compliance Certification. A final repair was not made on LDAR 1854 within 15 days. 4/15/2009 - 4/17/2009. This is a violation of LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>

<p>Revised Compliance Certification. A final repair on LDAR 4857 was not made until the 6th day. 4/23/2009 - 4/24/2009. This is a violation of LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>2012 1H Semiannual Monitoring Report: Final repair of LDAR 5612 was not made until the 16th day. Inclement weather on day 15. 2/16/2012. This is a violation of Specific Requirement 23, 40 CFR 63.163(c)(1), La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>2012 1H Semiannual Monitoring Report: Final repair on LDAR 1961 was not made until the 16th day. Required repair by outside contractor. 12/5/2012. This is a violation of LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>2012 2H Semiannual Monitoring Report: Sources have been determined to have minor benzene emissions, due to low ppm benzene in raw material hexane. Estimated emissions are below MER and were included in 2012 ERIC submittal. Affected sources: Royalene Fin. CAP, Trilene Fin. CAP, Alt. Mon. Plan Collection Vents, Royalene Fugitives, Trilene Fugitives, Royalene Cooling Tower, Royalene Flare. This is a violation of Title V Permit No. 2041-V5, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>2012 2H Semiannual Monitoring Report: Durring Deepwell Unit tank cleanouts, analytical testing on solids from a wastewater tank revealed methyl isobutyl ketone, an unpermitted pollutant at the Facility. This is a violation of LA General Condition XVII, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).</p>
<p>EPN2900/GRP0069: Revised 2015 Title V Annual Report: Based on a recent calculation review, in 2018, the Respondent identified that emissions from scrap material had historically been inadvertently omitted in the 12 month rolling CAP calculation. These additional emissions caused an exceedance of the n-Hexane, finishing CAP limits for May 2015 (by 0.80 tons), June 2015 (by 3.16 tons), July 2015 (by 4.83 tons), August 2015 (by 5.59 tons), September 2015 (by 5.15 tons) and October 2015 (by 0.48 tons). This is a violation of specific Requirement No. 180 of Title V Permit No. 2041-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1).</p>
<p>Revised 2015 Title V Annual Report: Based on a recent calculation review, in 2018, the Respondent identified that emissions from scrap material had historically been inadvertently omitted in the 12 month rolling CAP calculation. These additional emissions caused an exceedance of the n-Hexane, finishing CAP limits for February 2015 (by 1.42 tons), March 2015 (by 14.79 tons), April 2015 (by 16.82 tons), May 2015 (by 8.57 tons), and June 2015 (by 4.61 tons). This is a violation of LAC 33:III.501.C.4, Specific Requirement No. 180 of Title V Permit No. 2041-V7, and La. R.S. 30:2057(A)(1).</p>
<p>Revised 2016 Title V Annual Report: Based on a recent calculation review, in 2018, the Respondent identified that emissions from scrap material had historically been inadvertently omitted in the 12 month rolling CAP calculation. These additional emissions caused an exceedance of the n-Hexane, finishing CAP limits for February 2016 (by 1.48 tons), April 2016 (by 0.91 tons), November 2016 (by 0.19 tons), and December 2016 (by 3.63 tons). This is a violation of LAC 33:III.501.C.4, Specific Requirement No. 180 of Title V Permit No. 2041-V8, LAC 33:III.501.C.4, and La. R.S. 2057(A)(1).</p>

2014 2nd Half Semiannual: Upon discovery of a visual leak at an LDAR connector 6899 on 12/30/2014, it was determined that the component had not been monitored within the previous four (4)-year period. The Respondent follows a four (4)-year monitoring cycle for connectors, as the leak rate is less than 0.5%. This is a violation of 40 CFR 63.174(b)(3)(iii), LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and La. R.S. 2057(A)(2).

2014 2nd Half Semiannual: Eighteen open-ended lines (FUG0009) were noted during the semiannual monitoring period. This is a violation of 40 CFR 63.11(b)(3) and La. R.S. 30:2057(A)(1).

2016 1st Half Semiannual: During this reporting period, piping components on the Hexane Storage Tank (91-SV-403), PV-130 Stripper, and the Ethylene/Propylene Dryers were identified which had not been previously included in the LDAR program. One (1) Agitator, 161 Valves, 379 Connectors, two (2) Pumps, one (1) PRV. This is a violation of 40 CFR 63.11(b)(3) and La. R.S. 30:2057(A)(1).

2016 1st Half Semiannual: Sixty-two open-ended lines (FUG0009) were noted during the semiannual monitoring period. This is a violation of 40 CFR 63.11(b)(3) and La. R.S. 30:2057(A)(1).

2016 2nd Half Semiannual: Sixteen open-ended lines (FUG0009) were noted during the semiannual monitoring period. This is a violation of 40 CFR 63.11(b)(3) and La. R.S. 30:2057(A)(1).