

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

CHALMETTE REFINING, L.L.C.

AI # 1376

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

\* Settlement Tracking No.  
\* SA-AE-22-0024  
\*  
\* Enforcement Tracking Nos.  
\* AE-CN-17-00789  
\* AE-PP-18-00720  
\* AE-PP-18-00720A  
\* AE-PP-19-00542  
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SETTLEMENT

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

I

Respondent is a limited liability company that owns and/or operates a petroleum refinery located in Chalmette, St. Bernard Parish, Louisiana (“the Facility”).

II

On April 18, 2018, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-17-00789 (Exhibit 1).

On October 12, 2018, the Department issued to Respondent a Notice of Potential Penalty, Enforcement Tracking No. AE-PP-18-00720 (Exhibit 2).

On February 1, 2019, the Department issued to Respondent an Amended Notice of

Potential Penalty, Enforcement Tracking No. AE-PP-18-00720A (Exhibit 3).

On August 7, 2019, the Department issued to Respondent a Notice of Potential Penalty, Enforcement Tracking No. AE-PP-18-00542 (Exhibit 4).

The following violations, although not cited in the foregoing enforcement actions, are included within the scope of this settlement:

1. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the No. 1 Flare (EQT 0254) exceeded the NSPS Subpart Ja limit,  $H_2S \leq 162$  ppm (3-hour rolling average), for seven (7) 3-hour averaging periods on January 1, 2017. The CFHT unit tripped due to a loss of the 4160V power supply. The electrical fault resulted in the loss of both hydrogen compressors and the online charge pumps resulting in the shutdown of the unit. The Flare Gas Recovery System was unable to handle the excess gas. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The violation was also reported in the 2017 1<sup>st</sup> Semiannual Consent Decree Report dated August 18, 2017.
2. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the No. 1 Flare (EQT 0254) exceeded the  $SO_2$  maximum hourly permit limit, 0.02 lb/hr, for 161 minutes on January 1, 2017. The CFHT unit tripped due to a loss of the 4160V power supply. The electrical fault resulted in the loss of both hydrogen compressors and the online charge pumps resulting in the shutdown of the unit. The Flare Gas Recovery System was unable to handle the excess gas. The Respondent determined the incident was preventable. Approximately 1,240 lbs of  $SO_2$  was released. Exceeding a permitted emission limit is a violation of Title V Permit No. 3016-V3AA, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The violation was also reported in the Final Unauthorized Discharge Notification Report for Department Incident No. T174879 dated March 7, 2017 and the 2017 1<sup>st</sup> Semiannual Consent Decree Report dated August 18, 2017.
3. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the No. 2 Flare (EQT 0255) exceeded the NSPS Subpart Ja Limit,  $H_2S \leq 162$  ppm (3-hour rolling average), for four (4) 3-hour averaging periods on January 1, 2017. The CFHT unit tripped due to a loss of the 4160V power supply. The electrical fault resulted in the loss of both hydrogen compressors and the online charge pumps resulting in the shutdown of the unit. The Flare Gas Recovery System was unable to handle the excess gas. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The violation was also reported in the 2017 1<sup>st</sup> Semiannual Consent Decree Report dated August 18, 2017.

4. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the No. 2 Flare (EQT 0255) exceeded the SO<sub>2</sub> maximum hourly permit limit, 153.18 lb/hr, for 161 minutes on January 1, 2017. The CFHT unit tripped due to a loss of the 4160V power supply. The electrical fault resulted in the loss of both hydrogen compressors and the online charge pumps resulting in the shutdown of the unit. The Flare Gas Recovery System was unable to handle the excess gas. The Respondent determined the incident was preventable. Approximately 32 lbs of SO<sub>2</sub> was released. Exceeding a permitted emission limit is a violation of Title V Permit No. 3016-V3AA, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The violation was also reported in the Final Unauthorized Discharge Notification Report for Department Incident No. T174879 dated March 7, 2017 and the 2017 1<sup>st</sup> Semiannual Consent Decree Report dated August 18, 2017.
5. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the No. 2 Flare (EQT 0255) exceeded the NSPS Subpart Ja Limit, H<sub>2</sub>S ≤ 162 ppm (3-hour rolling average), for five (5) 3-hour averaging periods on March 1, 2017. The No. 2 Crude vented to Flare No. 2 during a high pressure alarm. Total SO<sub>2</sub> emissions=3.87 lbs. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The violation was also reported in the 2017 1<sup>st</sup> Semiannual Consent Decree Report dated August 18, 2017.
6. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the Sulfur Recovery Unit exceeded the NSPS Subpart Ja Limit, SO<sub>2</sub> ≤ 250 ppm (12-hour rolling average) for 70 hours on March 16, 2017. The shutdown of Train Q resulted in operation with oxygen enrichment for Train 2. The maximum hourly SO<sub>2</sub> concentration during this period was 308.8 ppm. The emission in excess of the 250 ppm 12-hour rolling average limit was approximately 196 lbs of SO<sub>2</sub>. This is a violation of 40 CFR 60.104(a)(2)(i) and La. R.S. 30:2057(A)(2).
7. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the weekly total reduced sulfur samples for the No. 2 Flare (EQT 0255) were not collected and/or analyzed on May 24, 2017, and June 7, 2017. The samples were misplaced by the laboratory. There were no flaring events during the missed sample events. Each failure to comply with an operating parameter is a violation of 40 CFR 60.107a(e)(2)(iv), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(2).
8. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the No. 1 Flare (EQT 0254) exceeded the NSPS Subpart Ja Limit, H<sub>2</sub>S ≤ 162 ppm (3-hour rolling average), for one (1) 3-hour averaging period on April 13, 2017. The No. 2 Coker Wet Gas Compressor shutdown when the electrician grounded the operating electrical system. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The violation

was also reported in the 2017 1<sup>st</sup> Semiannual Consent Decree Report dated August 18, 2017.

9. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the No. 1 Flare (EQT 0254) exceeded SO<sub>2</sub> maximum hourly permit limit, 0.49 lb/hr, for one (1) hour on April 13, 2017. The No. 2 Coker Wet Gas Compressor shutdown when the electrician grounded the operating electrical system. Total SO<sub>2</sub> emissions were approximately 1,665 lbs. Failure to comply with the permitted emission limit is a violation of Title V Permit No. 3016-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The violation was also reported in the 2017 1<sup>st</sup> Semiannual Consent Decree Report dated August 18, 2017.
10. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the No. 2 Flare (EQT 0255) exceeded the NSPS Subpart Ja Limit, H<sub>2</sub>S ≤ 162 ppm (3-hour rolling average), for three (3) 3-hour averaging periods on May 3, 2017. An electrical break resulted in the inadvertent shutdown of the Prefractionator and Reformer No. 1 unit heaters causing an increase in the H<sub>2</sub>S ppm. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The violation was also reported in the 2017 1<sup>st</sup> Semiannual Consent Decree Report dated August 18, 2017.
11. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the No. 2 Flare (EQT 0255) exceeded the NSPS Subpart Ja Limit, H<sub>2</sub>S ≤ 162 ppm (3-hour rolling average), for five (5) 3-hour averaging periods on May 29, 2017. During the startup of compressor K407, the unit experienced an increase in the H<sub>2</sub>S ppm, which resulted in an exceedance of the H<sub>2</sub>S concentration limit at EQT 0255. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The violation was also reported in the 2017 1<sup>st</sup> Semiannual Consent Decree Report dated August 18, 2017.
12. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the Sulfur Recovery Unit exceeded the NSPS Subpart Ja Limit, SO<sub>2</sub> ≤ 250 ppm (12-hour rolling average) for 10 hours on June 28, 2017. A level indicator malfunction resulted in hydrogen breakthrough from the pretreater to the SRU Thermal Oxidizer causing a tail gas event. Failure to comply with an operating parameter is a violation of 40 CFR 60.102a(f)(1)(i), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, Specific Requirement 45 of Title V Permit No. 3023-V8, and La. R.S. 30:2057(A)(2). The violation was also reported in the 2017 1<sup>st</sup> Semiannual Consent Decree Report dated August 18, 2017.
13. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the SRU Train 1/2 Thermal Oxidizer (F-8003/8053) (EQT 193) exceeded the SO<sub>2</sub> maximum hourly permit limit, 95 lb/hr, for two (2) hours on June 28, 2017. A level indicator malfunction resulted in hydrogen breakthrough from the

pretreater to the SRU Thermal Oxidizer causing a tail gas event. The Respondent reported approximately 645.2 lbs of SO<sub>2</sub>. Exceeding a permitted emission limit is a violation of Title V Permit No. 3023-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

14. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the No. 1 Flare (EQT 0254) exceeded the NSPS Subpart Ja Limit, H<sub>2</sub>S ≤ 162 ppm (3-hour rolling average), for one (1) 3-hour averaging period on June 29, 2017. The No. 2 Coker Wet Gas Compressor shutdown during maintenance on a level alarm switch when a wire made contact with the grounded housing and blew a fuse in the control panel. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(2). The violation was also reported in the 2017 1<sup>st</sup> Semiannual Consent Decree Report dated August 18, 2017.
15. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported Tank 31 (EQT 0129) experienced a roof failure on January 12, 2017, due to water accumulation on the pontoons. This is a violation of 40 CFR 60.112b(a)(2), Specific Requirement 367 of Title V Permit No. 3004-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The tank was removed from service and degassed for inspection and repair.
16. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported a hatch on Tank 309 (EQT 0157) was not maintained in a closed position on March 28, 2017. This is a violation of 40 CFR 60.112b(a)(2)(ii), Specific Requirement 944 of Title V Permit No. 3004-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The Respondent reported the hatch was closed.
17. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported a hatch on Tank 6301 (EQT 0171) was not maintained in a closed position on January 5, 2017. This is a violation of 40 CFR 60.112b(a)(2)(ii), Specific Requirement 1297 of Title V Permit No. 3004-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The Respondent reported the hatch was closed.
18. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported gaskets were missing on a rim vent and sample hatch on Tank 1406 (EQT 0170) on February 21, 2017. This is a violation of 40 CFR 60.112b(a)(2)(ii), Specific Requirement 1266, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The Respondent reported gaskets were installed.
19. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported Tank 69 (EQT 0140) intermittently relieved material from the roof vacuum breaker during the first half of 2017. The automatic bleeder vents are to remain closed at all times except when the roof is being floated off or landed on the roof leg supports. This is a violation of 40 CFR 63.646(f)(3), LAC 33:III.2103.D.3, Specific Requirements 578 and 592 of Title V Permit No. 3004-V8, and La. R.S. 30:2057(A)(2).

20. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported Tank 13011 (EQT 0238) was operated below the minimum level on April 23, 2017. The internal floating roof shall be floating on the liquid surface at all times except during the periods specified in 40 CFR 63.119(b)(1)(i) through (b)(1)(iii). This is a violation of 40 CFR 63.119(b), Specific Requirement 223 of Title V Permit No. 3017-V5AA, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
21. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported 81 components were identified that were not monitored within the required timeframe during the first half of 2017. Each failure to monitor as required is a violation of 40 CFR 63.168(a)-(d), 40 CFR 63.648(c), Specific Requirement 225 of Title V Permit No. 3015-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The components were subsequently monitored and were below the monitoring leaking threshold.
22. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported HF Alkylation (Alky) Merox Unit drains were not inspected in February and March of 2017. Each failure to monitor as required is a violation of 40 CFR 60.692-2(a)(2), Specific Requirement 90 of Title V Permit No. 3022-V7AA, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
23. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the following open-ended lines (OELs) were discovered and corrected during the reporting period:

<b>Unit</b>	<b>ID</b>	<b>No. of OELs</b>
FCC-Alky	FUG 0008	2
	FE-FCC	
Wastewater Treatment Plant (WWTP)	GRP 0044	1
	FE-WWTP	
Crude and Coker No. 1	FUG 0006	2
	FE-CRCK1	
Oil Movements	FUG 0007	3
	FE-OM	
SRU	FUG 0009	4
	FE-SRU	
CFHT	FUG 0005	1
	FE-CFHT	

Each open-ended line is a violation of 40 CFR 60.482-6(a), 40 CFR 63.167(a), Title V Permit Nos. 2282-V2, 3004-V8, 3011-V3, 3018-V5, 3022-V7, and 3023-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

24. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the data availability for Boiler 402 NO<sub>x</sub> analyzer was less than 90% in January 2017. Failure to maintain data at a minimum of 90% based on a monthly

average is a violation of Specific Requirement 207 of Title V Permit No. 2500-00005-V5, LAC 33:III.535, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

25. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the data availability for Boiler 9 NOx analyzer was less than 90% in February 2017. Failure to maintain data at a minimum of 90% based on a monthly average is a violation of Specific Requirement 207 of Title V Permit No. 2500-00005-V5, LAC 33:III.535, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
26. In the 2017 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 15, 2017, the Respondent reported the data availability for the H<sub>2</sub>S fuel analyzer was less than 90% in April, May, and June 2017. Each failure to maintain data at a minimum of 90% based on monthly average is a violation of Specific Requirement 207 of Title V Permit No. 2500-00005-V5, LAC 33:III.535, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
27. In the 2017 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 28, 2018, the Respondent reported Tank 69 (EQT 0140) intermittently relieved material from the roof vacuum breaker during the second half of 2017. The automatic bleeder vents are to remain closed at all times except when the roof is being floated off or landed on the roof leg supports. This is a violation of 40 CFR 63.646(f)(3), LAC 33:III.2103.D.3, Specific Requirements 578 and 592 of Title V Permit No. 3004-V8, and La. R.S. 30:2057(A)(2).
28. In the 2017 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 28, 2018, the Respondent reported the FCC Preheat Furnace (EQT 0183) exceed the CO maximum hourly permit limit, 5.77 lb/hr, for three (3) hours on August 26, 2017. The reported cause was instrumentation malfunction. Approximately 16.29 lbs of CO was released in excess of the permit limit. Exceeding a permitted emission limit is a violation of Title V Permit No. 3022-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
29. In the 2017 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 28, 2018, the Respondent reported the FCC Regenerator Flue Gas Scrubber (EQT 0184) exceeded the SO<sub>2</sub> maximum hourly permit limit, 68.69 lb/hr, for one (1) hour on October 26, 2018. The reported cause of the exceedance was steam tracing issues on the caustic supply line to the wet gas scrubber. Approximately 48.5 lbs of SO<sub>2</sub> was released in excess of the permit limit. Exceeding a permitted emission limit is a violation of Title V Permit No. 3022-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
30. In the 2017 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 28, 2018, the Respondent reported the data availability for the H<sub>2</sub>S fuel analyzer was less than 90% in July, September, and November 2017. Each failure to maintain data at a minimum of 90% based on monthly average is a violation of Specific Requirement 207 of Title V Permit No. 2500-00005-V5, LAC 33:III.535, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
31. In the 2017 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 28, 2018, the Respondent reported the following OELs were discovered to be missing secondary plugs and were corrected during the reporting period:

Unit	ID	No. of OELs
Oil Movements	FUG 0007 FE-OM	2

Each failure to have a secondary plug in place is a violation of 40 CFR 60.482-6(a), 40 CFR 63.167(a), Title V Permit No. 3004-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

32. In the 2018 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 25, 2018, the Respondent reported the No. 2 Flare (EQT 0255) exceeded the NSPS Subpart Ja Limit,  $H_2S \leq 162$  ppm (3-hour rolling average), for three (3) hours on January 18, 2018. The  $H_2S$  concentration ranged from 180 ppm-212 ppm. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
33. In the 2018 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 25, 2018, the Respondent reported the No. 2 Flare (EQT 0255) exceeded the NSPS Subpart Ja Limit,  $H_2S \leq 162$  ppm (3-hour rolling average), for five (5) hours on March 17, 2018. A phase to phase fault inside the primary switchgear occurred due to accumulation of moisture and dirt. In the March 17, 2018 Flaring Incident Report in the Continuous Emissions Monitoring Report dated July 30, 2018, the Respondent reported the insulation material for the switchgear was upgraded and the internal heaters were repaired. Ammeters were added to the switchgear space heater circuits to provide online monitoring capability. The actual  $H_2S$  concentration of gas discharged was 2,556 ppm. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent reported the  $SO_2$  emissions for this period were approximately 1,445 lbs. The No. 2 Flare is permitted for 101.38 max lb/hr of  $SO_2$ . Failure to comply with a permitted emission limit is a violation of Title V Permit No. 3016-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
34. In the 2018 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 25, 2018, the Respondent reported the data availability for  $H_2S$  fuel gas analyzer was less than 90% in March and June 2018. Each failure to maintain data at a minimum of 90% based on a monthly average of LAC 33:III.535 and La. R.S. 30:2057(A)(2). The reported outages did not cause any excess emissions.
35. In the 2018 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 28, 2018, the Respondent report the data availability for the FCCU  $CO$ ,  $NO_x$ , and  $SO_2$  analyzers was less than 90% in April 2018. Each failure to maintain data at a minimum of 90% based on a monthly average of LAC 33:III.535 and La. R.S. 30:2057(A)(2). The reported outages did not cause any excess emissions.
36. In the 2018 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 25, 2018, the Respondent reported the data availability for Boiler 9  $CO$  and  $NO_x$  analyzers were less than 90% in February and March 2018. Each failure to maintain data at a minimum of 90%



based on a monthly average is a violation of LAC 33:III.535 and La. R.S. 30:2057(A)(2). The reported outages did not cause any excess emissions.

37. In the 2018 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 25, 2018, the Respondent reported the data availability for Flare No. 2 H<sub>2</sub>S and TRS analyzers were less than 90% in February and March 2018. Each failure to maintain data at a minimum of 90% based on a monthly average is a violation of LAC 33:III.535 and La. R.S. 30:2057(A)(2). The reported outages did not cause any excess emissions.
38. In the 2018 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 25, 2018, the Respondent reported the No. 1 Flare (EQT 0254) exceeded the NSPS Subpart Ja Limit, H<sub>2</sub>S ≤ 162 ppm (3-hour rolling average), for three (3) hours on May 17, 2018. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent reported the SO<sub>2</sub> emissions for this period were approximately 431 lbs. The No. 1 Flare is permitted for 0.49 max lb/hr for SO<sub>2</sub>. Failure to comply with a permitted emission limit is a violation of Title V Permit No. 3016-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
39. In the 2018 1<sup>st</sup> Semiannual Monitoring and Deviation Report dated September 25, 2018, the Respondent reported the Alky Isostripper Reboiler F-7901 (EQT 0186) failed to maintain an opacity ≤ 20% for less than six (6) minutes on June 28, 2018. Adjustments were made and opacity ceased. Failure to comply with a permitted operating parameter is a violation of LAC 33:III.1101.B, Specific Requirement 82 of Title V Permit No. 3022-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
40. In the Refinery MACT II Subpart UUU Periodic Report dated January 29, 2019, the Respondent reported three (3) cars seals were removed during a CCR outage on September 10, 2018. This is a violation of 40 CFR 63.1569(a)(1) and La. R.S. 30:2057(A)(2).
41. In the Refinery MACT II Subpart UUU Periodic Report dated January 29, 2019, the Respondent reported the P-Trap level dropped due to pluggage associated with high solids in the circulating water. No pressure drop was experienced in the system which indicates no bypass occurred. This is a violation of 40 CFR 63.1569(a)(1) and La. R.S. 30:2057(A)(2).
42. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the following lines were discovered to be missing secondary plugs and were immediately corrected during the reporting period:

<b>Unit</b>	<b>ID</b>	<b>No. of OELs</b>
RF1	FUG 0005	6
GHU	FUG 0005	2

Each failure to have a secondary plug in place is a violation of 40 CFR 60.482-6(a), 40 CFR 63.167, Specific Requirements 110 and 115 of Title V Permit No. 3011-V3, LAC 33:III.501.C4, and La. R.S. 30:2057(A)(2).

43. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported opacity was observed from the No. 2 Flare (EQT 0255) for greater than six (6) minutes on July 13, 2018, and July 16, 2018. Adjustments were made and opacity ceased. Each failure to comply with a permitted operating parameter is a violation of Specific Requirement 62 of Title V Permit No. 3016-V4, LAC 33:III.1311.C, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
44. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the data availability for the H<sub>2</sub>S fuel gas analyzer was less than 90% in October 2018. Each failure to maintain data at a minimum of 90% based on a monthly average is a violation of LAC 33:III.535 and La. R.S. 30:2057(A)(2). The reported outages did not cause any excess emissions.
45. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the data availability for the FCCU NO<sub>x</sub> analyzer was less than 90% in July 2018. Each failure to maintain data at a minimum of 90% based on a monthly average is a violation of LAC 33:III.535 and La. R.S. 30:2057(A)(2). The reported outages did not cause any excess emissions.
46. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the data availability for Boiler 10 CO and NO<sub>x</sub> were less than 90% in August and December 2018. Each failure to maintain data at a minimum of 90% based on a monthly average is a violation of LAC 33:III.535 and La. R.S. 30:2057(A)(2). The reported outages did not cause any excess emissions.
47. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the data availability for the No. 1 Flare H<sub>2</sub>S analyzer was less than 90% in October 2018. Each failure to maintain data at a minimum of 90% based on a monthly average is a violation of LAC 33:III.535 and La. R.S. 30:2057(A)(2). The reported outages did not cause any excess emissions.
48. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the data availability for the SRU SO<sub>2</sub> analyzer was less than 90% in August 2018. Each failure to maintain data at a minimum of 90% based on a monthly average is a violation of LAC 33:III.535 and La. R.S. 30:2057(A)(2). The reported outages did not cause any excess emissions.
49. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the No. 2 Flare (EQT 0255) exceeded the NSPS Subpart Ja limit, H<sub>2</sub>S ≤ 162 ppm (3-hour rolling average) for four (4) hours on October 6, 2018. The increased sulfur levels were the result of a unit upset. The H<sub>2</sub>S concentration ranged from 167.4-234.2 ppm. Failure to comply with an operating parameter is a violation of

40 CFR 60.103a(h), which is incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

50. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the No. 2 Flare (EQT 0255) exceeded the NSPS Subpart Ja limit,  $H_2S \leq 162$  ppm (3-hour rolling average) for four (4) hours on October 9, 2018. The increased sulfur levels were the result of a unit upset. The  $H_2S$  concentration ranged from 219.1 ppm-278.7 ppm. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which is incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
51. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported repairs on Tank 1017 (EQT 0053) were not completed within thirty (30) days due to the nature of repairs. Failure to complete the required repairs within the specified time frame is a violation of 40 CFR 60.693-2(a)(1)(iv), Specific Requirement 45 of Title V Permit No. 2282-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
52. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the No. 1 Flare (EQT 0254) exceeded the NSPS Subpart Ja limit,  $H_2S \leq 162$  ppm (3-hour rolling average) for 20 minutes on October 17, 2018. An unanticipated power interruption due to a failure causing low voltage on the refinery's power supply. The  $H_2S$  concentration was not reported. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which is incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent reported 0.26 tons of  $SO_2$  and 1.29 lbs of  $H_2S$  were released during the event. Each failure to comply with the permitted emission limit is a violation of Title V Permit No. 3016-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
53. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the No. 2 Flare (EQT 0255) exceeded the NSPS Subpart Ja limit,  $H_2S \leq 162$  ppm (3-hour rolling average) for four (4) hours on November 10, 2018. The increased sulfur levels were the result of a unit upset. The  $H_2S$  concentration ranged from 175.8-396.8 ppm. Failure to comply with an operating parameter is a violation of 40 CFR 60.103a(h), which is incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
54. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the FCC Regenerator Scrubber Vent (EQT 0184) operated with a Liquid to Gas ratio less than 0.0175 on November 26, 2018. The minimum value was 0.0168 for five 3-hour block averages. In the MACT II Subpart UUU Report dated January 29, 2019, the Respondent reported the low Liquid to Gas Ratio occurred when the liquid line experienced pluggage due to high solids in the circulating water. Failure to operate according to the permitted operating parameter is a violation of 40 CFR 60.13(i), Specific Requirement 40 of Title V Permit No. 3022-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

55. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported two (2) Emergency Water Pump Diesel Engines (EQT 0294 and EQT 0295) potentially operated in a non-emergency capacity over the 100 hours per year provided for maintenance and testing during times of supplemental water demand. Failure to comply with the permitted operating parameter is a violation of 40 CFR 63.6640(f), Specific Requirements 1605 and 1612 of Title V Permit No. 3004-V10, LAC 33:III.501.C.4, and La. R.S. 302057(A)(2).
56. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported Waste Gas Compressor No. 4 (EQT 0197) exceeded the maximum formaldehyde concentration limit on December 19, 2018, as determined during catalytic converter compliance testing. The compressor was shut down as soon as safely possible and the catalyst was changed. The compressor was retested within seven (7) days of restart as required by the rule. Failure to comply with the operating parameter is a violation of 40 CFR 63.6600(a), Specific Requirement 101 of Title V Permit No. 3023-V8, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
57. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the Third Quarter Cylinder Gas Audit for the No. 1 Flare (EQT 0254) was conducted with expired calibration gases. Failure to comply with the quality assurance procedures is a violation of 40 CFR 60.107a(a)(2), Specific Requirement 6 of Title V Permit No. 3016-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
58. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the weekly total reduced sulfur samples for the No. 1 Flare (EQT 0254) were not collected and/or analyzed on August 12, 2018, and November 14, 2018. The sampling events were not conducted due to sampling system and lab equipment issues. Each failure to comply with an operating parameter is a violation of 40 CFR 60.107a(e)(iv), which is incorporated by reference as Louisiana regulation LAC 33:III.3003, and La. R.S. 30:2057(A)(2). There were no flaring events during the missed sampling events.
59. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported the SRU Train Thermal Oxidizer (EQT 0193) exceeded the SO<sub>2</sub> maximum hourly permit limit, 90.55 lb/hr) for one (1) hour on August 18, 2018. The Train 2 SRU shut down due to loss of PLC power supply which resulted in excess tail gas flow to the Thermal Oxidizer. Approximately 323.1 lbs of SO<sub>2</sub> was released during the event. Failure to comply with the permitted limit is a violation of Title V Permit No. 3023-V8, LAC 33:III.501.C4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
60. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported an electrical driven coke fines pump was replaced with a diesel driven pump due to mechanical issues with electrical driven equipment. Diesel driven pump to be included in permit modification enabling future use. Failure to submit a permit application is a violation of LAC 33:III.501.C.1 and La. R.S. 30:2057(A)(2). The unauthorized

operation of the emission source, a diesel engine, is a violation of LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

61. In the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report dated March 27, 2019, the Respondent reported a portable wheeled light station and pump, used for tank farm lighting and tank roof dewatering, were brought on site and have been in the same location and the same use for 12 months. Failure to submit a permit application is a violation of LAC 33:III.501.C.1 and La. R.S. 30:2057(A)(2). The unauthorized operation of the emission source, a diesel engine, is a violation of LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

62. The Respondent failed to meet the following reporting requirements:

	REPORT DESCRIPTION	PERMIT NUMBER	REPORTING REQUIREMENT	DUE DATE	SUBMITTAL DATE	REGULATORY OF PERMIT REQUIREMENTS
a.	GRP 0041 No. 2 Crude Heater CAP 2015	2933-V5AA	A report showing the heat input to the heaters and overall total heat input and the emissions shall be submitted to the Office of Environmental Compliance by March 31 for the preceding calendar year	March 31, 2016	April 23, 2020 (postmarked)	Specific Requirement 152
b.	GRP 0041 No. 2 Crude Heater CAP 2016	2933-V6	A report showing the heat input to the heaters and overall total heat input and the emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2017	April 23, 2020 (postmarked)	Specific Requirement 146
c.	GRP 0041 No. 2 Crude Heater CAP 2017	2933-V6	A report showing the heat input to the heaters and overall total heat input and the emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2018	April 23, 2020 (postmarked)	Specific Requirement 146
d.	GRP 0041 No. 2 Crude Heater CAP 2018	2933-V6	A report showing the heat input to the heaters and overall total heat input and the emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2019	April 23, 2020 (postmarked)	Specific Requirement 146
e.	GRP 0029 OM-TKGRP-A Group A 2015	3004-V6	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2016	April 27, 2020 (postmarked)	Specific Requirement 1765
f.	GRP 0030 OM-TKGRP-B Group B 2015	3004-V6	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2016	April 27, 2020 (postmarked)	Specific Requirement 1766

	REPORT DESCRIPTION	PERMIT NUMBER	REPORTING REQUIREMENT	DUE DATE	SUBMITTAL DATE	REGULATORY or PERMIT REQUIREMENTS
g.	GRP 0036 Loading Cap 2015	3004-V6	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2016	April 27, 2020 (postmarked)	Specific Requirement 1767
h.	GRP 0039 Tank Maintenance 2015	3004-V6	A report showing the overall calculated VOC emissions as referenced above shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2016	April 27, 2020 (postmarked)	Specific Requirement 1768
i.	GRP 0029 OM-TKGRP-A Group A 2016	3004-V7	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2017	April 27, 2020 (postmarked)	Specific Requirement 1787
j.	GRP 0030 OM-TKGRP-B Group B 2016	3004-V7	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2017	April 27, 2020 (postmarked)	Specific Requirement 1788
k.	GRP 0036 Loading Cap 2016	3004-V7	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2017	April 27, 2020 (postmarked)	Specific Requirement 1789
l.	GRP 0039 Tank Maintenance 2016	3004-V7	A report showing the overall calculated VOC emissions as referenced above shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2017	April 27, 2020 (postmarked)	Specific Requirement 1790
m.	GRP 0029 OM-TKGRP-A Group A 2017	3004-V9	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2018	April 27, 2020 (postmarked)	Specific Requirement 1775
n.	GRP 0030 OM-TKGRP-B Group B 2017	3004-V9	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2018	April 27, 2020 (postmarked)	Specific Requirement 1776
o.	GRP 0036 Loading Cap 2017	3004-V9	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2018	April 27, 2020 (postmarked)	Specific Requirement 1777

	REPORT DESCRIPTION	PERMIT NUMBER	REPORTING REQUIREMENT	DUE DATE	SUBMITTAL DATE	REGULATORY or PERMIT REQUIREMENTS
p.	GRP 0047 Tank Maintenance 2017	3004-V9	A report showing the overall calculated VOC emissions from all the tanks taken out of service for maintenance or change of tank service shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2018	April 27, 2020 (postmarked)	Specific Requirement 1778
q.	GRP 0029 OM-TKGRP-A Group A 2018	3004-V10	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2019	April 27, 2020 (postmarked)	Specific Requirement 1776
r.	GRP 0030 OM-TKGRP-B Group B 2018	3004-V10	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2019	April 27, 2020 (postmarked)	Specific Requirement 1777
s.	GRP 0036 Loading Cap 2018	3004-V10	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2019	April 27, 2020 (postmarked)	Specific Requirement 1778
t.	GRP 0047 Tank Maintenance 2018	3004-V10	A report showing the overall calculated VOC emissions from all the tanks taken out of service for maintenance or change of tank service shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2019	April 27, 2020 (postmarked)	Specific Requirement 1779
u.	EQT 0269 No. 1 Flare Startup/Shutdown 2015 Report	3016-V3	Permittee shall report these calculated emissions based on the gases volume routed to the No. 1 Flare during Alky Unit Startup/Shutdown, Flare Gas Management and Flaring Jobs by March 31 for the preceding year	March 31, 2016	April 29, 2020 (postmarked)	Specific Requirement 39
v.	EQT 0270 No. 2 Flare Startup/Shutdown 2015 Report	3016-V3	Permittee shall report these calculated emissions based on the gases volume routed to the No. 2 Flare during Startup/Shutdown of Units by March 31 for the preceding year	March 31, 2016	April 29, 2020 (postmarked)	Specific Requirement 40
w.	EQT 0269 No. 1 Flare Startup/Shutdown 2016 Report	3016-V3AA	Permittee shall report these calculated emissions based on the gases volume routed to the No. 1 Flare during Alky Unit Startup/Shutdown, Flare Gas Management and Flaring Jobs by March 31 for the preceding year	March 31, 2017	April 29, 2020 (postmarked)	Specific Requirement 39

	REPORT DESCRIPTION	PERMIT NUMBER	REPORTING REQUIREMENT	DUE DATE	SUBMITTAL DATE	REGULATORY or PERMIT REQUIREMENTS
x.	EQT 0270 No. 2 Flare Startup/Shutdown 2016 Report	3016-V3AA	Permittee shall report these calculated emissions based on the gases volume routed to the No. 2 Flare during Startup/Shutdown of Units by March 31 for the preceding year	March 31, 2017	April 29, 2020 (postmarked)	Specific Requirement 40
y.	EQT 0269 No. 1 Flare Startup/Shutdown 2017 Report	3016-V4	A report showing the overall calculated SU/SD emissions based on the SU/SD events shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2018	April 29, 2020 (postmarked)	Specific Requirement 71
z.	EQT 0269 No. 1 Flare Startup/Shutdown 2018 Report	3016-V4	A report showing the overall calculated SU/SD emissions based on the SU/SD events shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2019	April 29, 2020 (postmarked)	Specific Requirement 71
aa.	GRP 0034 Group A Tank Emission Cap 2015 Report	3017-V5AA	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by March 31 for the preceding calendar year	March 31, 2016	April 27, 2020 (postmarked)	Specific Requirement 415
bb.	GRP 0035 Group B Tank Emission Cap 2015 Report	3017-V5AA	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by March 31 for the preceding calendar year	March 31, 2016	April 27, 2020 (postmarked)	Specific Requirement 416
cc.	GRP 0034 Group A Tank Emission Cap 2016 Report	3017-V5AA2	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by March 31 for the preceding calendar year	March 31, 2017	April 27, 2020 (postmarked)	Specific Requirement 415
dd.	GRP 0035 Group B Tank Emission Cap 2016 Report	3017-V5AA2	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by March 31 for the preceding calendar year	March 31, 2017	April 27, 2020 (postmarked)	Specific Requirement 416
ee.	GRP 0034 Group A Tank Emission Cap 2017 Report	3017-V6	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2018	April 27, 2020 (postmarked)	Specific Requirement 500
ff.	GRP 0035 Group B Tank Emission Cap 2017 Report	3017-V6	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2018	April 27, 2020 (postmarked)	Specific Requirement 501



	REPORT DESCRIPTION	PERMIT NUMBER	REPORTING REQUIREMENT	DUE DATE	SUBMITTAL DATE	REGULATORY or PERMIT REQUIREMENTS
gg.	GRP 0034 Group A Tank Emission Cap 2018 Report	3017-V6	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2019	April 27, 2020 (postmarked)	Specific Requirement 500
hh.	GRP 0035 Group B Tank Emission Cap 2018 Report	3017-V6	A report showing the overall calculated VOC emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2019	April 27, 2020 (postmarked)	Specific Requirement 501
ii.	GRP 0042 HDS Heater Cap 2015 Report	3023-V6AA	A report showing the heat input to the heater and the Reboiler and overall heat input and the calculated emissions shall be submitted to the Office of Environmental Compliance by March 31 for the preceding calendar year	March 31, 2016	April 23, 2020 (postmarked)	Specific Requirement 122
jj.	GRP 0042 HDS Heater Cap 2016 Report	3023-V7	A report showing the heat input to the heater and the Reboiler and overall heat input and the calculated emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2017	April 23, 2020 (postmarked)	Specific Requirement 162
kk.	GRP 0042 HDS Heater Cap 2017 Report	3023-V8	A report showing the heat input to the heater and the Reboiler and overall heat input and the calculated emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2018	April 23, 2020 (postmarked)	Specific Requirement 166
ll.	GRP 0042 HDS Heater Cap 2018 Report	3023-V8	A report showing the heat input to the heater and the Reboiler and overall heat input and the calculated emissions shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2019	April 23, 2020 (postmarked)	Specific Requirement 166
mm	GRP 0046 Waste Gas Compressor No. 1 and 2 2016 Criteria Emissions Report	3023-V7	A report showing the overall calculated criteria emissions for all the above referenced equipment shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2017	April 23, 2020 (postmarked)	Specific Requirement 163

	REPORT DESCRIPTION	PERMIT NUMBER	REPORTING REQUIREMENT	DUE DATE	SUBMITTAL DATE	REGULATORY or PERMIT REQUIREMENTS
nn.	GRP 0046 Waste Gas Compressor No. 1 and 2 2017 Criteria Emissions Report	3023-V8	A report showing the overall calculated criteria emissions for all the above referenced equipment shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2018	April 23, 2020 (postmarked)	Specific Requirement 167
oo.	GRP 0046 Waste Gas Compressor No. 1 and 2 2018 Criteria Emissions Report	3023-V8	A report showing the overall calculated criteria emissions for all the above referenced equipment shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2019	April 23, 2020 (postmarked)	Specific Requirement 167
pp.	GRP 0022 Boiler CAP 2014 Report	2520-00005-V4AA	A report showing the heat input of the individual boilers and the total calculated emissions for the last twelve months shall be submitted to the Office of Environmental Compliance by March 31 for the preceding calendar year	March 31, 2015	April 27, 2020 (postmarked)	Specific Requirement 108
qq.	GRP 0022 Boiler CAP 2015 Report	2520-00005-V4AA	A report showing the heat input of the individual boilers and the total calculated emissions for the last twelve months shall be submitted to the Office of Environmental Compliance by March 31 for the preceding calendar year	March 31, 2016	April 27, 2020 (postmarked)	Specific Requirement 108
rr.	GRP 0022 Boiler CAP 2016 Report	2500-00005-V5	A report showing the heat input of the individual boilers and the total calculated emissions for the last twelve months shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2017	April 27, 2020 (postmarked)	Specific Requirement 183
ss.	GRP 0022 Boiler CAP 2017 Report	2500-00005-V5	A report showing the heat input of the individual boilers and the total calculated emissions for the last twelve months shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2018	April 27, 2020 (postmarked)	Specific Requirement 183
tt.	GRP 0022 Boiler CAP 2018 Report	2500-00005-V5	A report showing the heat input of the individual boilers and the total calculated emissions for the last twelve months shall be submitted to the Office of Environmental Compliance by April 30 for the preceding calendar year	April 30, 2019	April 27, 2020 (postmarked)	Specific Requirement 183

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

### III

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

### IV

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00), of which Three Thousand Two Hundred Fourteen and 70/100 Dollars (\$3,214.70) represents the Department's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

### V

Respondent further agrees that the Department may consider the inspection report(s), permit record(s), the Consolidated Compliance Order & Notice of Potential Penalty, Notices of Potential Penalty, Amended Notice of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

### VI

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

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

## VII

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

## VIII

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

## IX

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

## X

Payment is to be made within thirty (30) days from notice of the Secretary's signature. If

payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit A).

#### XI

In consideration of the above, any claims for penalties are hereby compromised and settled in accordance with the terms of this Settlement.

#### XII

Each undersigned representative of the parties certifies that he or she is fully authorized to execute this Settlement Agreement on behalf of his or her respective party, and to legally bind such party to its terms and conditions.

CHALMETTE REFINING, L.L.C.

BY: Jared Wimberley  
(Signature)

Jared Wimberley  
(Printed)

TITLE: Chalmette Refinery Manager

THUS DONE AND SIGNED in duplicate original before me this 3<sup>rd</sup> day of November, 20 22, at Chalmette, Louisiana

Lisa D. Schell  
NOTARY PUBLIC (ID # \_\_\_\_\_)  
Lisa D. Schell  
Notarial ID 39694  
My Commission is for Life

(stamped or printed)

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

BY: Aurelia S. Giacometto  
Aurelia S. Giacometto, Secretary

THUS DONE AND SIGNED in duplicate original before me this 22<sup>nd</sup> day of FEBRUARY, 20 24, at Baton Rouge, Louisiana.

Ashley Plunkett  
NOTARY PUBLIC (ID # \_\_\_\_\_)

ASHLEY PLUNKETT  
Notary Public  
State of Louisiana  
East Baton Rouge Parish  
Notarial ID 47015  
My Commission is for Life

Approved: Celena J. Cage  
Celena J. Cage, Assistant Secretary

JOHN BEL EDWARDS  
GOVERNOR



CHUCK CARR BROWN, PH.D.  
SECRETARY

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

April 18, 2018

CERTIFIED MAIL (7014 0510 0002 3595 4448)  
RETURN RECEIPT REQUESTED

**CHALMETTE REFINING, L.L.C.**  
c/o C T Corporation System  
Agent for Service of Process  
3867 Plaza Tower Drive  
Baton Rouge, Louisiana 70816

**RE: CONSOLIDATED COMPLIANCE ORDER  
& NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. AE-CN-17-00789  
AGENCY INTEREST NO. 1376**

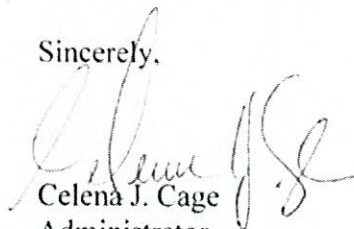
Dear Sir:

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 **CHALMETTE REFINING, L.L.C. (RESPONDENT)** for the violation(s) described herein.

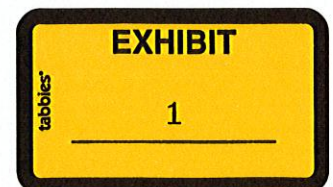
Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violation(s) cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Antoinette Cobb at (225) 219-3072 or via email at [antoinette.cobb@la.gov](mailto:antoinette.cobb@la.gov).

Sincerely,

  
Celena J. Cage  
Administrator  
Enforcement Division

JC/AFC/afc  
Alt ID No. 2500-00005  
Attachment



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

<p><b>IN THE MATTER OF</b></p> <p><b>CHALMETTE REFINING, L.L.C.</b> <b>ST. BERNARD PARISH</b> <b>ALT ID NO. 2500-00005</b></p> <p><b>PROCEEDINGS UNDER THE LOUISIANA</b> <b>ENVIRONMENTAL QUALITY ACT,</b> <b>La. R.S. 30:2001, ET SEQ.</b></p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p><b>ENFORCEMENT TRACKING NO.</b></p> <p style="text-align: center;"><b>AE-CN-17-00789</b></p> <p><b>AGENCY INTEREST NO.</b></p> <p style="text-align: center;"><b>1376</b></p>
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**CONSOLIDATED**  
**COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

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

**FINDINGS OF FACT**

**I.**

The Respondent owns and/or operates Chalmette Refinery (the Facility), a petroleum refinery, located at 500 West St. Bernard Highway in Chalmette, St. Bernard Parish, Louisiana. The Facility operates or has operated under the authority of the following Title V Air Permits:

UNIT	PERMIT	ISSUE DATE	PERMIT EXPIRATION DATE
Wastewater Treatment Plant	2822-V2	07/23/2013	07/23/2018
No. 2 Crude/Coker Units	2933-V6	07/12/2016	07/12/2021
	2933-V5AA	03/18/2014	06/17/2016
Utilities Plant	2500-00005-V5	07/15/2016	07/15/2021
	2500-00005-V4AA	07/01/2014	12/02/2015
Cat Feed Hydrotreater Unit, Pretreater No. 1 and Reformer No. 1, and Gasoline Hydrotreater	3011-V3	10/11/2016	10/11/2021
	3011-V2	02/03/2011	02/03/2016



UNIT	PERMIT	ISSUE DATE	PERMIT EXPIRATION DATE
No. 1 Crude/Coker Units	3018-V5	10/11/2016	10/11/2021
	3018-V4	04/03/2014	09/14/2016
Oil Movements & Loading	3004-V9	07/14/2017	05/18/2022
	3004-V8	05/18/2017	05/18/2022
	3004-V7	03/07/2016	03/26/2017
	3004-V6	06/16/2014	03/26/2017
	3016-V4	04/11/2017	04/11/2022
No. 1 and 2 Flares	3016-V3AA	10/25/2016	02/28/2017
	3016-V3	01/31/2014	02/28/2017
	3022-V8	06/30/2017	06/30/2022
Fluidized Catalytic Cracking Unit and Alkylation Unit	3022-V7AA2	12/07/2016	06/05/2017
	3022-V7AA	10/28/2016	06/05/2017
	3022-V7	08/21/2015	06/05/2017
	3022-V6AA	05/19/2014	06/05/2017
	3023-V8	07/26/2017	10/11/2021
Sulfur Recovery Unit, Hydrodesulfurization Unit, Amine Treating Unit, Sour Water Stripper, Waste Gas System, Benzene Recovery Unit, and Liquefied Petroleum Gas Recovery	3023-V7	10/11/2016	10/11/2021
	3023-V6AA	05/19/2014	08/01/2016
	3017-V6	04/25/2017	04/25/2022
Aromatics	3017-V5AA2	10/11/2016	03/26/2017
	3017-V5AA	03/18/2014	03/26/2017
	3015-V4	04/25/2017	01/24/2022
Hydrocracker Unit, Pretreater No. 3 and Reformer No. 3, and Light Ends Plant	3015-V3	01/24/2017	01/24/2022
	3015-V2AA2	10/11/2016	10/25/2016
	3015-V2AA	03/18/2014	10/25/2016

The facility also operated under a Consent Decree, Civil Action No. 05-4662, entered into in the United States District Court for the Eastern District of Louisiana on or about April 26, 2006. A Notification of Change Form (NOC-1) was submitted to the Department to change operational control and the facility name effective November 1, 2015. On or about August 28, 2017, Consent Decree, Civil Action No. 05-4662 was terminated.

## II.

The Department received an Unauthorized Discharge Notification Report for Department Incident No. T175284 dated January 24, 2017. According to the report, on January 17, 2017, a contractor performing maintenance work around an overhead pipe rack dislodged a bleeder valve on an adjacent line. The adjacent line was in service as a feed line for the clay tower section of the aromatics unit. The spilled material went to concrete and a gravel area next to the process slab. The incident lasted for approximately 160 minutes and resulted in the release of 50 barrels of sulfolane extract (to soil), 760 pounds of VOCs/flammable gas (to air), 400 pounds of benzene (to air), and 60 pounds xylene

(to air). The Respondent determined the incident was preventable. This is a violation of LAC 33:III.905.A, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

III.

The Department received an Unauthorized Discharge Notification Report for Department Incident No. T176890 dated April 7, 2017. According to the report, on March 31, 2017, the #2 Coker Wet Gas Compressor K-8101 shut down when an electrical fault occurred at the junction box which powers motor KM8101 to the compressor. The FGR system was unable to handle the excess gas and flaring occurred intermittently for 431 minutes. The incident resulted in the release of 9,072 pounds of SO<sub>2</sub>. The Respondent reported the incident was preventable. Failure to operate a control device in the proper manner as required is a violation of LAC 33:III.905.A, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

IV.

The Department received an Unauthorized Discharge Notification Report for Department Incident No. T177058 dated April 20, 2017. According to the report, on April 13, 2017, the #2 Coker Wet Gas Compressor K-8101 shut down while conducting electrical work on a relay box on the unit. The Flare Gas Recovery (FGR) system was unable to handle the excess gas and flaring occurred intermittently for 17 minutes until the compressor was restarted and the #2 Coker returned to normal operation. The trip was caused by an exposed wire at the relay box that was undergoing work prior to the unit trip. The electrical system was inadvertently grounded during the maintenance work causing the outage and subsequent flaring event. The incident resulted in the release of 1,665 pounds of SO<sub>2</sub>. The Respondent determined the incident was preventable. Failure to operate a control device in the proper manner as required is a violation of LAC 33:III.905.A, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

V.

On or about June 19-23, 2017, and July 12-13, 2017, the Department conducted a Full Compliance Evaluation (FCE) Inspection to determine the Respondent's degree of compliance with the Act, the Air Quality Regulations, and all applicable permits. While the Department's investigation is not complete, the following violation was noted during the course of the inspection:

The Respondent failed to conduct the state only semiannual stack testing for Waste Gas Compressor No. 3 (EQT 0196). The semiannual testing requirements were included in the renewed/modified permit, Title V Permit No. 3023-V7, issued on October 11, 2016. Failure to conduct the required state only semiannual testing is a violation of Specific Requirements 89, 90, 91, and 92 of Title V Permit No. 3023-V7, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The Respondent submitted a request to administratively amend Title V Permit No. 3023-V7 to correct the semiannual testing specific requirements for EQT 0196. The Department issued a minor modification permit, Title V Permit No. 3023-V8, on July 26, 2017. Title V Permit No. 3023-V8 requires the Respondent to stack test EQT 0196 and to comply with monitoring and recordkeeping requirement to demonstrate compliance. On or about July 13, 2017, a stack test notification was submitted to the Department; the test notification and test plan were approved on or about July 20, 2017. The stack test conducted on or about September 12, 2017. The Respondent submitted the results to the Department dated October 6, 2017.

VI.

The Department received an Unauthorized Discharge Notification Report for Department Incident No. T178607 dated July 6, 2017. According to the report, on June 29, 2017, the #2 Coker Wet Gas Compressor K-8101 shut down while performing maintenance on a level alarm switch that had been malfunctioning. During the change out of the level switch, the isolated hot wire inadvertently came into contact with the grounded housing and blew a fuse in the control panel, subsequently shutting down the #2 Coker Wet Gas Compressor. The Flare Gas Recovery (FGR) system was unable to handle the excess gas and flaring occurred for 29 minutes until the compressor was restarted and the #2 Coker returned to normal operation. The incident resulted in the release of 3,997 pounds of SO<sub>2</sub>. The Respondent determined the incident was preventable. Failure to operate a control device in the proper manner as required is a violation of LAC 33:III.905.A and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

VII.

On or about September 13-14, 2017, the Department conducted a file review to determine the Respondent's degree of compliance with the Act, the Air Quality Regulations, and all applicable permits. While the review is not complete, the Department noted the violations found in Paragraphs VIII-XI of the Findings of Fact portion of this enforcement action.

VIII.

The Respondent reported the following deviations from permitted operating parameters:

	REPORT (DATE)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (Duration)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY OR PERMIT REQUIREMENTS
A.	Semiannual Consent Decree Report, Reporting Period 01/01/15-06/30/15 (08/13/2015)	3016-V3	EQT 0254 No. 1 Flare	04/23/2015 (one 3-hr period)	H <sub>2</sub> S ≤ 0.1 gr/dscf (230 mg/dscm) [162 ppm] (3-hr rolling average)	During the rerouting of #1 Reformer Debutanizer gas to the FGRS, the FGRS was unable to handle the excess gas	40 CFR 60.104(a)(1), Specific Requirement 2
	2015 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/03/2015)						
B.	2015 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/03/2015)	3016-V3	EQT 0255 No. 2 Flare	05/27/2015 (34 minutes)	Flares shall be operated with a flame present at all times	Pilot light and presence of a flame lost during maintenance activities	40 CFR 63.11(b)(5), Specific Requirement 30
C.	2015 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/03/2015)	3016-V3	EQT 0255 No. 2 Flare	06/05/2015 (1 minute)	Flares shall be operated with a flame present at all times	Flare lost the presence of a flame during a maintenance activity	40 CFR 63.11(b)(5), Specific Requirement 20

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY OF PERMIT REQUIREMENTS
D.	Semiannual Consent Decree Report, Reporting Period 07/01/15-12/31/15 (02/15/2016)	3016-V3	EQT 0254 No. 1 Flare	08/12/2015 (one 3-hr period)	H <sub>2</sub> S ≤ 0.1 gr/dscf (230 mg/dscm) [162 ppm] (3-hr rolling average)	During a planned PSV upgrade, the Flare Gas Recovery High Integrity Pressure System was inadvertently activated which caused the Flare Gas Recovery system to shut down and the excess gas was flared.	40 CFR 60.104(a)(1), Specific Requirement 2
	2015 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/22/2016)						
E.	2015 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/22/2016)	3023-V6	EQT 0197 Waste Gas Compressor No. 4	09/03/2015, 10/01/2015, 10/16/2015	Formaldehyde ≤ 350 ppb <sub>v</sub> at 15% oxygen	The maximum formaldehyde concentration limit exceeded as determined during catalytic converter compliance testing. As required by the rule, adjustments were made and the unit was retested.	40 CFR 63.6600(a), Specific Requirement 52
F.	2015 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/22/2016)	3016-V3	EQT 0255 No. 2 Flare	09/23/2015 (not reported)	Opacity ≤ 20% for six (6) minutes per consecutive 60 minute period	Opacity was observed from flare for greater than six (6) minutes	LAC 33:III.1311.C, Specific Requirement 36
G.	2015 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/22/2016)	3004-V6	EQT 0150 Tank 302	11/03/2015 (not reported)	The external floating roof shall be floating on the liquid surface at all times except during approved scenarios	Operated below minimum level	40 CFR 63.119(c)(3) and (4), Specific Requirement 790
H.	Semiannual Consent Decree Report, Reporting Period 01/01/16-06/30/16 (08/17/2016)	3016-V3	EQT 0255 No. 2 Flare	02/11/2016 (five 3-hr periods)	H <sub>2</sub> S ≤ 0.1 gr/dscf (230 mg/dscm) [162 ppm] (3-hr rolling average)	Compressor K3304 received excess gas that temporarily exceeded the loading which resulted in flow to the flare.	40 CFR 60.104(a)(1), Specific Requirement 2
	2016 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/21/2016)						
I.	2016 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/21/2016)	3023-V6	EQT 0197 Waste Gas Compressor No. 4	02/16/2016	Formaldehyde ≤ 350 ppb <sub>v</sub> at 15% oxygen	The maximum formaldehyde concentration limit exceeded as determined during catalytic converter compliance testing. As required by the rule, adjustments were made and the unit was retested.	40 CFR 63.6600(a), Specific Requirement 52

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
J.	2016 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/21/2016)	3016-V3	EQT 0255 No. 2 Flare	05/04/2016 (not reported)	Opacity ≤ 20% for six (6) minutes per consecutive 60 minute period	Opacity was observed from the flare for greater than six (6) minutes during calibration and tuning of Flare No. 2 steam controller. Adjustments were made and opacity ceased	LAC 33:III.1311.C, Specific Requirement 36
K.	Semiannual Consent Decree Report, Reporting Period 07/01/16-12/31/16 (02/15/2017)	3016-V3	EQT 0255 No. 2 Flare	08/02/2016 (26 3-hr periods)	H <sub>2</sub> S ≤ 0.1 gr/dscf (230 mg/dscm) [162 ppm] (3-hr rolling average)	A stabilizer pressure control valve leaking to flare	40 CFR 60.104(a)(1), Specific Requirement 16
	2016 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/21/2017)						
L.	Semiannual Consent Decree Report, Reporting Period 07/01/16-12/31/16 (02/15/2017)	3016-V3AA	EQT 0255 No. 2 Flare	12/07-08/2016 (8 3-hr periods)	H <sub>2</sub> S ≤ 0.1 gr/dscf (230 mg/dscm) [162 ppm] (3-hr rolling average)	Overhead valve failed to close resulting in elevated H <sub>2</sub> S emissions at Flare No. 2	40 CFR 60.104(a)(1), Specific Requirement 16
	2016 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/21/2017)						
M.	2016 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/21/2017)	3004-V7	EQT 0295 Emergency Water Pump Diesel Engines	09/12/2016	Operate up to 50 hours per year in non-emergency situations, but count those 50 hours toward the 100 hours per year provided for maintenance and testing.	Two (2) Emergency Water Pump Diesel Engines potentially operated in a non-emergency capacity over the 100 hours per year provided for maintenance and testing during time of supplemental water demands	40 CFR 63.6640(f), Specific Requirement 1625
N.	Semiannual Consent Decree Report, Reporting Period 07/01/16-12/31/16 (02/15/2017)	3023-V7	EQT 0193 SRU ½ Train Thermal Oxidizer	12/15/2016 (6 hours)	SO <sub>2</sub> ≤ 250 ppm (12-hr rolling average)	SRU Train 1 experienced an upset due to a hydrocarbon breakthrough to the Sour Water Stripper; SO <sub>2</sub> concentration=1,742 ppm	40 CFR 60.104(a)(2)(i), Specific Requirement 45
	2016 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/21/2017)						
O.	2016 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/21/2017)	3016-V3	EQT 0254 No. 1 Flare	09/01/2016 (one 3-hr period)	H <sub>2</sub> S ≤ 0.1 gr/dscf (230 mg/dscm) [162 ppm] (3-hr rolling average)	Not reported	40 CFR 60.104(a)(1), Specific Requirement 2

Each failure to operate according to permitted requirements is a violation of the applicable permit(s) and associated requirement(s) listed above, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

## IX.

The Respondent reported the following deviations from monitoring requirements:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	MONITORING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	2015 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/22/2016)	3011-V2	UNF 0001 Facility	06/05/2015, 06/08/2015	The cover and all openings (e.g., bungs, hatches, and sampling ports) shall be designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, initially and thereafter at least once per year. An owner or operator shall test equipment for compliance with no detectable emissions as required in §61.343 through 61.347, and §61.349 of this subpart.	Cover and openings on a waste shipment used to handle, transfer, and store non-aqueous waste with a benzene concentration greater than 10 ppmw was not monitored via Method 21	40 CFR 61.345(a)(1)(i), 40 CFR 61.655(h)
B.	2015 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/22/2016)	3004-V6	EQT 0169 Tank T-1405	February 2016	Inspections and tests shall be performed on process equipment	API 653 external visual inspection was not conducted in 2015	40 CFR 68.73(d), Specific Requirement 1827
C.	2015 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/22/2016)	2500-00005-V4	EQT 0023 Closed Cooling Water Tower	10/01/2015	HAP monitored by the regulation's specific method(s) monthly for the first six (6) months and quarterly thereafter to detect leaks.	The Respondent only obtained one of the three required Cooling Tower samples during the third quarter 2015. The sample result was in compliance with the standards.	40 CFR 63.104(b), Specific Requirement 51
D.	2016 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/21/2016)	3011-V2	EQT 0058 No. 1 Reformer Regenerator Vent	June 2016	Visually inspecting the seal or closure mechanism at least once every month	Failure to complete the monthly inspection for car seals on the #1 Reformer bypass lines for one monitoring event. Frequency of car seal inspections in the automated inspection system was inadvertently changed during an upgrade.	40 CFR 63 Subpart UUU, Table 39 40 CFR 63.1569(c)(1)
E.	2016 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/21/2016)	3016-V3	EQT 0254 No. 1 Flare	03/16/2016, 04/13/2016	In the first 10 operating days after the date the flare must begin to comply with §60.103a(c)(1), the owner or operator shall collect representative daily samples of the gas discharged to the flare. The samples may be grab samples or integrated samples. The owner or operator shall take subsequent representative daily samples at least once per week or as required in paragraph (e)(2)(ix) of this section	Weekly total reduced samples were not collected and/or analyzed for two (2) sampling events due to sample system malfunction. The sample system has been repaired and weekly sampling has resumed.	40 CFR 60.107a(e)(2)(iv)

REPORT NUMBER	PERMIT NUMBER	EMISSION POINT	REPORT DATE (G/yr)	MONITORING PARAMETER	REPORTED VALUE	REGULATORY or PERMIT REQUIREMENTS
F. 2016 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/21/2017)	3022-V7	EQT 0184 FCC Regenerator Flue Gas Scrubber	July 2016	Visually inspecting the seal or closure mechanism at least once every month	Four (4) monthly car seal inspections were not conducted on the Regenerator Vent due to the frequency of car seal inspections in the automated inspection system being changed to quarterly during an upgrade. The monthly inspections were subsequently completed and car seals were in place.	40 CFR 63 Subpart UUU, Table 39, 40 CFR 63.1569(c)(1)
G. 2016 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/21/2017)	3016-V3	EQT 0254 No. 1 Flare	07/27/2016, 12/28/2016	In the first 10 operating days after the date the flare must begin to comply with §60.103a(c)(1), the owner or operator shall collect representative daily samples of the gas discharged to the flare. The samples may be grab samples or integrated samples. The owner or operator shall take subsequent representative daily samples at least once per week or as required in paragraph (e)(2)(ix) of this section	Weekly total reduced samples were not collected and/or analyzed for two (2) sampling events due to sample system malfunction. The sample system has been repaired and weekly sampling has resumed.	40 CFR 60.107a(e)(2)(iv)

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).

X.

The Respondent reported the following emission exceedances:

REPORT NUMBER	PERMIT NUMBER	EMISSION POINT	REPORT DATE (G/yr)	POLLUTANT RELEASED (lb/hr)	QUANTITY REPORTED (lbs)	REPORTED VALUE
A. Semiannual Consent Decree Report, Reporting Period 01/01/15-06/30/15 (08/13/2015) 2015 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/03/2015)	3016-V3	EQT 0254 No. 1 Flare	04/23/2015 (1 hour)	SO <sub>2</sub> (0.02 max lb/hr)	90 lbs	During the rerouting of #1 Reformer Debutanizer gas to the FGRS, the FGRS was unable to handle the excess gas
B. 2015 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/03/2015)	3022-V6AA	EQT 0184 FCC Regenerator Flue Gas Scrubber	01/09/2015 (1 hour)	SO <sub>2</sub> (68.14 max lb/hr)	Not reported	Not reported

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	POLLUTANTS RELEASED (permit limit)	QUANTITY REPORTED (lbs)	REPORTED CAUSE
C.	2015 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/03/2015)	3011-V2	EQT 0060 CFHT Fractionator Reboiler Heater	04/23/2015 (1 hour)	CO (4.28 max lb/hr)	Not reported	Not reported
D.	2015 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/03/2015)	3022-V6AA	EQT 0184 FCC Regenerator Flue Gas Scrubber	01/09/2015 (1 hour)	SO <sub>2</sub> (68.14 max lb/hr)	Not reported	Not reported
E.	2015 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/03/2015)	3022-V6AA	EQT 0184 FCC Regenerator Flue Gas Scrubber	03/02/2015 (1 hour)	SO <sub>2</sub> (68.14 max lb/hr)	Not reported	Not reported
F.	Semiannual Consent Decree Report, Reporting Period 07/01/15-12/31/15 (02/15/2016)	3016-V3	EQT 0254 No. 1 Flare	08/12/2015 (1 hour)	SO <sub>2</sub> (0.02 max lb/hr)	73 lbs	During a planned PSV upgrade, the Flare Gas Recovery High Integrity Pressure System was inadvertently activated which caused the Flare Gas Recovery system to shutdown and the excess gas was flared.
G.	Semiannual Consent Decree Report, Reporting Period 01/01/16-06/30/16 (08/17/2016)	3016-V3	EQT 0255 No. 2 Flare	02/11/2016 (5 hours)	SO <sub>2</sub> (153.18 max lb/hr)	21.9 lbs	Compressor K3304 received excess gas that temporarily exceeded the loading which resulted in flow to the flare. The flow to the flare resulted in a concentration exceedance.
	2016 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/21/2016)						
H.	2016 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/21/2016)	3017-V5	EPN 86A TDU Detol Reboiler	03/26/2016 (1 hour)	CO (9.89 max lb/hr)	Not Reported	Not reported
I.	2016 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/21/2016)	3022-V7	EQT 0184 FCC Regenerator Flue Gas Scrubber	05/27/2016 (1 hour)	SO <sub>2</sub> (68.14 max lb/hr)	Not Reported	Not Reported



	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	POLLUTANTS RELEASED (permit limit)	QUANTITY REPORTED (lbs)	REPORTED CAUSE
J.	2016 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/21/2017)	3016-V3	EQT 0254 No. 1 Flare	09/01/2016 (1 hour)	SO <sub>2</sub> (0.02 max lb/hr)	6,054 lbs	Not reported
K.	2016 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/21/2017)	3022-V7AA2	EQT 0184 FCC Regenerator Flue Gas Scrubber	12/14/2016 (1 hour)	SO <sub>2</sub> (68.14 max lb/hr)	36 lbs (in excess)	Not reported
L.	2016 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/21/2017)	3023-V7	EQT 0193 SRU Train X Thermal Oxidizer	12/15/2016	SO <sub>2</sub> (95.00 max lb/hr)	99 lbs	SRU Train 1 experienced an upset due to a hydrocarbon breakthrough to the Sour Water Stripper

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

XI.

The Respondent reported the following deviations from fugitive emission requirements:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	REPORTED CAUSE	REGULATORY OR PERMIT REQUIREMENTS
A.	2015 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/03/2015)	2933-V5AA 3004-V6	FUG 0003 No. 2 Crude/Coker Fugitives  FUG 0007 Fugitives Oil Movements	1H2015	Two (2) connectors and one (1) pump seal were identified that were not monitored within the required timeframe.	40 CFR 60.482-8(a), 40 CFR 63.163(b)(3), Specific Requirements 145 & 1656
B.	2015 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/22/2016)	3004-V6 3017-V5	FUG 0007 Fugitives Oil Movements  FUG 0010 Aromatics Process Fugitives	2H2015	Four (4) OELs discovered in the Oil Movements Unit One (1) OEL discovered in the Aromatics Unit OELs were corrected during the reporting period	40 CFR 60.482-6(a), 40 CFR 63.167, LAC 33:III.5109.A, Specific Requirements 344, 414, & 1693
C.	2015 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/22/2016)	3017-V5 3022-V6	FUG 0010 Aromatics Process Fugitives  FUG 0008 FCC-Alky Process Fugitives	2H2015	Six (6) components and one (1) pump seal were identified that were not monitored within the required timeframe	40 CFR 60.482-7(a)(c) 40 CFR 63.163(b)(3), Specific Requirements 85 & 317
D.	2016 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/21/2016)	3004-V6 3017-V5 3023-V6	FUG 0007 Fugitives Oil Movements  FUG 0010 Aromatics Process Fugitives  FUG 0009 SRU-HDS-AMU-SWS, etc. fugitives	1H2016	Two (2) OELs discovered in the Oil Movements Unit One (1) OEL discovered in the Aromatics Unit One (1) OEL discovered in the SRU Unit OELs were corrected during the reporting period	40 CFR 60.482-6(a), 40 CFR 63.167, LAC 33:III.5109.A, Specific Requirements 121, 344, 414, & 1693

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
E.	2016 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/21/2016)	3022-V7	FUG 0008 FCC-Alky Process Fugitives	1H2016	One (1) component was identified that was not monitored within the required timeframe. The component was subsequently monitored and was below the leak monitoring threshold.	LAC 33:III.5109.A, Specific Requirement 114
F.	2016 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/21/2017)	2822-V2 3004-V7	FUG 00  FUG 0007 Fugitives Oil Movements	2H2016	Two (2) OELs discovered in the Wastewater Treatment Plant Unit  One (1) OEL discovered during a refinery-wide audit  Eight (3) OELs discovered in the Oil Movements Unit  OELs were corrected during the reporting period	40 CFR 60.482-6(a), 40 CFR 63.167(a), Specific Requirements 123 & 1715
G.	2016 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/21/2017)	3004-V7	FUG 0007 Fugitives Oil Movements	2H2016	Four (4) valves were identified that were not monitored within the required timeframe. The components were subsequently monitored and were below the leak monitoring threshold.	40 CFR 63.168(c), Specific Requirement 1717

Each failure to meet fugitive emission requirements is a violation of the applicable permit(s) 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).

XII.

The Respondent reported the following potential odor issues:

	REPORT (date)	PERMIT NUMBER	INCIDENT DATE	REPORTED CAUSE
A.	2015 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/03/2015)	2933-V5, 3004-V6	01/24/2015, 01/28/2015, 04/17/2015	Potential odor detected possible exception to LAC 33:III.2901. Potential odors have been eliminated.
B.	2016 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/21/2016)	3004-V6	01/31/2016	Potential odor detected possible exception to LAC 33:III.2901. Potential odors have been eliminated.

**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, and all applicable permits.

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the hydrogen sulfide (H<sub>2</sub>S) concentration and reported cause, if applicable, for the violations cited in Paragraph VIII. A, D, H, K-L, and O of the **FINDINGS OF FACT** portion of this action.

III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the duration for the violations cited in Paragraph VIII.F-G, and J of the **FINDINGS OF FACT** portion of the action.

IV.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the quantities and/or reported cause of the emission exceedances cited in Paragraph VIII.M and Paragraph X. B-E and H-I of the **FINDINGS OF FACT** portion of the action.

V.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the inspection and/or monitoring date(s) for the violations cited in Paragraph IX. B and XI.A, C, and E of the **FINDINGS OF FACT** portion of the action.

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: Antoinette Cobb**  
**Re: Enforcement Tracking No. AE-CN-17-00789**  
**Agency Interest No. 1376**

**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-17-00789**  
**Agency Interest No. 1376**

III.

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

IV.

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

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from

contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

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

VII.

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

**NOTICE OF POTENTIAL PENALTY**

I.

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

II.

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

III.

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

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

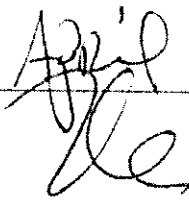
IV.

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

V.

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

Baton Rouge, Louisiana, this 10<sup>th</sup> day of April, 2018.

  
\_\_\_\_\_  
Lourdes Iturralde  
Assistant Secretary  
Office of Environmental Compliance

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

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

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

CONSOLIDATED COMPLIANCE ORDER &  
 NOTICE OF POTENTIAL PENALTY  
 REQUEST TO CLOSE



Enforcement Tracking No.	AE-CN-17-00789	Contact Name	Antoinette Cobb
Agency Interest (AI) No.	1376	Contact Phone No.	(225) 219-3072
Alternate ID No.	2500-00005		
Respondent:	Chalmette Refining, L.L.C.	Facility Name:	Chalmette Refinery
	c/o C T Corporation System	Physical Location:	500 West St. Bernard Highway
	Agent for Service of Process		
	3867 Plaza Tower Dr	City, State, Zip:	Chalmette, LA 70044
	Baton Rouge, LA 70816	Parish:	St. Bernard

STATEMENT OF COMPLIANCE

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


SETTLEMENT OFFER (OPTIONAL)

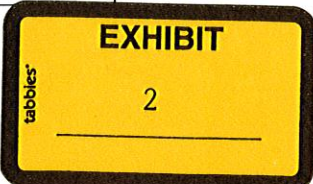
(check the applicable option)

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-17-00789), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-17-00789), 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"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional)= \$ _____</li> <li>• 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.</li> </ul>
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-CN-17-00789) 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:		
<p>Louisiana Department of Environmental Quality                      Office of Environmental Compliance                      Enforcement Division                      P.O. Box 4312                      Baton Rouge, LA 70821                      Attn: Antoinette Cobb</p>		

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE ENFORCEMENT DIVISION POST OFFICE BOX 4312 BATON ROUGE, LOUISIANA 70821-4312		<b>NOTICE OF POTENTIAL PENALTY</b>		
Enforcement Tracking No.	AE-PP-18-00720	Certified Mail No.	7012 2210 0001 1915 8404	
Agency Interest (AI) No.	1376	Contact Name	Antoinette Cobb	
Alternate ID No.	2500-00005	Contact Phone No.	(225) 219-3072	
Respondent:	Chalmette Refining, L.L.C.	Facility Name:	Chalmette Refinery	
	c/o C T Corporation System	Physical Location:	500 West St. Bernard Highway	
	Agent for Service of Process	City, State, Zip:	Chalmette, LA 70044	
	3867 Plaza Tower Drive Baton Rouge, LA 70816	Parish:	St. Bernard	
This <b>NOTICE OF POTENTIAL PENALTY</b> is issued 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 30:2050.3(B).				
<b>FINDINGS OF FACT</b>				
An authorized representative of the Department inspected the abovementioned facility or conducted a file review of the facility to determine the degree of compliance with regulations promulgated in the Louisiana Administrative Code, Title 33. The State regulatory citations for the violation(s) identified during the inspection and/or file review are indicated below.				
I.	The Respondent owns and/or operates a petroleum refinery located at 500 West St. Bernard Highway in Chalmette, St. Bernard Parish, Louisiana. The facility currently operates under the following Title V Permits: 2822-V2 (issued on July 23, 2013); 2933-V6 (issued on July 12, 2016); 2500-00005-V5 (issued on July 15, 2016); 3011-V3 (issued on October 11, 2016); 3018-V5 (issued on October 11, 2016); 3004-V9 (issued on July 14, 2017); 3016-V4 (issued on April 11, 2017); 3022-V8 (issued on June 30, 2017); 3023-V8 (issued on July 26, 2017); 3017-V6 (issued on April 25, 2017); and 3015-V4 (issued on April 25, 2017).			
	Date of Violation	Description of Violation		
II.	Inspection(s) & File Review  03/11/2018; 09/25/2018	The Department received an Unauthorized Discharge Notification Report for Incident No. T183410 dated March 16, 2018, and Follow-up Notification Reports dated May 15, 2018, and July 13, 2018. According to the reports, on March 10, 2018, the Facility experienced low suction pressure on the Flare Gas Recovery (FGR) Compressors which caused the compressors to shut down. Gases were combusted at Flare No. 2 (EQT 0255) after the compressors could not be restarted; Flare No. 1 was out of service for maintenance in association with a turnaround event. In addition to gases, hydrocarbon material was carried over to the Flare No. 2 Drum resulting in flaring that combusted the hydrocarbon materials. The increased liquid level in the No. 2 Flare Knockout Drum was carried over from the offline No. 1 Flare System, including the flare header and smaller temporary flare drum, while the rupture pin was being replaced. The high level of liquids in the system impeded gas flow to the No. 2 Flare, resulting in some liquid being pushed through the flare header when the gas pressure in the flare system overcame the liquid head pressure. The event lasted intermittently for approximately 113 minutes and resulted in the release of 0.41 tons of SO <sub>2</sub> to the atmosphere. The Respondent determined the release was preventable. Failure to operate a control device in the proper manner as required is a violation of Specific Requirement 210 of Title V Permit No. 3016-V4, LAC 33:III.905.A, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The permitted SO <sub>2</sub> emission limit for Flare No. 2 (EQT 0255) is 101.38 max lb./hr. Exceeding a permitted emission limit is a violation of Title V Permit No. 3016-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). To prevent recurrence, the Respondent will improve instrumentation and instrumentation feedback to the Distributive Control System (DCS) around flare, flare drums, and pumps to minimize the risk of liquid accumulation in the Flare No. 1 system. Updated instrumentation was installed during the planned turnaround after the event occurred. Routing of instrumentation feedback to the DCS and independent secondary flare drum level indication is scheduled to be completed by May 30, 2019.		
<b>NOTICE OF POTENTIAL PENALTY</b>				
I.	Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.			
II.	Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Antoinette Cobb at (225) 219-3072 within ten (10) days of receipt of this <b>NOTICE OF POTENTIAL PENALTY</b> .			
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 in order 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 violations to the above named contact person within ten (10) days of receipt of this <b>NOTICE OF POTENTIAL PENALTY</b> . 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 this 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.	For each violation described herein, the Department reserves the right to seek civil penalties and the right to seek compliance with its rules and regulations in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties and compliance.			
V.	To reduce document handling, please refer to the Enforcement Tracking Number and Agency Interest Number on the front of this document on all correspondence in response to this action.			




<b>CONTACTS AND SUBMITTAL OF INFORMATION</b>	
<b>Enforcement Division:</b> Louisiana Department of Environmental Quality Office of Environmental Compliance Air Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 <b>Attn: Antoinette Cobb</b>	<b>Physical Address (if hand delivered):</b> Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802
<b>HOW TO REQUEST CLOSURE OF THIS NOTICE OF POTENTIAL PENALTY</b>	
<p>To expedite closure of the <b>NOTICE OF POTENTIAL PENALTY</b>, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein.</p> <ul style="list-style-type: none"> <li>• The Department assesses civil penalties based on LAC 33:1.Subpart1.Chapter7.</li> <li>• The Respondent may offer a settlement amount but the Department is under no obligation to enter into settlement negotiations. It is decided upon on a discretionary basis.</li> <li>• The settlement offer amount may be entered on the attached "NOTICE OF POTENTIAL PENALTY REQUEST TO SETTLE" form. The Respondent must include a justification of the offer.</li> <li>• <b>DO NOT</b> 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.</li> </ul>	
<p>If you have questions or need more information, you may contact Antoinette Cobb at (225) 219-3072 or antoinette.cobb@la.gov.</p>	

  
 \_\_\_\_\_  
**Lourdes Iturralde**  
 Assistant Secretary  
 Office of Environmental Compliance

Date: 10-12-18


cc: Chalmette Refining, L.L.C.  
 c/o Ms. Kathy Sharp, Environmental Manager  
 P.O. Box 1007  
 Chalmette, Louisiana 70044

Attachment(s)  
 - Request to Settle

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE			
ENFORCEMENT DIVISION POST OFFICE BOX 4312 BATON ROUGE, LOUISIANA 70821-4312		<b>NOTICE OF POTENTIAL PENALTY                  REQUEST TO SETTLE (OPTIONAL)</b>	
			
Enforcement Tracking No.	AE-PP-18-00720	Contact Name	Antoinette Cobb
Agency Interest (AI) No.	1376	Contact Phone No.	(225) 219-3072
Alternate ID No.	2500-00005		
Respondent:	Chalmette Refining, L.L.C.	Facility Name:	Chalmette Refinery
	c/o C T Corporation System	Physical Location:	500 West St. Bernard Highway
	Agent for Service of Process		
	3867 Plaza Tower Drive Baton Rouge, LA 70816	City, State, Zip: Parish:	Chalmette, LA 70044 St. Bernard
<b>SETTLEMENT OFFER (OPTIONAL)</b>			
<i>(check the applicable option)</i>			
_____	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.		
_____	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-PP-18-00720), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.		
_____	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-PP-18-00720), 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"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional)= \$ _____</li> <li>• <b>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.</b></li> </ul>		
_____	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-PP-18-00720) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.		
<b>CERTIFICATION STATEMENT</b>			
<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>			
Respondent's Signature		Respondent's Printed Name	
Respondent's Physical Address		Respondent's Phone #	
		Date	
<b>MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:</b>			
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Antoinette Cobb			

If you have questions or need more information, you may contact Antoinette Cobb at (225) 219-3072 or antoinette.cobb@la.gov.



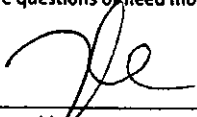
LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE ENFORCEMENT DIVISION POST OFFICE BOX 4312 BATON ROUGE, LOUISIANA 70821-4312		<b>AMENDED</b> <b>NOTICE OF POTENTIAL PENALTY</b>		
Enforcement Tracking No.	AE-PP-18-00720A	Certified Mail No.	7012 2210 0001 1915 8541	
Agency Interest (AI) No.	1376	Contact Name	Antoinette Cobb	
Alternate ID No.	2500-00005	Contact Phone No.	(225) 219-3072	
Respondent:	Chalmette Refining, L.L.C.	Facility Name:	Chalmette Refinery	
	c/o C T Corporation System	Physical Location:	500 West St. Bernard Highway	
	Agent for Service of Process	City, State, Zip:	Chalmette, LA 70044	
	3867 Plaza Tower Drive Baton Rouge, LA 70816	Parish:	St. Bernard	
This <b>AMENDED NOTICE OF POTENTIAL PENALTY</b> is issued 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 30:2050.3(B). This <b>AMENDED NOTICE OF POTENTIAL PENALTY</b> replaces <b>NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-PP-18-00720</b> issued on October 12, 2018 in its entirety.				
<b>FINDINGS OF FACT</b>				
An authorized representative of the Department inspected the abovementioned facility or conducted a file review of the facility to determine the degree of compliance with regulations promulgated in the Louisiana Administrative Code, Title 33. The State regulatory citations for the violation(s) identified during the inspection and/or file review are indicated below.				
I.	The Respondent owns and/or operates a petroleum refinery located at 500 West St. Bernard Highway in Chalmette, St. Bernard Parish, Louisiana. The facility currently operates under the following Title V Permits: 2822-V2 (issued on July 23, 2013); 2933-V6 (issued on July 12, 2016); 2500-00005-V5 (issued on July 15, 2016); 3011-V3 (issued on October 11, 2016); 3018-V5 (issued on October 11, 2016); 3004-V9 (issued on July 14, 2017); 3016-V4 (issued on April 11, 2017); 3022-V8 (issued on June 30, 2017); 3023-V8 (issued on July 26, 2017); 3017-V6 (issued on April 25, 2017); and 3015-V4 (issued on April 25, 2017).			
	<b>Date of Violation</b>	<b>Description of Violation</b>		
II.	Insp. Action(s) & File Review 03/11/2018; 09/25/2018	The Department received an Unauthorized Discharge Notification Report for Incident No. T183410 dated March 16, 2018, and Follow-up Notification Reports dated May 15, 2018, and July 13, 2018. According to the reports, on March 10, 2018, the Facility experienced low suction pressure on the Flare Gas Recovery (FGR) Compressors which caused the compressors to shut down. Gases were combusted at Flare No. 2 (EQT 0255) after the compressors could not be restarted; Flare No. 1 was out of service for maintenance in association with a turnaround event. In addition to gases, hydrocarbon material was carried over to the Flare No. 2 Drum resulting in flaring that combusted the hydrocarbon materials. The increased liquid level in the No. 2 Flare Knockout Drum was carried over from the offline No. 1 Flare System, including the flare header and smaller temporary flare drum, while the rupture pin was being replaced. The high level of liquids in the system impeded gas flow to the No. 2 Flare, resulting in some liquid being pushed through the flare header when the gas pressure in the flare system overcame the liquid head pressure. The event lasted intermittently for approximately 113 minutes and resulted in the release of 0.41 tons of SO <sub>2</sub> to the atmosphere. The permitted SO <sub>2</sub> emission limit for Flare No. 2 (EQT 0255) is 101.38 max lb./hr. Exceeding a permitted emission limit is a violation of Title V Permit No. 3016-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). To prevent recurrence, the Respondent will improve instrumentation and instrumentation feedback to the Distributive Control System (DCS) around flare, flare drums, and pumps to minimize the risk of liquid accumulation in the Flare No. 1 system. Updated instrumentation was installed during the planned turnaround after the event occurred. Routing of instrumentation feedback to the DCS and independent secondary flare drum level indication is scheduled to be completed by May 30, 2019.		
<b>NOTICE OF POTENTIAL PENALTY</b>				
I.	Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.			
II.	Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Antoinette Cobb at (225) 219-3072 within ten (10) days of receipt of this <b>NOTICE OF POTENTIAL PENALTY</b> .			
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 <b>NOTICE OF POTENTIAL PENALTY</b> . 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.	For each violation described herein, the Department reserves the right to seek civil penalties and the right to seek compliance with its rules and regulations in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties and compliance.			
V.	To reduce document handling, please refer to the Enforcement Tracking Number and Agency Interest Number on the front of this document on all correspondence in response to this action.			





<b>CONTACTS AND SUBMITTAL OF INFORMATION</b>	
<b>Enforcement Division:</b>	<b>Physical Address (if hand delivered):</b>
Louisiana Department of Environmental Quality Office of Environmental Compliance Water Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Antoinette Cobb	Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802
<b>HOW TO REQUEST CLOSURE OF THIS AMENDED NOTICE OF POTENTIAL PENALTY</b>	
<p>To expedite closure of the <b>AMENDED NOTICE OF POTENTIAL PENALTY</b>, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein.</p> <ul style="list-style-type: none"> <li>• The Department assesses civil penalties based on LAC 33:1.Subpart1.Chapter7.</li> <li>• The Respondent may offer a settlement amount but the Department is under no obligation to enter into settlement negotiations. It is decided upon on a discretionary basis.</li> <li>• The settlement offer amount may be entered on the attached "AMENDED NOTICE OF POTENTIAL PENALTY REQUEST TO SETTLE" form. The Respondent must include a justification of the offer.</li> <li>• <b>DO NOT</b> 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.</li> </ul>	

If you have questions or need more information, you may contact Antoinette Cobb at (225) 219-3072 or antoinette.cobb@la.gov.




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**Lourdes Iturralde**  
 Assistant Secretary  
 Office of Environmental Compliance

Date: 2-1-19


cc: Chalmette Refining, L.L.C.  
 c/o Ms. Kathy Sharp, Environmental Manager  
 P.O. Box 1007  
 Chalmette, Louisiana 70044

Attachment(s)  
 - Request to Settle

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE ENFORCEMENT DIVISION POST OFFICE BOX 4312 BATON ROUGE, LOUISIANA 70821-4312		<b>AMENDED</b> <b>NOTICE OF POTENTIAL PENALTY</b> <b>REQUEST TO SETTLE (OPTIONAL)</b>		
Enforcement Tracking No.	AE-PP-18-00720A	Contact Name	Antoinette Cobb	
Agency Interest (AI) No.	1376	Contact Phone No.	(225) 219-3072	
Alternate ID No.	2500-00005			
Respondent:	Chalmette Refining, L.L.C.	Facility Name:	Chalmette Refinery	
	c/o C T Corporation System	Physical Location:	500 West St. Bernard Highway	
	Agent for Service of Process			
	3867 Plaza Tower Drive Baton Rouge, LA 70816	City, State, Zip: Parish:	Chalmette, LA 70044 St. Bernard	
<b>SETTLEMENT OFFER (OPTIONAL)</b>				
<i>(check the applicable option)</i>				
<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33-I.Subpart1.Chapter7.			
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-PP-18-00720A), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.			
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-PP-18-00720A), 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"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional)= \$ _____</li> <li>• <b>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.</b></li> </ul> The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-PP-18-00720A) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.			
<b>CERTIFICATION STATEMENT</b>				
I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.				
Respondent's Signature		Respondent's Printed Name		Respondent's Title
Respondent's Physical Address		Respondent's Phone #		Date
<b>MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:</b>				
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Antoinette Cobb				

If you have questions or need more information, you may contact Antoinette Cobb at (225) 219-3072 or antoinette.cobb@la.gov.



LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE ENFORCEMENT DIVISION POST OFFICE BOX 4312 BATON ROUGE, LOUISIANA 70821-4312		<b>NOTICE OF POTENTIAL PENALTY</b>		
Enforcement Tracking No.	AE-PP-19-00542	Certified Mail No.	7012 2210 0001 1915 8664	
Agency Interest (AI) No.	1376	Contact Name	Antoinette Cobb	
Alternate ID No.	2500-00005	Contact Phone No.	(225) 219-3072	
Respondent:	Chalmette Refining, L.L.C.	Facility Name:	Chalmette Refinery	
	c/o C T Corporation System	Physical Location:	500 West St. Bernard Highway	
	Agent for Service of Process	City, State, Zip:	Chalmette, LA 70044	
	3867 Plaza Tower Drive	Parish:	St. Bernard	
Baton Rouge, LA 70816				

This **NOTICE OF POTENTIAL PENALTY** is issued 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 30:2050.3(B).

**FINDINGS OF FACT**

*An authorized representative of the Department inspected the abovementioned facility or conducted a file review of the facility to determine the degree of compliance with regulations promulgated in the Louisiana Administrative Code, Title 33. The State regulatory citations for the violation(s) identified during the inspection and/or file review are indicated below.*

I.	The Respondent owns and/or operates a petroleum refinery located at 500 West St. Bernard Highway in Chalmette, St. Bernard Parish, Louisiana. The facility currently operates under the authority of the following Title V Permits: 2822-V3 (issued on May 3, 2019); 2933-V7 (issued on June 21, 2019); 2500-00005-V5 (issued on July 15, 2016); 3011-V3 (issued on October 11, 2016); 3018-V6 (issued on October 31, 2018); 3004-V10 (issued on October 29, 2018); 3016-V4 (issued on April 11, 2017); 3022-V8 (issued on June 30, 2017); 3023-V8 (issued on July 26, 2017); 3017-V6 (issued on April 25, 2017); and 3015-V4 (issued on April 25, 2017).				
	<b>Description of Violation</b>				
II.	<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 20%;">Date of Violation</th> <th>Description of Violation</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">                             File Review                              07/19/2018;                              07/16/2019                         </td> <td>                             The Department received an Unauthorized Discharge Notification Report for Department Incident No. T185837 dated July 26, 2018 and a Follow-up Notification Report dated September 14, 2018. According to the reports, the Facility experienced an unanticipated shutdown of the Process Gas Compressor (PGC) at the Fluidized Catalytic Cracking Unit (FCCU) on July 19, 2018. Water intrusion into the gearbox thrust instrumentation and conduit caused the thrust instrumentation to fail and the compressor to shut down. Gases were routed to the Flare Gas Recovery (FGR) Unit and No. 1 Flare system (EQT 0254). The FGR Unit was unable to handle the excess gas. One of the staging valves on the No. 1 Flare did not properly reseal following the incident, which resulted in intermittent flaring from a single flare stage. Flaring occurred for approximately 81 minutes until the PGC was restarted and resulted in the release of 3.7 tons of SO<sub>2</sub> and 2.8 tons of VOC/Flammable Gas. The Respondent determined the incident was preventable. The PGC was overhauled, which included disassembly and reassembly of the thrust probes and associated conduit, during a turnaround. During the Respondent's internal investigation, it was determined the conduit fittings were not tightened adequately upon completion of the overhaul, allowing the water intrusion. In review of the PGC conduit design, it was discovered that the original conduit installation under a previous owner did not allow for proper drainage in accordance with the facility's current conduit design standards. Failure to operate control equipment, any device or contrivance, operating procedure or abatement scheme to prevent or reduce air pollution, in the proper manner is a violation of Specific Requirement 210 of Title V Permit No. 3016-V4, LAC 33:III.905.A, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The permitted SO<sub>2</sub> and VOC emission limits for Flare No. 1 (EQT 0254) are 0.49 max lb/hr and 0.02 max lb/hr. Each emission exceedance is a violation of Title V Permit No. 3016-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). Prior to the compressor being restarted, the Respondent drained, cleaned, tightened, and sealed the conduit and instruments tied to the gearbox thrust indication. To prevent recurrence, the Respondent has or will implement the following: 1) reinforce quality expectations with technicians and first line supervisors on conduit assembly; 2) evaluate and implement improvements that can be made to the PGC conduit while the unit is online ; 3) conduct a survey on other facility critical equipment conduit systems to identify potential gaps compared to the facility design standards; and 4) complete required modifications to bring the PGC system into compliance with facility standards which cannot be completed online by the end of the next turnaround currently scheduled for 2023.                         </td> </tr> </tbody> </table>	Date of Violation	Description of Violation	File Review 07/19/2018; 07/16/2019	The Department received an Unauthorized Discharge Notification Report for Department Incident No. T185837 dated July 26, 2018 and a Follow-up Notification Report dated September 14, 2018. 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III.	<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 20%;">Inspection(s) &amp; File Review</th> <th>Description of Violation</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">                             02/27/2019;                              07/16/2019                         </td> <td>                             The Department received a Follow-Up Notification Report dated May 3, 2019, for Department Incident No. T189924. According to the report, the Facility experienced an unanticipated power interruption due to a switchgear fault causing low voltage on a portion of the power distribution system on February 27, 2019. The power interruption and associated voltage sag resulted in loss of two of the three facility boilers causing an upset in and loss of multiple units associated with the loss of available steam as well as power. The No. 1 Flare (EQT 0254) staged briefly before the power could be restored. The third Flare Gas Recovery (FGR) compressor was started and affected units were stabilized in a safe position until power and steam production were restored. During transient operations, one of the two low pressure Waste Gas System (WGS) compressors experienced an upset, resulting in damage that prevented a restart. The other low pressure WGS compressor was down for routine maintenance. The high pressure WGS compressor was the only compressor available to recycle refinery off-gas. The No. 2 Crude Unit was unable to route vacuum off gas to the higher pressure WGS without pressuring up the vacuum system due to lack of adequate steam availability caused by the boiler outages. Material high in hydrogen sulfide (H<sub>2</sub>S) content was routed to Flare No. 2 (EQT 0255) causing SO<sub>2</sub> emissions in excess of permit limits. During the power outage, a ½ inch hose on the diesel fuel system to the cooling water pump engine on Dock 4 developed a leak which ignited. The small fire was extinguished with firewater and a single dry chemical extinguisher. Flaring occurred at Flare No.1 for 25 minutes and Flare No. 2 for 5 hours and resulted in the release of 3.6 tons of SO<sub>2</sub>. The Respondent reported the incident was preventable. The internal investigation determined that fault occurred in the outdoor switchgear was the result of arcing associated with dust and dirt accumulation inside the                         </td> </tr> </tbody> </table>	Inspection(s) & File Review	Description of Violation	02/27/2019; 07/16/2019	The Department received a Follow-Up Notification Report dated May 3, 2019, for Department Incident No. T189924. According to the report, the Facility experienced an unanticipated power interruption due to a switchgear fault causing low voltage on a portion of the power distribution system on February 27, 2019. The power interruption and associated voltage sag resulted in loss of two of the three facility boilers causing an upset in and loss of multiple units associated with the loss of available steam as well as power. The No. 1 Flare (EQT 0254) staged briefly before the power could be restored. The third Flare Gas Recovery (FGR) compressor was started and affected units were stabilized in a safe position until power and steam production were restored. During transient operations, one of the two low pressure Waste Gas System (WGS) compressors experienced an upset, resulting in damage that prevented a restart. The other low pressure WGS compressor was down for routine maintenance. The high pressure WGS compressor was the only compressor available to recycle refinery off-gas. The No. 2 Crude Unit was unable to route vacuum off gas to the higher pressure WGS without pressuring up the vacuum system due to lack of adequate steam availability caused by the boiler outages. Material high in hydrogen sulfide (H <sub>2</sub> S) content was routed to Flare No. 2 (EQT 0255) causing SO <sub>2</sub> emissions in excess of permit limits. During the power outage, a ½ inch hose on the diesel fuel system to the cooling water pump engine on Dock 4 developed a leak which ignited. The small fire was extinguished with firewater and a single dry chemical extinguisher. Flaring occurred at Flare No.1 for 25 minutes and Flare No. 2 for 5 hours and resulted in the release of 3.6 tons of SO <sub>2</sub> . The Respondent reported the incident was preventable. The internal investigation determined that fault occurred in the outdoor switchgear was the result of arcing associated with dust and dirt accumulation inside the
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02/27/2019; 07/16/2019	The Department received a Follow-Up Notification Report dated May 3, 2019, for Department Incident No. T189924. According to the report, the Facility experienced an unanticipated power interruption due to a switchgear fault causing low voltage on a portion of the power distribution system on February 27, 2019. The power interruption and associated voltage sag resulted in loss of two of the three facility boilers causing an upset in and loss of multiple units associated with the loss of available steam as well as power. The No. 1 Flare (EQT 0254) staged briefly before the power could be restored. The third Flare Gas Recovery (FGR) compressor was started and affected units were stabilized in a safe position until power and steam production were restored. During transient operations, one of the two low pressure Waste Gas System (WGS) compressors experienced an upset, resulting in damage that prevented a restart. The other low pressure WGS compressor was down for routine maintenance. The high pressure WGS compressor was the only compressor available to recycle refinery off-gas. The No. 2 Crude Unit was unable to route vacuum off gas to the higher pressure WGS without pressuring up the vacuum system due to lack of adequate steam availability caused by the boiler outages. Material high in hydrogen sulfide (H <sub>2</sub> S) content was routed to Flare No. 2 (EQT 0255) causing SO <sub>2</sub> emissions in excess of permit limits. During the power outage, a ½ inch hose on the diesel fuel system to the cooling water pump engine on Dock 4 developed a leak which ignited. The small fire was extinguished with firewater and a single dry chemical extinguisher. Flaring occurred at Flare No.1 for 25 minutes and Flare No. 2 for 5 hours and resulted in the release of 3.6 tons of SO <sub>2</sub> . The Respondent reported the incident was preventable. The internal investigation determined that fault occurred in the outdoor switchgear was the result of arcing associated with dust and dirt accumulation inside the				





		switchgear, which caused tracking and a flashover of one of the insulators in Bay 10. Failure to operate control equipment, any device or contrivance, operating procedure or abatement scheme to prevent or reduce air pollution, in the proper manner is a violation of Specific Requirement 210 of Title V Permit No. 3016-V4, LAC 33:III.905.A, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The permitted SO <sub>2</sub> emission limits for Flare No. 1 (EQT 0254) and Flare No. 2 are 0.49 max lb/hr and 101.38 max lb/hr. In correspondence dated July 17, 2019, the Respondent reported 0.3 tons of SO <sub>2</sub> were released from Flare No. 1 and 3.3 tons of SO <sub>2</sub> were released from Flare No. 2. Each emission exceedance is a violation of Title V Permit No. 3016-V4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). To prevent recurrence, the Respondent has or will implement the following: 1) isolation and removal from service of the faulted switch in Bay 10; 2) inspected, tested, and cleaned the remaining bays in accordance with the preventative maintenance procedures; 3) increase frequency of ultrasonic testing; and 4) develop a preventative maintenance deferral and evaluation process for electrical switchgear.
IV.	Inspection(s) 04/03/2019	The Department received a Follow-up Notification Report dated June 7, 2019, for Department Incident No. T190412. According to the report, a relief valve was discovered discharging to the atmosphere during a refinery upset on April 3, 2019. The upset occurred when the Aromatics Closed Cooling Water (CCW) Tower experienced a loss of cooling water flow to multiple refinery units. The switchgear supplying power to the CCW pumps was down for preventative maintenance at the time of the incident. A diesel driven pump and one out of three electrical pumps, powered with a temporary generator, were supplying cooling water flow to the impacted units when the generator failed. The failure caused the loss of the electric pump resulting in a loss of flow to the receiving units. When Operations received the alarm for low CCW pressure and high level in the CCW tower basin, outside personnel found a sheared coupling on the diesel pump had occurred. The loss of cooling resulted in upset conditions and high pressure on two towers. One relief valve on each tower released material to the atmosphere. One relief valve relieved for 9 minutes and the second continued for approximately 38 minutes. The incident resulted in the release of 6.7 tons of VOC/Flammable Gas and 53.8 lbs of benzene. The Respondent determined the incident was preventable. Failure to operate control equipment, any device or contrivance, operating procedure or abatement scheme to prevent or reduce air pollution, in the proper manner is a violation of LAC 33:III.905.A, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). To prevent recurrence, a checklist and protocol will be developed to identify potential single points of failure during the planning process and the switching order procedure will be updated to include a Problem Consequence Analysis by the Operations team by end of third quarter 2019. The alarms will be evaluated and optimized as necessary to ensure a partial loss of cooling water flow is more readily apparent to operations by the end of the second quarter 2019. The diesel emergency spare will be repaired/replaced by the end of the first quarter 2020.

**NOTICE OF POTENTIAL PENALTY**

I.	Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.
II.	Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Antoinette Cobb at (225) 219-3072 within ten (10) days of receipt of this <b>NOTICE OF POTENTIAL PENALTY</b> .
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 in order 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 violations to the above named contact person within ten (10) days of receipt of this <b>NOTICE OF POTENTIAL PENALTY</b> . 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 this 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.	For each violation described herein, the Department reserves the right to seek civil penalties and the right to seek compliance with its rules and regulations in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties and compliance.
V.	To reduce document handling, please refer to the Enforcement Tracking Number and Agency Interest Number on the front of this document on all correspondence in response to this action.

**CONTACTS AND SUBMITTAL OF INFORMATION**

<b>Enforcement Division:</b>	<b>Physical Address (if hand delivered):</b>
Louisiana Department of Environmental Quality Office of Environmental Compliance Air Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Antoinette Cobb	Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802

**HOW TO REQUEST CLOSURE OF THIS NOTICE OF POTENTIAL PENALTY**

To expedite closure of the **NOTICE OF POTENTIAL PENALTY**, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein.

- The Department assesses civil penalties based on LAC 33:1.Subpart1.Chapter7.
- The Respondent may offer a settlement amount but the Department is under no obligation to enter into settlement negotiations. It is decided upon on a discretionary basis.
- The settlement offer amount may be entered on the attached "NOTICE OF POTENTIAL PENALTY REQUEST TO SETTLE" 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.

If you have questions or need more information, you may contact Antoinette Cobb at (225) 219-3072 or antoinette.cobb@la.gov.




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Lourdes Iturralde  
Assistant Secretary  
Office of Environmental Compliance

Date: 8-7-19

cc: Chalmette Refining, L.L.C.  
c/o Mr. Scott Goodwin, Environmental Manager  
P.O. Box 1007  
Chalmette, Louisiana 70044

Attachment(s)  
- Request to Settle

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE ENFORCEMENT DIVISION POST OFFICE BOX 4312 BATON ROUGE, LOUISIANA 70821-4312		<b>NOTICE OF POTENTIAL PENALTY                  REQUEST TO SETTLE (OPTIONAL)</b>		
Enforcement Tracking No.	AE-PP-19-00542	Contact Name	Antoinette Cobb	
Agency Interest (AI) No.	1376	Contact Phone No.	(225) 219-3072	
Alternate ID No.	2500-00005			
Respondent:	Chalmette Refining, L.L.C.	Facility Name:	Chalmette Refinery	
	c/o C T Corporation System	Physical Location:	500 West St. Bernard Highway	
	Agent for Service of Process			
	3867 Plaza Tower Drive Baton Rouge, LA 70816	City, State, Zip:	Chalmette, LA 70044	
		Parish:	St. Bernard	

**SETTLEMENT OFFER (OPTIONAL)**

(check the applicable option)

_____	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.
_____	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-PP-19-00542), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
_____	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-PP-19-00542), 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"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional)= \$ _____</li> <li>• <b>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.</b></li> </ul>
_____	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-PP-19-00542) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

**CERTIFICATION STATEMENT**

*I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.*

Respondent's Signature	Respondent's Printed Name	Respondent's Title
Respondent's Physical Address	Respondent's Phone #	Date

**MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:**

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

If you have questions or need more information, you may contact Antoinette Cobb at (225) 219-3072 or antoinette.cobb@la.gov.