

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

ENTERGY LOUISIANA, LLC

AI # 1186

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

* Settlement Tracking No.
* SA-AE-21-0040
*
* Enforcement Tracking Nos.
* AE-CN-13-00544
* AE-CN-13-00544A
*
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SETTLEMENT

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

I

Respondent is a limited liability company that owns and/or operates an electrical generating station located in Baton Rouge, East Baton Rouge Parish, Louisiana (“the Facility”).

II

On February 23, 2015, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-13-00544 (Exhibit 1).

On October 6, 2017, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-13-00544A (Exhibit 2).

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

- A. The Respondent disclosed in the 2015 Annual Compliance Certification, dated March 28, 2016, that during the period 11/1/15 through 11/30/15, the C4 - Unit 4A (EQT 0011) Gas Turbine operated 52.63 hours with only 42.25 valid CEMS hours for an availability of 80.3%. The failure to maintain data availability for at least 90% of the operating hours is a violation of Title V Permit No. 0840-00181-V3, LAC 33:III.535.V, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1), and 30:2057(A)(2).
- B. The Respondent disclosed in the 2017 First Semiannual Monitoring Report that during the periods 1/1/2017 through 3/31/2017 (2109 hours total), and 4/1/2017 through 4/30/2017 (106 hours total), facility personnel failed to calibrate the CS - Unit 5A (EQT 0012) gas fuel flow transmitters resulting in the invalidation of CEMS NO_x, and SO₂ emissions data for those periods. Each failure to conduct quarterly calibrations is a violation of Title V Permit No. 0840-00181-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- C. The Respondent disclosed in the 2013 Annual Compliance Certification, for the period 1/1/13 to 12/31/13, received by the Department on 3/28/14, that during three startup periods the CS - Unit 5A (EQT 0012) exceeded the NO_x, 196.7 lb/hr permit limit for one hour only, on 3/15/13, 6/21/13, and 7/7/13. The degrees of exceedance were not reported. Each exceedance of the permit limit is a violation of Title V Permit No. 0840-00181-V3, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2). The Respondent reported that Title V Permit No. 0840-00181-V3 was issued 6/26/2014, raising the NO_x, emission limit to 400 lb/hr, to accurately cover startup emissions.
- D. The Respondent disclosed in the 2015 Annual Compliance Certification, dated March 28, 2016, that during the period 1/1/2015 through 12/31/2015, there were five (5) periods when the 402.20 lb/hr NO_x permit limit for the C4-Unit 4A (EQT 0011) Gas Turbine was exceeded. The periods are 1/5/15 for one hour; 1/19/15 for two hours, and 12/21/15 for one hour, caused by moisture in the CEMS air line. Two periods occurred on 3/8/15 for one hour, and on 3/28/15 for one hour, caused by a high volume of refinery gas being combusted. The degrees of exceedance were not reported. Each failure to meet the permit limit is a violation of Title V Air Permit No. 0840-00181-V3, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).
- E. The Respondent disclosed in the 2016 Annual Compliance Certification, dated March 22, 2017, that an exceedance of the 167.2 lb/hr permit limit of NO_x, for one hour with an emission of 214 lb/hr of NO_x, for the C3 - Unit 3A (EQT 0010) Gas Turbine on May 23, 2016. The degree of exceedance was not reported. The failure to meet the permit limit is a violation of Title V Air Permit No. 0840-00181-V3, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2). The Respondent reported that the CS-Unit 5A (EQT 0010) Gas Turbine tripped off line; the increased load on the C3 -Unit 3A (EQT 0010) Gas Turbine caused the exceedance.
- F. The Respondent disclosed in the 2017 First Semiannual Monitoring Report, dated September 20, 2017, that on January 14, 2017, the 167.2 lb/hr NO_x permit limit was

exceeded for one hour at a rate of 188.8 lb/hr for the C3 - Unit 3A (EQT 0010) Gas Turbine, caused by a steam imbalance and plant upsets. The failure to meet the permit limit is a violation of Title V Air Permit No. 0840-00181-V3, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

- G. The Respondent disclosed in the 2015 Annual Compliance Certification, dated March 28, 2016, that during the period 1/1/15 through 12/31/15, for the CS - Unit 5A (EQT 0012) Gas Turbine, there were eighteen instances when the 42.9 lb/hr SO₂ permit limit was exceeded. The exceedances were due to elevated Hydrogen Sulfide (H₂S) content in gas burned that was transferred to Entergy from an associated customer. The dates and durations were: 7/21/15 - nine hours; 7/23/15 - one hour; 8/14/15 - one hour; 9/12/15 - one hour; 9/15/15 - one hour; 9/20/15 - one hour; 9/21/15 - one two-hour period, and four one-hour periods; 9/22/15 - one hour; 9/26/15 - one hour; 9/27/15 - two one-hour periods; 9/30/15 - one hour; 10/4/15 - one hour, and 10/8/15 - one hour. Each failure to meet the permit limit is a violation of Title V Permit No. 0840-00181-V3, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2). The Respondent reported that the customer was able to reduce the H₂S content of the gas provided to the Respondent; the exceedances ceased.

Unit 9 boiler, EQT0013 - C9, is operated solely as a backup boiler, and meets the exemption criteria in LAC33:III.2201.C.6. Under permit V3 issued in December 2013 the boiler was limited to 400 hours of operating per season. Permit V4 issued in September 2018 changed the limit to 3 hours per day on a 30-day rolling average. Although the permit didn't change the requirement until 2018, the regulation changed from 400 hours per season to 3 hours per day rolling average prior to 2013.

- A. The Respondent's amended 2015 Annual Compliance Certification disclosed that Unit 9 operated for 114 hours from August 25 to August 30, 2015 to substitute for Unit 5A. On August 29, 2015, the 30-day rolling average was 3.56 hours per day. This is a violation of LAC 33:III.2201.C.6 and La. R.S. 30:2057(A)(2).
- B. The Respondent's amended 2015 Annual Compliance Certification disclosed that Unit 9 operated for 114 hours from August 25 to August 30, 2015, to substitute for Unit 5A. On August 30, 2015, the 30-day rolling average was 4.02 hours per day. This is a violation of LAC 33:III.2201.C.6 and La. R.S. 30:2057(A)(2).
- C. The Respondent's amended 2015 Annual Compliance Certification disclosed that on September 5, 2015, Unit 9 operated for 1.7 hours to substitute for Unit 4A. Due to the elevated run time from August 25 to August 30, the 30-day rolling average on September 5, 2015, was 4.08 hours per day. This is a violation of LAC 33:III.2201.C.6 and La. R.S. 30:2057(A)(2).

- D. The Respondent's amended 2016 Annual Compliance Certification disclosed that from July 7 to July 21, 2016, Unit 9 operated for 83 hours and from August 16 to August 18 for 51.8 hours to substitute for Unit 1A. On August 17, 2016, the 30-day rolling average was 3.28 hours per day. This is a violation of LAC 33:III.2201.C.6 and La. R.S. 30:2057(A)(2).
- E. The Respondent's amended 2017 Annual Compliance Certification disclosed that from September 25 to September 30, 2016, Unit 9 operated for 143 hours to substitute for Unit 5A. On September 28, 2017, the 30-day rolling average was 3.17 hours per day. This is a violation of LAC 33:III.2201.C.6 and La. R.S. 30:2057(A)(2).
- F. The Respondent's amended 2017 Annual Compliance Certification disclosed that from September 25 to September 30, 2016, Unit 9 operated for 143 hours to substitute for Unit 5A. On September 29, 2017, the 30-day rolling average was 3.97 hours per day. This is a violation of LAC 33:III.2201.C.6 and La. R.S. 30:2057(A)(2).
- G. The Respondent's amended 2017 Annual Compliance Certification disclosed that from September 25 to September 30, 2017, Unit 9 operated for 143 hours to substitute for Unit 5A. On September 30, 2017, the 30-day rolling average was 4.77 hours per day. This is a violation of LAC 33:III.2201.C.6 and La. R.S. 30:2057(A)(2).
- H. In correspondence dated September 17, 2018, the Respondent submitted the facility's 2018 First Half Semiannual Monitoring Report. The report disclosed that, for the month of March 2018 the Sulfur Dioxide CMS for Unit 1A Boiler - EQT0008, C1; Unit 2A Boiler EQT0009, CE2; EQT0010, Unit 3A Boiler CE3 and Unit 4A-Turbine/HRSG EQT0011, C4 did not meet the 90% data availability requirement. The availability was 59%. The Respondent stated the gas chromatograph was replaced and the new gas chromatograph was initially not functioning properly. The failure to maintain CEMS availability at greater than 90% of operating hours is a violation of Specific Requirement 274 of Title V Permit 0840-00181-V3, LAC 33:III.501.C.4, LAC 33:III.535, and La. R.S. 30:2057(A)(2). The Respondent disclosed that the gas chromatograph was calibrated and functionally restored.

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 TEN THOUSAND AND NO/DOLLARS (\$10,000.00), of which Two Thousand Two Hundred Fifty-Eight and 02/100 Dollars (\$2,258.02) 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, Amended Consolidated Compliance Order & Notice of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

VI

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

VII

This settlement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to

the compromise and settlement, the Department considered the factors for issuing civil penalties set forth in La. R. S. 30:2025(E) of the Act.

VIII

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

IX

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

X

Payment is to be made within ten (10) days from notice of the Secretary's signature. If payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit A).

XI

In consideration of the above, any claims for penalties are hereby compromised and settled in

accordance with the terms of this Settlement.

XII

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

ENERGY LOUISIANA, LLC

BY: [Signature]
(Signature)

Richard Corvers
(Printed)
Manager - LES

TITLE: Energy Services, LLC

THUS DONE AND SIGNED in duplicate original before me this 15th day of July, 20 22, at New Orleans, LA.

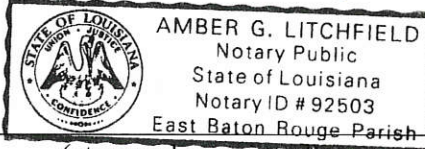
[Signature]
NOTARY PUBLIC (ID # _____)
John Bechtold Shortess
Bar No. 26513
Notary Public, State of Louisiana
My Commission is for Life.
(stamped or printed)

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

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

THUS DONE AND SIGNED in duplicate original before me this 9th day of August, 20 22, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # 92503)


(stamped or printed)

Approved: [Signature]
Celena J. Cage, Assistant Secretary

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

February 23, 2015

CERTIFIED MAIL (7004 2510 0006 3853 0659)
RETURN RECEIPT REQUESTED

ENTERGY GULF STATES LOUISIANA, INC.

c/o Paul A. Castanon
Agent for Service of Process
639 Loyola Ave., 26th Floor
New Orleans, LA 70113-3125

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-13-00544
AGENCY INTEREST NO. 1186**

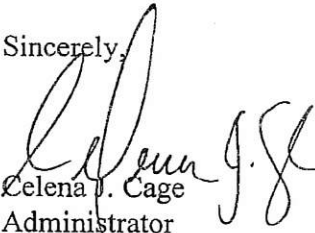
Dear Sir:

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 **ENTERGY GULF STATES LOUISIANA, INC. (RESPONDENT)** for the violations described therein.

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

Any questions concerning this action should be directed to Mark E. Brown at (225) 219-3782.

Sincerely,


Celena J. Cage
Administrator
Enforcement Division

CJC/MEB/meb
Alt ID No. 0840-00181
Attachment



c: Entergy Services, Inc.
Christee Herbert
639 Loyola Avenue
P. O. Box 61000
New Orleans, LA 70161-1000

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

<p>IN THE MATTER OF</p> <p>ENTERGY GULF STATES LOUISIANA, INC.</p> <p>EAST BATON ROUGE PARISH</p> <p>ALT ID NO. 0840-00181</p> <p>PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, ET SEQ.</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>ENFORCEMENT TRACKING NO.</p> <p style="text-align: center;">AE-CN-13-00544</p> <p>AGENCY INTEREST NO.</p> <p style="text-align: center;">1186</p>
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CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **ENTERGY GULF STATES LOUISIANA, INC. (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 Louisiana Station 1, an electrical generating station, located at Gulf States Road W at Scenic Highway in Baton Rouge, East Baton Rouge Parish, Louisiana.

The facility operates, or has operated, under the permits shown in Table A:

TABLE A

Title V Permit No.	Permit Issue Date	Permit Expiration Date
0840-00181-V0	November 30, 1999	November 30, 2004
0840-00181-V1	July 7, 2000	May 30, 2004 (corrected 11/20/2003 to November 30, 2004)*
0840-00181-V2	March 10, 2009	March 10, 2014
0840-00181-V3	June 26, 2014	June 26, 2019

II.

On or about February 20, 2013, and on or about March 7, 2013, Full Compliance Evaluation inspections were conducted at the facility to determine the degree of compliance with the Act and the Air Quality Regulations.

On or about November 22, 2014, a file review of the facility was performed to determine the degree of compliance with the Act and the Air Quality Regulations.

While the investigation by the Department is not yet complete, the following violations were noted during the course of the inspections and file review:

- A. In correspondence dated as shown, the Respondent submitted Semiannual Monitoring Reports listing periods where the Continuous Emission Monitoring System (CEMS) data was available for emission sources shown in Table B for less than 90% of the actual operating time in the monthly periods listed:

TABLE B

Semiannual Monitoring Report	Emission Source	Deviation Began	Deviation Ended
Second 2009 (March 29, 2010)	C4 – Unit 4A (EQT 0011)	10/1/2009	10/31/2009
	C5 – Unit 5A (EQT 0015)	11/1/2009	11/30/2009
First 2010 (September 30, 2010)	C4 – Unit 4A (EQT 0012)	4/1/2010	4/30/2010

Each failure to maintain data availability for at least 90% of the operating hours is a violation of LAC 33:III.535.V, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

- B. In correspondence dated September 23, 2014, the Respondent submitted the facility's 2014 First Semiannual Monitoring Report for the period encompassing January 1, 2014 through June 30, 2014. The report disclosed an exceedance, due to operator error, of the Nitrogen Oxides (NO_x) limits, in pounds per hour (lb/hr), and parts per million volume (ppmv) of Title V Permit No. 0840-00181-V2, for C4 – Unit 4A Gas Turbine (EQT 0011) as shown in Table C:

TABLE C

Date	Permit Limit NO _x , lb/hr	Actual emission, NO _x , lb/hr	Permit Limit, NO _x , ppm	Actual emission, NO _x , ppm
June 23, 2014 07:00 – 07:59	363.40 average 402.20 maximum	765.44	100	174

The failure to maintain emission of NO_x below the permitted levels, is a violation of Specific Requirement 91 of Title V Permit No. 0840-00181-V2, LAC 33:III.905.A, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

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 monitor and maintain all of the facility's CEMS units, to insure greater than 90% availability, based on a monthly average.

II.

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

III.

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: Mark E. Brown
Re: Enforcement Tracking No. AE-CN-13-00544
Agency Interest No. 1186

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-13-00544
Agency Interest No. 1186

III.

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

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violations 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 violations, 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 violations 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 violations described herein. Written comments may be filed regarding the violations 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 violations. If you would like to have such a meeting, please contact Mark E. Brown at (225) 219-3782 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

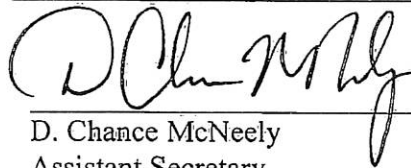
The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violations to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you

utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement.

IV.

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

Baton Rouge, Louisiana, this 23 day of February, 2015.



D. Chance McNeely
Assistant Secretary
Office of Environmental Compliance

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

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

JOHN BEL EDWARDS
GOVERNOR



CHUCK CARR BROWN, Ph.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

October 6, 2017

CERTIFIED MAIL (7004 2510 00006 3854 3123)
RETURN RECEIPT REQUESTED

ENTERGY LOUISIANA, LLC
c/o John Braymer
Agent for Service of Process
639 Loyola Ave., 26th Floor
New Orleans, LA 70113

**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO AE-CN-13-00544A
AGENCY INTEREST NO. 1186**

Dear Sir:

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

Any questions concerning this action should be directed to Mark E. Brown at (225) 219-3782.

Sincerely,

A handwritten signature in black ink, appearing to read "Celesta J. Cage".

Celesta J. Cage
Administrator
Enforcement Division

CJC/MEB/meb
Alt ID No. 0840-00181
Attachment



c: Entergy Services, Inc.
Firdina Hyman (L-ENT-SE)
639 Loyola Avenue
New Orleans, LA 70113

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

<p>IN THE MATTER OF</p> <p>ENTERGY LOUISIANA, LLC EAST BATON ROUGE PARISH ALT ID NO. 0840-00181</p> <p>PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, ET SEQ.</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>ENFORCEMENT TRACKING NO.</p> <p>AE-CN-13-00544A</p> <p>AGENCY INTEREST NO.</p> <p>1186</p>
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**AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY**

The Louisiana Department of Environmental Quality (the Department) hereby amends the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-CN-13-00544** issued to **ENTERGY GULF STATES LOUISIANA, INC. (RESPONDENT)** on February 23, 2015 in the above-captioned matter as follows:

I.

“The Department hereby amends the name of the Respondent to read as **ENTERGY LOUISIANA, LLC**

II.

The Department hereby amends Table A of Paragraph I of the Findings of Fact to read as follows:

TABLE A

Title V Permit No.	Permit Issue Date	Permit Expiration Date
0840-00181-V0	November 30, 1999	November 30, 2004
0840-00181-V1	July 7, 2000	November 30, 2004
0840-00181-V2	February 18, 2009	February 18, 2014
0840-00181-V3	December 16, 2013	December 16, 2018

III.

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

TABLE B

Semiannual Monitoring Report	Emission Source	Deviation Began	Deviation Ended
Second 2009 (March 29, 2010)	C4 – Unit 4A (EQT 0011)	10/1/2009	10/31/2009
	C5 – Unit 5A (EQT 0012)	11/1/2009	11/30/2009
First 2010 (September 30, 2010)	C2 – Unit 2A (EQT 0009)	4/1/2010	4/30/2010

IV.

The Department hereby amends Paragraph II.B of the Findings of Fact to read as follows:

In correspondence dated September 23, 2014, the Respondent submitted the facility's 2014 First Semiannual Monitoring Report for the period encompassing January 1, 2014 through June 30, 2014. The report disclosed an exceedance, due to operator error, of the Nitrogen Oxides (NO_x) limits, in pounds per hour (lb/hr), and parts per million volume (ppmv) of Title V Permit No. 0840-00181-V2, for C4 – Unit 4A Gas Turbine (EQT 0011) as shown in Table C:

TABLE C

Date	Permit Limit NO _x , lb/hr	Actual emission, NO _x , lb/hr	Permit Limit, NO _x , ppm	Actual emission, NO _x , ppm
June 23, 2014 07:00 – 07:59	363.40 average 402.20 maximum	765.44	100	174

The failure to maintain emission of NO_x below the permitted levels, is a violation of Specific Requirement 88 of Title V Permit No. 0840-00181-V3, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2)."

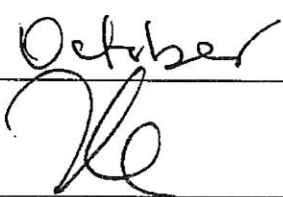
V.

The Department incorporates all of the remainder of the original **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-CN-13-00544** and **AGENCY INTEREST NO. 1186** as if reiterated herein.

VI.

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

Baton Rouge, Louisiana, this 6th day of October, 2017.



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
Post Office Box 4312
Baton Rouge, LA 70821-4312
Attention: Mark E. Brown