

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

GALATA CHEMICALS, LLC

AI # 2706

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

* Settlement Tracking No.

* SA-AE-22-0037

*

* Enforcement Tracking No.

* AE-CN-18-00694

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*

* Docket No. 2021-21009-DEQ

*

SETTLEMENT

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

I

Respondent is a limited liability company that owns and/or operates a specialty chemical manufacturing facility located in Hahnville, St. Charles Parish, Louisiana (“the Facility”).

II

On December 20, 2019, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-18-00694 (Exhibit 1).

III

In response to the Consolidated Compliance Order & Notice of Potential Penalty, Respondent made a timely request for a hearing.

IV

Respondent denies it committed any violations or that it is liable for any fines, forfeitures

and/or penalties.

V

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 TWENTY-FIVE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$25,500.00), of which One Thousand Sixty-Four and 24/100 Dollars (\$1,064.24) 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).

VI

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

VII

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.

VIII

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.

IX

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.

X

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in St. Charles 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.

XI

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).

XII

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

XIII

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.

GALATA CHEMICALS, LLC

BY: [Signature]
(Signature)

Michael C Van Haverbeke
(Printed)

TITLE: Plant Manager

THUS DONE AND SIGNED in duplicate original before me this 20th day of October, 20 22, at NEW ORLEANS, LOUISIANA.

[Signature]
NOTARY PUBLIC (ID # _____)
GREG L. JOHNSON
Notary Public

Parish of Orleans, State of Louisiana
Notary Identification #55184, LASB # 24477
My Commission is Issued for Life

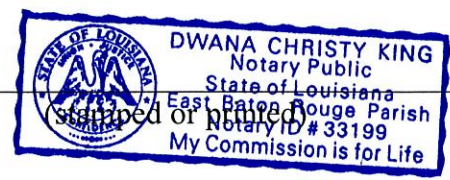
(stamped or printed)

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 19th day of December, 20 22, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # _____)



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

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																								
Enforcement Tracking No.	AE-CN-18-00694	Certified Mail No.	7018 2290 0000 5826 1371																									
Agency Interest (AI) No.	2706	Contact Name	Christopher Clement																									
Alternate ID No.	2520-00015	Contact Phone No.	(225) 219-3748																									
Respondent:	GALATA CHEMICALS, LLC	Facility Name:	Taft Facility																									
	c/o Corporation Service Company	Physical Location:	471 Louisiana Highway 3142																									
	Agent for Service of Process	City, State, Zip:	Hahnville, LA 70057																									
	501 Louisiana Avenue Baton Rouge, LA 70802	Parish:	St. Charles																									
This CONSOLIDATED COMPLIANCE ORDER & 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 particularly by La. R.S. 30:2025(C), 30:2050.2 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 Galata Chemicals, LLC - Taft Facility (facility), a specialty chemical manufacturing facility, located at 471 Louisiana Highway 3142, in Hahnville, St. Charles Parish, Louisiana. On April 30, 2010, ownership and operation of the facility was transferred to the Respondent from Chemtura Corporation. The facility is subject to 40 CFR 68 Level 3 Chemical Accident Prevention Provisions (CAPP) and operates or has operated under the following permits:																											
			<table border="1"> <thead> <tr> <th>Minor Source Air Permit No.</th> <th>Date Issued</th> <th>Expiration Date</th> </tr> </thead> <tbody> <tr> <td>2520-00015-13</td> <td>2/16/2018</td> <td>2/16/2028</td> </tr> <tr> <td>2520-00015-12</td> <td>10/4/2017</td> <td>10/4/2027</td> </tr> <tr> <td>2520-00015-11</td> <td>4/14/2015</td> <td>4/14/2025</td> </tr> <tr> <td>2520-00015-10AA</td> <td>1/22/2013</td> <td>1/22/2023</td> </tr> <tr> <td>2520-00015-10</td> <td>10/24/2012</td> <td>10/24/2022</td> </tr> <tr> <td>2520-00015-09</td> <td>4/9/2009</td> <td>4/9/2019</td> </tr> </tbody> </table>		Minor Source Air Permit No.	Date Issued	Expiration Date	2520-00015-13	2/16/2018	2/16/2028	2520-00015-12	10/4/2017	10/4/2027	2520-00015-11	4/14/2015	4/14/2025	2520-00015-10AA	1/22/2013	1/22/2023	2520-00015-10	10/24/2012	10/24/2022	2520-00015-09	4/9/2009	4/9/2019			
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	2520-00015-10	10/24/2012	10/24/2022																									
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Date of Violation		Description of Violation																										
Inspection(s) May 15-16, 2018		The Respondent failed to update and revalidate the Process Hazard Analysis (PHA) every five (5) years. The Respondent could not locate a copy of the PHA that had been performed between 2010 and 2018. The Respondent's PHA policy states that one original hard copy will be stored in the Engineering Department, an electronic copy will be stored in the PHA Database, and a copy will be distributed to the Control Room. This is a violation of 40 CFR 68.67(f), which language has been adopted as a Louisiana regulation in LAC 33:III.5901, Specific Requirement No. 357 of Minor Source Air Permit No. 2520-00015-13, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).																										
Inspection(s) May 15-16, 2018		The Respondent failed to annually certify that the operating procedures are current and accurate. TD-119, TD-120, and TD-121 standard operating procedures (SOPs) were due to be reviewed by June 17, 2017. On August 16, 2017, the Area Employee (operator) reviewed and made changes to the SOPs and he then signed and dated the procedures. The Unit Lead/Area Supervisor did not sign and date to accept the changes until May 16, 2018. The SOPs then needed to be re-written and finalized with the suggested changes. The SOPs being used by the operators at the time of the inspection were the previous versions without the updates. Additionally, TD-119 was missing the 2014 certification and TD-120 was missing the 2013 and 2014 certifications. Each failure to annually certify the operating procedures is a violation of 40 CFR 68.69(c), which language has been adopted as a Louisiana regulation in LAC 33:III.5901, Specific Requirement No. 350 of Minor Source Air Permit No. 2520-00015-11, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).																										
Inspection(s) May 15-16, 2018		The Respondent failed to implement site policy to maintain rotating equipment for agitators. The Respondent's Rotating & Reciprocating Equipment Inspection Procedure section 6.3.4 states that gear cases are to be drained and refilled every 2,500 hours of operations or six (6) months; However, the Respondent stated that this maintenance procedure has not been implemented. This is a violation of 40 CFR 68.73(b), which language has been adopted as a Louisiana regulation in LAC 33:III.5901, Specific Requirement No. 357 of Minor Source Air Permit No. 2520-00015-13, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).																										
Inspection(s) May 15-16, 2018		The Respondent failed to perform tests/inspections on process equipment. The Respondent does not test interlocks in the THIO or TIN unit. This deficiency was self-identified in the 2015 compliance audit, but the Respondent failed to correct it. Additionally, the Respondent has not performed any weekly checks on TD-122A, an agitator in reactor TD-122, since it was started up on April 16, 2018. Four (4) checks should have occurred since its start-up. Each failure to perform tests/inspections is a violation of 40 CFR 68.73(d)(1), which language has been adopted as a Louisiana regulation in LAC 33:III.5901, Specific Requirement No. 357 of Minor Source Air Permit No. 2520-00015-13, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).																										



VI.	Inspection(s) May 15-16, 2018	<p>The Respondent failed to ensure the frequency of tests/inspections of process equipment were consistent with good engineering practices.</p> <p>Specifically, the Respondent conducted the following critical instrument calibrations late:</p> <ul style="list-style-type: none"> • HF420FL has an annual calibration frequency and was not calibrated between December 2015 and July 2017, eight (8) months late. • TM135FT has an annual calibration frequency and was not calibrated between September 2012 and January 2015, two (2) years and four (4) months late, and December 2015 and October 2017, eleven (11) months late. • TD104TIT4102 has an annual calibration frequency and was not calibrated between December 2012 and June 2014, one (1) year and six (6) months late. • TD114TIT3001 has an annual calibration frequency and was not calibrated between December 2012 and June 2014, one (1) year and six (6) months late. • A TIN pump weekly lubrication round was skipped between April 16, 2018, and April 30, 2018, which includes the following agitators: TD-119-A, TD-120-A, and TD-121-A. <p>The following annual checks for reactor agitators were late and/or overdue:</p> <ul style="list-style-type: none"> • TD-119-A annual checks were overdue at the time of the inspection and the last annual check was done March 31, 2017. • TD-120-A February 2, 2017, annual check was two (2) months late, the previous occurrence was in December 2015, and the annual checks were overdue at the time of the inspection. <p>The following Methylene Chloride (MeCl) piping inspections were late or not performed:</p> <ul style="list-style-type: none"> • The Class 2 piping external visual inspection, due every five (5) years per API 570, was last performed in May 2008 and due in May of 2013, but had not been performed at the time of the inspection. • The Class 2 piping ultrasonic thickness measurements, due every 10 years per API 570, were last performed in January 2007 and due in January 2017, but had not been performed as of the date of the inspection. <p>Each failure to ensure the frequency of tests/inspections of process equipment are consistent with good engineering practices is a violation of 40 CFR 68.73(d)(3), which language has been adopted as a Louisiana regulation in LAC 33:III.5901, Specific Requirement No. 357 of Minor Source Air Permit No. 2520-00015-13, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>
VII.	Inspection(s) May 15-16, 2018	<p>The Respondent's Management of Change (MOC) procedure does not match current practices. The Respondent's policy refers to a MOC packet that is no longer used. The Respondent currently uses a computer-based program to complete MOC's. According to the Respondent, the computer-based program is completely different from the MOC packet formally used. The Respondent's failure to establish and implement procedures to manage changes is a violation of 40 CFR 68.75(a), which language has been adopted as a Louisiana regulation in LAC 33:III.5901, Specific Requirement No. 357 of Minor Source Air Permit No. 2520-00015-13, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>
VIII.	Inspection(s) May 15-16, 2018	<p>The Respondent failed to perform a Pre-Startup Safety Review (PSSR) for MOCs. The Respondent had over 40 open MOCs because the corresponding PSSRs have not been scanned and attached to the electronic file. The Respondent could not find a PSSR for MOC 17/0006, and the PSSR for MOC 17/0017 had not been completed. Additionally, MOC 17/0017 had five (5) checklists created during the MOC process that were not completed. Each failure to perform a PSSR is a violation of 40 CFR 68.77(a), which language has been adopted as a Louisiana regulation in LAC 33:III.5901, Specific Requirement No. 357 of Minor Source Air Permit No. 2520-00015-13, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>
IX.	Inspection(s) May 15-16, 2018	<p>The Respondent failed to certify the May 2015 compliance audit. At the time of the inspection, the Respondent was only able to produce the unsigned 2015 compliance audit certification statement document. This is a violation of 40 CFR 68.79(a), which language has been adopted as a Louisiana regulation in LAC 33:III.5901, Specific Requirement No. 350 of Minor Source Air Permit No. 2520-00015-11, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The Respondent provided the signed May 2015 compliance audit to the inspector in an email dated May 17, 2018.</p>
X.	Inspection(s) May 15-16, 2018	<p>The Respondent failed to conduct the 2012 compliance audit within three (3) years of the 2009 compliance audit. The 2009 compliance audit was conducted in March and the 2012 compliance audit was conducted in May. 40 CFR 68.79(a) states that compliance audits will be conducted at least every three (3) years. Therefore, the 2012 compliance audit was conducted two (2) months late. This is a violation of 40 CFR 68.79(a), which language has been adopted as a Louisiana regulation in LAC 33:III.5901, Specific Requirement No. 349 of Minor Source Air Permit No. 2520-00015-09, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>
XI.	Inspection(s) May 15-16, 2018	<p>The Respondent failed to correct and/or document deficiencies noted in the compliance audits. In the 2015 compliance audit, there were eight (8) findings. The Respondent produced evidence that three (3) of the findings had been resolved; however, they were not documented as being resolved. Additionally, the following findings were confirmed as not having been corrected: a) Inspections/tests were not performed on interlocks in THIO, TIN, or Epoxy unit and b) Annual certifications were not done for the DMT process. Furthermore, the 2009 compliance audit report did not document if finding F001 was corrected and one (1) of the 2015 audit findings was that a 2012 finding had not been addressed. Each failure to correct and/or document noted deficiencies is a violation of 40 CFR 68.79(d), which language has been adopted as a Louisiana regulation in LAC 33:III.5901, Specific Requirement No. 350 of Minor Source Air Permit No. 2520-00015-11, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).</p>

XII.	Inspection(s) May 15-16, 2018	The Respondent failed to implement procedures for the hydrostatic inspection of fire extinguishers. The 2018 Fire Extinguisher Inspections Route/Location/Equipment Report indicated there were fifteen (15) fire extinguishers overdue for hydrostatic testing. Southland Fire & Safety Equipment, Inc. submitted a corrected report after the inspection. Based on the corrected report, only six (6) fire extinguishers were overdue for hydrostatic testing at the time of the inspection. This is a violation of 40 CFR 68.95(a)(2), which language has been adopted as a Louisiana regulation in LAC 33.III.5901, Specific Requirement No. 357 of Minor Source Air Permit No. 2520-00015-13, LAC 33.III.501.C.4, and La. R.S. 30:2057(A)(2). All six (6) fire extinguishers were replaced in May 2018 following the inspection.
XIII.	Inspection(s) May 15-16, 2018	The Respondent failed to inform contractors of site-specific chemicals/hazards. Specifically, the facility site-specific training for contractors did not cover ammonia and methyl chloride or the hazards associated with these chemicals. The Respondent has two (2) different methods to inform contractors of site-specific chemicals/hazards: (1) A site-specific PowerPoint presentation given at a Safety Council and (2) the Galata Chemicals Taft Site Contractors Orientation book which is presented to contractors at the facility. Neither method addressed the above chemicals/hazards. This is a violation of 40 CFR 68.87(b)(2), which language has been adopted as a Louisiana regulation in LAC 33.III.5901, Specific Requirement No. 357 of Minor Source Air Permit No. 2520-00015-13, LAC 33.III.501.C.4, and La. R.S. 30:2057(A)(2). The Respondent corrected the Galata Chemicals Taft Site Contractors Orientation book at the time of the inspection and provided the inspectors with the updated PowerPoint in an email dated May 22, 2018. Additionally, the Respondent conducted training with contractors already working on-site and provided the training attendance sign-off sheet to the inspectors in an email dated May 23, 2018.

ORDER

Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below:

I.	To take, immediately upon receipt of this COMPLIANCE ORDER , any and all steps necessary to meet and maintain compliance with the Air Quality Regulations. This shall include, but not be limited to; correcting <u>all</u> of the violations described in the "Findings of Fact" portion.
II.	To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER , documentation that demonstrates that the most current PHA is available as described in Finding of Facts Paragraph II.
III.	To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER , documentation that demonstrates that operating procedures are current, accurate, and certified as described in Finding of Facts Paragraph III.
IV.	To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER , documentation that demonstrates that a site policy to maintain rotating equipment for agitators has been implemented as described in Finding of Facts Paragraph IV.
V.	To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER , documentation that demonstrates that tests/inspections on process equipment are being performed as described in Finding of Facts Paragraph V.
VI.	To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER , documentation that demonstrates that the frequency of tests/inspections of process equipment are consistent with good engineering practices as described in Finding of Facts Paragraph VI.
VII.	To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER , documentation that demonstrates that the MOC procedure matches current practices as described in Finding of Facts Paragraph VII.
VIII.	To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER , documentation that demonstrates that PSSRs for MOCs have been performed as described in Finding of Facts Paragraph VIII.
IX.	To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER , documentation that demonstrates that deficiencies noted in the 2009, 2012, and 2015 compliance audits have been corrected and/or documented as described in Finding of Facts Paragraph XI.
X.	To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER , documentation that demonstrates that procedures for the hydrostatic inspection of fire extinguishers has been implemented as described in Finding of Facts Paragraph XII.
XI.	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 the Department at the address specified in this document.

RIGHT TO APPEAL

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 address specified in this document.
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 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 Christopher Clement at (225) 219-3748 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 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 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 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.	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.

CONTACTS AND SUBMITTAL OF INFORMATION	
Enforcement Division: Louisiana Department of Environmental Quality Office of Environmental Compliance Air Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Christopher Clement	Hearing Requests: 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-18-00694 Agency Interest No. 2706
Permit Division (if necessary): Department of Environmental Quality Office of Environmental Services Post Office Box 4313 Baton Rouge, LA 70821-4313 Attn: Air Permits Division	Physical Address (if hand delivered): Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802

HOW TO REQUEST CLOSURE OF THIS CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY
<ul style="list-style-type: none"> To appeal the COMPLIANCE ORDER portion, the Respondent must follow the guidelines set forth in the "Right to Appeal" portion of this COMPLIANCE ORDER. To request closure of this CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, the Respondent must demonstrate compliance with the "Order" portion of this COMPLIANCE ORDER by completing the attached "CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL REQUEST TO CLOSE" form and returning it to the address specified. To expedite closure of the 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 Department assesses civil penalties based on LAC 33:I.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 Christopher Clement at (225) 219-3748 or Christopher.Clement@la.gov




Lourdes Iturralde
Assistant Secretary
Office of Environmental Compliance

Date: _____

12-20-29

c: Galata Chemicals, LLC
c/o Cynthia Maldonado
471 Louisiana Highway 3142
Hahnville, LA 70057

Attachment(s)
- Request to Close

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		
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Enforcement Tracking No.	AE-CN-18-00694	Contact Name	Christopher Clement
Agency Interest (AI) No.	2706	Contact Phone No.	(225) 219-3748
Alternate ID No.	2520-00015		
Respondent:	GALATA CHEMICALS, LLC	Facility Name:	Taft Facility
	c/o Corporation Service Company	Physical Location:	471 Louisiana Highway 3142
	Agent for Service of Process		
	501 Louisiana Avenue Baton Rouge, LA 70802	City, State, Zip: Parish:	Hahnville, LA 70057 St. Charles

STATEMENT OF COMPLIANCE

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph XI 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 Paragraphs II through X 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.	N/A	N/A
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.	N/A	N/A
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)

___	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 CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (AE-CN-18-00694), 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 CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (AE-CN-18-00694), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> • Monetary component = \$ _____ • Beneficial Environmental Project (BEP) component (optional)= \$ _____ • DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted. The Respondent has reviewed the violations noted in CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (AE-CN-18-00694) 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: Christopher Clement