

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

ST. GABRIEL TANK WASH, LLC

AI # 176441

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

* Settlement Tracking No.
* SA-MM-22-0049
*
* Enforcement Tracking No.
* MM-CN-19-00073
*
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*
*

SETTLEMENT

The following Settlement is hereby agreed to between St. Gabriel Tank Wash, 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 tank washing facility located in St. Gabriel, Iberville Parish, Louisiana (“the Facility”).

II

On June 26, 2019, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. MM-CN-19-00073 (Exhibit 1).

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 EIGHT THOUSAND AND NO/100 DOLLARS (\$8,000.00), of which Nine Hundred Sixty and 19/100 Dollars (\$960.19) 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), 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.

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 Iberville 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.

ST. GABRIEL TANK WASH, LLC

BY: _____
(Signature)

(Printed)

TITLE: _____

THUS DONE AND SIGNED in duplicate original before me this _____ day of _____, 20 _____, at _____.

NOTARY PUBLIC (ID # _____)

(stamped or printed)

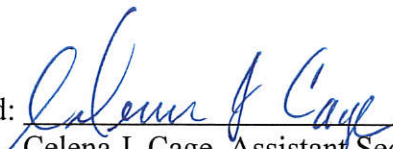
LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
Chuck Carr Brown, Ph.D., Secretary

BY: _____
Celena J. Cage, Assistant Secretary
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this _____ day of _____, 20 _____, at Baton Rouge, Louisiana.

NOTARY PUBLIC (ID # _____)

(stamped or printed)

Approved:  _____
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

June 26, 2019

CERTIFIED MAIL (7016 2140 0000 3607 3116/3123)
RETURN RECEIPT REQUESTED

ST. GABRIEL TANK WASH, LLC
c/o Alan L. Castetter
Agent for Service of Process
1025 Langlinais #18
Youngsville, LA 70592

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. MM-CN-19-00073
AGENCY INTEREST NO. 176441**

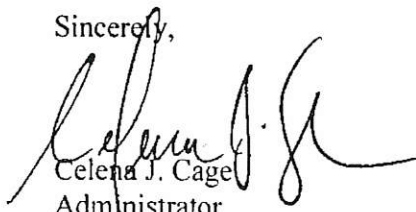
Dear Sir:

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 **ST. GABRIEL TANK WASH, LLC (RESPONDENT)** for the violations described therein.

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

Any questions concerning this action should be directed to Adrienne Landry at (225) 219-3805 or Adrienne.Landry@la.gov.

Sincerely,


Celesta J. Cage
Administrator
Enforcement Division

CJC/ARL/arl
Alt ID No. LAR000075499
Attachment



c: **ST. GABRIEL TANK WASH, LLC**
c/o Rob Gilmer – Environmental Manager
4350 Geigy Access Road
St. Gabriel, LA 70776

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

IN THE MATTER OF	*	
	*	
ST. GABRIEL TANK WASH, LLC	*	ENFORCEMENT TRACKING NO.
IBERVILLE PARISH	*	
ALT ID NO. LAR000075499	*	MM-CN-19-00073
	*	
	*	AGENCY INTEREST NO.
PROCEEDINGS UNDER THE LOUISIANA	*	
ENVIRONMENTAL QUALITY ACT,	*	176441
La. R.S. 30:2001, ET SEQ.	*	

CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

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

FINDINGS OF FACT

I.

The Respondent owns and/or operates a tank washing facility located at 4250 Geigy Access Road in St. Gabriel, Iberville Parish, Louisiana (the facility). The Respondent is notified as a large quantity generator of hazardous waste and operates under EPA identification number LAR000075499.

II.

On or about June 13, 2018 and June 14, 2018, the Department conducted inspections at the above referenced facility to determine the degree of compliance with the Act and the Hazardous Waste Regulations. While the investigation by the Department is not yet complete, the following violations were noted during the course of the inspections:

- A. The Respondent failed to label a container of hazardous waste at or near the point of generation with the words "Hazardous Waste" or other words that identified the

contents, in violation of LAC 33:V.1109.E.4. Specifically, the Respondent failed to label a five (5) gallon satellite accumulation container located in Wash Bay 3 with any identifying words. A facility representative stated the container contained hazardous waste.

- B. The Respondent failed to determine if generated solid waste is a hazard, in violation of LAC 33:V.1103. Specifically, the Respondent failed to make a hazardous waste determination on the “knockout pot sludge,” which is generated by the facility’s caustic scrubber. Once the five (5) gallon bucket holding the “knockout pot sludge” is full, it is the facility’s practice to place the sludge generated from the caustic scrubber back into one (1) of the facility’s waste water storage tanks. The facility has two (2) twenty-seven thousand (27,000) gallon waste water storage tanks on-site.
- C. The Respondent failed to keep hazardous waste containers closed during storage, except when necessary to add or remove hazardous waste, as specified in LAC 33:V.2107.A, in violation of LAC 33:VII.1109.E.1.a.i and LAC 33:V.1109.E.4. Specifically, during the June 13, 2018 inspection, the Department observed twenty-five (25) five (5) gallon buckets containing hazardous waste heels in the less than ninety (90) days storage area which were not closed. Additionally, during the June 13, 2018 inspection, the Department observed a five (5) gallon satellite accumulation container, as described in Finding of Fact paragraph II.A, which was not closed. During the June 14, 2018 inspection, the Department noted some of the five (5) gallon hazardous waste heel buckets located in the less than ninety (90) day storage area had been consolidated into a fifty-five gallon drum, which was observed to be closed. The remaining heel buckets were also observed to be closed.
- D. The Respondent failed to clearly label or mark each container of hazardous waste with an accumulation start date in violation of LAC 33:V.1109.E.1.c. Specifically, during the June 13, 2018 inspection, the Department observed in the less than ninety (90) days storage area, twenty-five (25) five (5) gallon buckets, as described in Finding of Fact paragraph II.C, without accumulation start dates and one (1) fifty-five (55) gallon drum with an incomplete accumulation start date. During the June 14, 2018 inspection, the Department observed the fifty-five gallon drum to be labeled with a complete accumulation start date.

- E. The Respondent failed to label containers of hazardous waste with the words "Hazardous Waste," in violation of LAC 33:V.1109.E.1.d. Specifically, during the June 13, 2018 inspection, the Department observed in the less than ninety (90) day storage area, twenty-five (25) five (5) gallon buckets, as described in Finding of Fact paragraph II.C, which were not labeled with the words "Hazardous Waste."
- F. The Respondent failed to notify the Office of Environmental Services in writing within thirty (30) days of generating industrial solid waste, in violation of LAC 33:VII.401.A. Specifically, the Respondent generates industrial solid waste, in the form of waste water, through the cleaning of transportation equipment; however, the Respondent is not notified as a generator of industrial solid waste.
- G. The Respondent failed to store solid waste in containers that prevent access by rodents and insects, minimize the escape of odors to the minimum extent possible, and keep out water and prevent leakage, in violation of LAC 33:VII.503.A.2. Specifically, during the June 13, 2018 inspection, the Department observed an uncovered roll off box containing solid waste in the laydown yard adjacent to Bay 7. During the June 14, 2018 inspection, the Department observed the roll off box to be covered.
- H. The Respondent caused and/or allowed the unauthorized disposal of solid waste without a permit and/or other authority from the Department, in violation of La. R.S. 30:2155 and LAC 33:VII.315.C. Specifically, during the June 13, 2018 and June 14, 2018 inspections, the Department observed solid waste on the ground in a storage area for solid waste containers near the rear of the facility. The solid waste observed included but was not limited to: pallets, tires, a chair, a mattress and empty chemical bottles.
- I. The Respondent failed to store universal waste electronics in a manner that maintains the reuse or recyclability of any such device or component thereof, in violation of LAC 33:V.3821.E.1. Specifically, the Department observed electronic waste on the ground exposed to the elements. During the June 14, 2018 inspection, the Department observed the electronic waste to be on top of a hazardous waste drum in Bay 8.
- J. The Respondent failed to label universal waste electronics, or a container in which the

- electronics are contained, or each electronic device, package, or pallet containing universal waste electronics with any one of the following phrases: "Universal Waste – Electronics," or "Waste Electronics," or "Used Electronics," in violation of LAC 33:V.3823.A.7. Specifically, during the June 13, 2018 and June 14, 2018 inspections, the Department observed electronic waste at the facility to not be labeled.
- K. The Respondent failed to notify the Office of Environmental Services within seven (7) days when the information submitted in the application for the identification number changed, in violation of LAC 33:V.1105.B. Specifically, during the June 14, 2018 inspection, the Department observed a hazardous waste container on-site carrying the following waste codes: D002, D004, D007, D009 and D010. On or about June 22, 2018, the Department reviewed the facility's most recent HW-1, which was missing the aforementioned waste codes. On or about July 3, 2018, the Respondent submitted an updated HW-1 which includes all applicable hazardous waste codes.
- L. The Respondent failed to describe, in the facility's contingency plan, arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services, as specified in LAC 33:V.1513.B.3, in violation of LAC 33:V.1109.E.1.e. Specifically, the Respondent failed to list agreements or arrangements agreed to with facility's local hospital and fire department. On or about June 22, 2018, the Respondent provided copies of letters of no objection, which were submitted to local third party responders on or about June 19, 2018 along with a copy of the facility's updated contingency plan.
- M. The Respondent failed to amend the contingency plan immediately after the emergency coordinator list changed, as specified in LAC 33:V.4345.A, in violation of LAC 33:V.1109.E.1.e. Specifically, the emergency coordinator changed at the end of 2017 and the Respondent failed to update contingency plan to reflect new emergency coordinator. On or about June 22, 2018, the Respondent provided an updated copy of the contingency reflecting the current emergency coordinator.
- N. The Respondent failed to list, in the facility's contingency plan, a list of all required emergency equipment at the facility, such as fire extinguishing systems, spill control

equipment, communications and alarm systems, and decontamination equipment, as specified in LAC 33:V.1513.B.5, in violation of LAC 33:V.1109.E.1.e. Specifically, the Respondent did not list all emergency equipment and their locations in the facility's contingency plan. On or about June 22, 2018, the Respondent provided an updated copy of the contingency plan listing all emergency equipment and their locations.

- O. The Respondent failed to maintain, at the facility, training records of current facility personnel, until the closure of the facility, as specified in LAC 33:V.1515.E, in violation of LAC 33:V.1109.E.1.e. Specifically, the Respondent failed to provide training records during the course of the inspections. On or about June 22, 2018, the Respondent provided incomplete personnel training records to the Department.
- P. The Respondent failed to list, in the facility's training records, all job titles for each position related to hazardous waste management and the name of the employee filling each position, a written description of each position related to hazardous waste management, and a written description of the type and amount of introductory and continuing training that will be given to each person filling a position related to hazardous waste management, as specified in LAC 33:V.1515.D.1-3, in violation of LAC 33:V.1109.E.1.e.

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 Louisiana Solid Waste and Hazardous Waste Regulations.

II.

To label or mark clearly, immediately upon receipt of this **COMPLIANCE ORDER**, all containers of hazardous waste at or near the point of generation with the words "Hazardous Waste" or other words that identify the contents in accordance with LAC 33:V.1109.E.4.

III.

To perform, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a hazardous waste determination on the wastes specified in Findings of the Fact Paragraph II.B in accordance with

LAC 33:V.1103. The Respondent shall perform the hazardous waste determination upon generation of the waste. The results of the determination for the waste described in Findings of Fact Paragraph II.3 shall be submitted to the Enforcement Division within fifteen (15) days of receipt. All waste shall be disposed of in accordance with the Hazardous Waste or Solid Waste regulations, whichever is applicable.

IV.

To close, immediately upon receipt of this **COMPLIANCE ORDER**, all containers storing hazardous waste, including containers storing hazardous waste at or near the point of generation, and to institute procedures to ensure that containers storing hazardous waste remain closed except when necessary to add or remove waste, as specified in LAC 33:V.2107.A, in accordance with LAC 33:V.1109.E.4 and LAC 33:V.1109.E.1.a.i.

V.

To label or mark clearly, immediately upon receipt of this **COMPLIANCE ORDER**, all containers in which hazardous waste is stored with the date the container began accumulating hazardous waste, in accordance with LAC 33:V.1109.E.1.c.

VI.

To label or mark clearly, immediately upon receipt of this **COMPLIANCE ORDER**, all containers of hazardous waste with the words "Hazardous Waste," in accordance with LAC 33:V.1109.E.1.d.

VII.

To notify, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the Office of Environmental Services of industrial solid waste activity, in accordance with LAC 33:VII.401.A.

VIII.

To cease, immediately upon receipt of this **COMPLIANCE ORDER**, depositing or allowing the deposit of regulated solid waste of any kind at the facility.

IX.

To ensure, immediately upon receipt of this **COMPLIANCE ORDER**, all solid waste is stored in containers in accordance with LAC 33:VII.503.

X.

To remove, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, all solid waste from the facility to a permitted or authorized solid waste disposal facility and submit documentation of proper disposal to the Enforcement Division.

XI.

To store, immediately upon receipt of this **COMPLIANCE ORDER**, all universal waste electronics in a manner that prevents it from being exposed to the environment and ensure that all universal waste electronic are handled, stored, and transported in a manner that maintains the reuse or recyclability of any such device or component thereof, in accordance with LAC 33:V.3821.E.1.

XII.

To label or mark clearly, immediately upon receipt of this **COMPLIANCE ORDER**, all universal waste electronics or containers in which the electronics are contained with any one (1) of the following phrases: "Universal Waste—Electronics," or "Waste Electronics," or "Used Electronics," in accordance with LAC 33:V.3823.A.7.

XIII.

To ensure, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, that all facility personnel have successfully completed the appropriate training that prepares them to perform their duties in a manner that ensures the facility's compliance with the hazardous waste regulations. All personnel training records shall be maintained in accordance with LAC 33:V.1515.E.

XIV.

To list, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, in the facility's training records, all job titles for each position related to hazardous waste management and the name of the employee filling each position, a written description of each position related to hazardous waste management, and a written description of the type and amount of introductory and continuing training that will be given to each person filling a position related to hazardous waste management, as specified in LAC 33:V.1515.D.1-3.

XV.

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: Adrienne Landry
Re: Enforcement Tracking No. MM-CN-19-00073
Agency Interest No. 176441

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. MM-CN-19-00073
Agency Interest No. 176441

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 Adrienne Landry at (225) 219-3805 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 26th day of June, 2019.




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: Adrienne Landry

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.	MM-CN-19-00073	Contact Name	Adrienne Landry
Agency Interest (AI) No.	176441	Contact Phone No.	225-219-3805
Alternate ID No.	LAR000075499		
Respondent:	ST. GABRIEL TANK WASH, LLC	Facility Name:	St. Gabriel Tank Wash
	c/o Alan L. Castetter	Physical Location:	4250 Geigy Access Road
	Agent for Service of Process		
	1025 Langlinais #18	City, State, Zip:	St. Gabriel, LA 70776
	Youngsville, LA 70592	Parish:	Iberville

STATEMENT OF COMPLIANCE

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph XV 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 VII, X, XIII and XIV 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 III 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 MM-CN-19-00073, 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 MM-CN-19-00073, the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> • Monetary component = \$ _____ • Beneficial Environmental Project (BEP) component (optional)= \$ _____ • DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY MM-CN-19-00073 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: Adrienne Landry