

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

WESTLAKE POLYMERS LLC

AI # 9061

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

* **Settlement Tracking No.**
* **SA-AE-23-0078**
*
* **Enforcement Tracking No.**
* **AE-CN-16-00214**
*
*
* **Docket No. 2020-6901-DEQ**
*

SETTLEMENT AGREEMENT

The following Settlement Agreement is hereby agreed to between Westlake Polymers 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 low-density polyethylene production facility located in Sulphur, Calcasieu Parish, Louisiana (“the Facility”).

II

On April 4, 2019, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-16-00214 (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 THIRTY THOUSAND AND NO/100 DOLLARS (\$30,000.00), of which Four Thousand Two Hundred Thirty-Four and 49/100 Dollars (\$4,234.49) represents the Department's enforcement costs, in settlement of the claims set forth in this Settlement 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), permit record(s), the Consolidated Compliance Order & Notice of Potential Penalty and this Settlement Agreement 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 Settlement 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 Settlement Agreement in any action by the Department to enforce this Settlement Agreement.

VIII

This Settlement Agreement 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 Agreement, 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 Calcasieu Parish, Louisiana. The advertisement, in form and wording approved by the Department, announced the availability of this Settlement Agreement 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 Agreement 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 thirty (30) days from notice of the Secretary's signature. If payment is not received within that time, this Settlement 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 attached hereto.

XII

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

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.

WESTLAKE POLYMERS 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

BY: _____
Aurelia S. Giacometto, Secretary

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

NOTARY PUBLIC (ID # _____)

(stamped or printed)

Approved: *Aurelia S. Giacometto*
Aurelia S. Giacometto, Secretary

JOHN BEL EDWARDS
GOVERNOR



CHUCK CARR BROWN, Ph.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

April 4, 2019

CERTIFIED MAIL (7017 0530 0000 5978 5458)
RETURN RECEIPT REQUESTED

WESTLAKE POLYMERS LLC
c/o C T Corporation System
Agent for Service of Process
3867 Plaza Tower Drive
Baton Rouge, LA 70816

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-16-00214
AGENCY INTEREST NO. 9061**

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 **WESTLAKE POLYMERS 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 Stacy Martinez at 225-219-3378 or stacy.martinez@la.gov.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/SMM/smm
Alt ID No.0520-00127
Attachment



c: Westlake Polymers LLC
P.O. Box 2449
Sulphur, LA 70664

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

IN THE MATTER OF

**WESTLAKE POLYMERS LLC
CALCASIEU PARISH
ALT ID NO. 0520-00127**

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

*
*
* **ENFORCEMENT TRACKING NO.**
*
* **AE-CN-16-00214**
*
* **AGENCY INTEREST NO.**
* **9061**
*

**CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

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

FINDINGS OF FACT

I.

The Respondent owns and/or operates the Polyethylene Manufacturing Complex (Polyethylene I & Polyethylene II), a low-density polyethylene production facility, located at 3525 Cities Service Highway in Sulphur, Calcasieu Parish, Louisiana. The facility operates or has operated under the authority of the following Title V Permits:

Permit No.	Issue Date
0520-00127-V5	December 17, 2018
0520-00127-V4	January 22, 2014
0520-00127-V3	February 28, 2011
0520-00127-V2	September 22, 2009

II.

On or about November 17, 2015 through November 19, 2015, the Department performed inspections of the Respondent's facility to determine the degree of compliance with the Act and the Air Quality Regulations. While the Department's investigation is not yet complete, the following violations were noted during the course of the inspections and the subsequent file review conducted on December 5, 2018:

- A. The Respondent's procedures did include emergency shutdown procedures for KCM-08; however, the procedure did not identify when or under what conditions to use the procedure. Additionally, there was no clear assignment of responsibility to train operators. The failure to include clear instructions on the conditions requiring emergency shutdown and assignment to qualified operators is a violation of 40 CFR 68.69(a)(1)(iv), which language has been adopted as a Louisiana regulation in LAC 33:III.5901.A and La. R.S. 30:2057(A)(2).
- B. The Respondent failed to provide the local fire department with information necessary for developing and implementing the community emergency response plan. This is a violation of 40 CFR 68.95(c), which language has been adopted as a Louisiana regulation in LAC 33:III.5901.A and La. R.S. 30:2057(A)(2).
- C. According to 2014 Title V Second Semiannual Report dated March 25, 2015, the Respondent reported that FUG 0001 (A Line Equipment Fugitives), which is a group member of CRG 003 (Fugitives Common Requirements), had a leaking valve that was not repaired within fifteen (15) days. The valve began leaking in August 2014 and was repaired in September 2014. The failure to make every reasonable effort to repair a leaking component within fifteen (15) calendar days of detection is a violation of Specific Requirement No. 101 of Title V Permit No. 0520-00127-V4, LAC 33:III.2122.C.3, and La. R.S. 30:2057(A)(2).

D. The Respondent reported the following open-ended lines at the facility:

	REPORT (date)	PERMIT NUMBER (SPECIFIC REQUIREMENT)	EMISSION POINT	INCIDENT DATE	REPORTED CAUSE	CORRECTIVE ACTION
1.	2017 First Semiannual Report (September 29, 2017)	0520-00127-V4 (85)	CRG 0003 (Fugitive Common Requirements)	March 1, 2017-April 30, 2017	Three (3) open-ended lines were found in the utility area.	Actions immediately taken to cap/plug the appropriate line.
2.	2017 First Semiannual Report (September 29, 2017)	0520-00127-V4 (85)	CRG 0003 (Fugitive Common Requirements)	April 1-April 30, 2017	Four (4) open-ended lines were found in the utility area.	Actions immediately taken to cap/plug the appropriate line.

	REPORT (date)	PERMIT NUMBER (SPECIFIC REQUIREMENT)	EMISSION POINT	INCIDENT DATE	REPORTED CAUSE	CORRECTIVE ACTION
3.	2017 Second Semiannual Report (March 28, 2018) and Correspondence dated November 16, 2018	0520-00127-V4 (85)	CRG 0003 (Fugitive Common Requirements)	October 1-October 31, 2017	One (1) open-ended line found.	Caps and/ or other methods used to close the line.

Each failure to ensure that each open-ended valve or line is equipped with a cap, blind flange, plug, or a second valve seals is a violation of any applicable permit and associated requirement(s) listed above, 40 CFR 63.1033(b), which language has been adopted as a Louisiana Regulation in LAC 33:III.5122, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

E. The Respondent reported the following leaks which exceeded permitted emission limits at the facility:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	POLLUTANT(S)	REPORTED CAUSE	CORRECTIVE ACTION	PERMIT LIMIT
1.	2016 Title V First Semiannual Report (September 22, 2016)	0520-00127-V4	EQT 0007 (Poly II Cooling Tower)	June 2, 2016 (2 hours)	VOC	Leak detected during EQT 0007 monitoring.	Heat exchanger taken out of service and repaired.	VOC maximum pounds per hour is 6.30.
2.	2017 Title V First Semiannual Report (September 27, 2016) and 2017 Second Semiannual Report (March 28, 2018)	0520-00127-V4	EQT 0006 (Poly I Cooling Tower)	May 2, 2017-September 30, 2017 (3,624 hours)	VOC and vinyl acetate	Leak detected during EQT 0006 monitoring.	Heat exchanger taken out of service and repaired.	VOC maximum pounds per hour is 4.62. Vinyl acetate maximum pounds per hour is 5.52. Vinyl acetate tons per year is 0.16.
3.	2017 Second Semiannual Report (March 28, 2018)	0520-00127-V4	EQT 0007 (Poly II Cooling Tower)	February 1, 2017-February 28, 2017 (648 hours)	VOC	Leak caused excess emissions.	Fixed leak.	VOC maximum pounds per hour is 6.30. VOC tons per year is 5.52.

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

F. The Respondent found the following components were not included in the leak detection and repair (LDAR) database:

	REPORT (date)	PERMIT NUMBER (SPECIFIC REQUIREMENT)	EMISSION POINT	INCIDENT DATE (duration)	DEVIATION	CORRECTIVE ACTION
1.	2017 Second Semiannual Report (March 28, 2018) and correspondence (November 16, 2018)	0520-00127-V4 (15)	FUG 0001 (A line Equipment Fugitives), which is a group member of CRG 0003 (Fugitives Common Requirements)	February 13, 2014-October 26, 2017 (32,424 hours)	22 connectors not found in LDAR database.	Components were added to the database and monitored accordingly.
2.	2017 Second Semiannual Report (March 28, 2018) and correspondence (November 16, 2018)	0520-00127-V4 (15)	FUG 0006 (B line Fugitives), which is a group member of CRG 0003 (Fugitives Common Requirements)	April 2017-October 10, 2017 (3,288 hours)	12 valves not found in LDAR database.	Components were added to the database and monitored accordingly.
3.	2017 Second Semiannual Report (March 28, 2018)	0520-00127-V4 (15)	FUG 0003 (F line Equipment Fugitives), which is a group member of CRG 0003 (Fugitives Common Requirements)	March 16, 2014-May 10, 2017 (1,320 hours)	One (1) component not found in LDAR database.	Components were added to the database and monitored accordingly.

Each failure to identify equipment as required is a violation of any applicable permit and associated requirement(s) listed above, 40 CFR 63.1022, which language has been adopted as a Louisiana Regulation in LAC 33:III.5122, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

G. According to the 2017 Title V Second Semiannual report dated March 28, 2018, EQT 0006 (Poly I Cooling Tower) caused a facility wide emission exceedance of vinyl acetate. According to Title V Permit No. 0520-00127-V4, the facility wide permit limit for vinyl acetate tons per year is 50.20. This is a violation of Title V Permit No. 0520-00127-V4, 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 meet and maintain compliance with the Act, Air Quality Regulations, and all applicable air quality permits.

II.

To submit, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, documentation that written operating procedures provide clear instructions for the conditions under which emergency shutdown is required and the assignment of shutdown responsibility to qualified operators as required by 40 CFR 68.69(a)(1)(iv) and described in Paragraph II.A of the **FINDINGS OF FACT** portion of this **COMPLIANCE ORDER**.

III.

To submit, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a statement that the Respondent has provided local emergency response officials information necessary for developing and implementing the community emergency response plan upon request as required by 40 CFR 68.95(c) and described in Paragraph II.B of the **FINDINGS OF FACT** portion of this **COMPLIANCE ORDER**.

IV.

To submit, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report to include the amount of VOC and vinyl acetate emissions, as applicable, for EQT 0007 and EQT 0006, and the amount above the permit limit as described in Paragraph II.E of the **FINDINGS OF FACT** portion of this **COMPLIANCE ORDER**.

V.

To submit, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes the time period during which FUG 0001, FUG 0006, and FUG 0003 were not monitored because the equipment was not included in the LDAR database as described in Paragraph II.F of the **FINDINGS OF FACT** portion of this **COMPLIANCE ORDER**.

VI.

To submit, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report to include the duration and amount of facility wide vinyl acetate emissions, and the amount above the permit limit as described in Paragraph II.G of the **FINDINGS OF FACT** portion of this **COMPLIANCE ORDER**.

VII.

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: Stacy Martinez
Re: Enforcement Tracking No. AE-CN-16-00214
Agency Interest No. 9061

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-16-00214
Agency Interest No. 9061

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 Stacy Martinez at 225-219-3378 or stacy.martinez@la.gov 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 4th day of April, 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: Stacy Martinez

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

CONSOLIDATED COMPLIANCE ORDER &
 NOTICE OF POTENTIAL PENALTY
 REQUEST TO CLOSE



Enforcement Tracking No.	AE-CN-16-00214	Contact Name	Stacy Martinez
Agency Interest (AI) No.	9061	Contact Phone No.	225-219-3378
Alternate ID No.	0520-00127		
Respondent:	Westlake Polymers LLC	Facility Name:	Polyethylene Manufacturing Complex
	c/o C T Corporation System	Physical Location:	3525 Cities Service Highway
	Agent for Service of Process		
	3867 Plaza Tower Drive	City, State, Zip:	Sulphur, LA 70665
	Baton Rouge, LA 70816	Parish:	Calcasieu

STATEMENT OF COMPLIANCE

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

SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:I.Subpart 1.Chapter 7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (AE-CN-16-00214), 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 COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (AE-CN-16-00214), 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 COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (AE-CN-16-00214) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

CERTIFICATION STATEMENT		
<p><i>I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.</i></p>		
Respondent's Signature	Respondent's Printed Name	Respondent's Title
Respondent's Physical Address	Respondent's Phone #	Date
MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:		
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Stacy Martinez		