STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF: * Settlement Tracking No.

SA-MM-25-0055

AMERICAN SUGAR REFINING, INC.

* Enforcement Tracking No.

AI # 1329 * MM-CN-23-00848

PROCEEDINGS UNDER THE LOUISIANA

ENVIRONMENTAL QUALITY ACT

LA. R.S. 30:2001, <u>ET SEQ.</u> *

SETTLEMENT AGREEMENT

The following Settlement Agreement is hereby agreed to between American Sugar Refining, Inc. ("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 corporation that owns and/or operates a crystalline cane sugar refinery located in Arabi, St. Bernard Parish, Louisiana ("the Facility").

II

On August 29, 2024, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. MM-CN-23-00848 (Exhibit 1).

Ш

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

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 SEVEN THOUSAND FIVE HUNDRED NINETY-FOUR AND 94/100 DOLLARS (\$7,594.94), of which Three Thousand Ninety-Four and 94/100 Dollars (\$3,094.94) 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.

ΙX

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. Bernard 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.

ΧI

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. The Respondent shall provide its tax identification number when submitting payment.

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 or by Electronic Funds Transfer (EFT) to the Department of Environmental Quality, in accordance with instructions provided to Respondent by the Financial Services Division. 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.

AMERICAN SUGAR REFINING, INC.

| В | Y: |
|---------------------------------------|---|
| | (Signature) |
| | (Printed) |
| T | TLE: |
| THUS DONE AND SIGNED in duplic, 20 | ate original before me this day of, at |
| | NOTARY PUBLIC (ID #) |
| | (stamped or printed) |
| | LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY Courtney J. Burdette, Secretary |
| В | Y: |
| THUS DONE AND SIGNED in duplic, 20, 2 | ate original before me this day of at Baton Rouge, Louisiana. |
| | NOTARY PUBLIC (ID#) |
| Approved: | (stamped or printed) |
| Jerrie "Jerry" Lang Assistant Secre | tarv |

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

OFFICE OF ENVIRONMENTAL COMPLIANCE **ENFORCEMENT DIVISION**

l.

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



POST OFFICE BOX 4312 RATON ROUGE LOUISIANA 70821-4312

| MM-CN-23-00848 | Certified Mail No. | 7017 0530 0000 5978 6295 | |
|---------------------------------------|--|---|--|
| 1329 | Contact Name | Jordan Landry | |
| LA0005665 | Contact Phone No. | (225) 219-3078 | |
| American Sugar Refining, Inc. | Facility Name: | Chalmette Cane Sugar Refinery | |
| c/o Corporate Creations Network, Inc. | Physical Location: | 7417 North Peters Street | |
| Agent for Service of Process | 1 | | |
| 1070-B West Causeway Approach | City, State, Zip: | Arabi, LA 70032 | |
| Mandeville, LA 70471 | Parish: | St. Bernard | |
| | MM-CN-23-00848 1329 LA0005665 American Sugar Refining, Inc. c/o Corporate Creations Network, Inc. Agent for Service of Process 1070-B West Causeway Approach | MM-CN-23-00848 Certified Mail No. 1329 Contact Name LA0005665 Contact Phone No. American Sugar Refining, Inc. Facility Name: c/o Corporate Creations Network, Inc. Agent for Service of Process 1070-B West Causeway Approach City, State, Zip: | |

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)

TO THE PROPERTY OF THE PROPERT

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.

The Respondent owns and/or operates a crystalline cane sugar refinery located at 7417 North Peters Street in Arabi, St. Bernard Parish, Louisiana, The Respondent was issued Louisiana Poliutant Discharge Elimination System (LPDES) Permit LA0005665 on June 30, 2021, with an effective date of August 1, 2021. LPDES Permit LA0005665 will expire on July 31, 2026. Under the terms and conditions of LPDES Permit LA0005665, the Respondent is permitted to discharge vacuum pans barometric condenser, condensed refining vapors from the process evaporator, water filtration plant accelator blowdowns and mixed media filter bed backwashes, process wastewater treatment plant effluent, oil/water separator effluent, fire protection water, decant wastewater from the sludge drying containment area, process area stormwater runoff, and previously monitored hydrostatic test wastewater (Outfall 001) and boiler and powerhouse blowdowns, water softener backwash (brine), oil/water separators effluent, specialty sugar barometric condenser water, non-contact cooling water, and non-process area stormwater runoff (Outfall 002) into the Mississippi River (Subsegment 070301) and low contamination potential stormwater runoff (Outfalls 003 and 005) into Elckes Canai, then to the Florida Canal, then to the marshes north of Arabi via local drainage (Subsegment 041801), all waters of the

The Respondent is registered as a large quantity generator of hazardous waste and operates under EPA identification number

| | Date of Violation | | | Description of Violation | | | |
|---|--------------------------|--|-------------|---|-------------|------------------|--|
| | Inspection 04/13/2023 | The Department conducted an inspection on April 13, 2023, and a subsequent file review on August 1, 2024, which revealed the Respondent failed to implement any portion or portions of a Storm Water Pollution Prevention Plan (SWPPP). Specifically, during the inspection, the Department observed the lime silo had | | | | | |
| File Review significant corrosion on the bottom. Lime was present on the ground around the I system used for loading/unloading activities. The Respondent's SWPPP (Part 2.2.3) area is routinely inspected for any spills and leaks and any spilled material will be with readily available absorbent material. The Respondent's SWPPP (Part 3.3) si defects or damage in machinery or equipment, facility or contractor personnel will defect or damage as soon as possible. In addition, any tank found leaking is emptled out of service until it is repaired. The failure to properly implement the SWPP Respondent's SWPPP (Parts 2.2.3 & 3.3), LPDES Permit LA0005665 (Permit Regulrements, N-10 & N-12, Page 13 of 14 and Standard Conditions for LPDES Permit | | | | | | he lime silo and | the pipi me stora nmediate discoveri replace t y and tak tion of t , Narrat |
| | File Review | 30:2076(A)(3), and LAC 33:IX.2701.A. The Department conducted a file review on August 1, 2024, which revealed the Respondent reported | | | | | |
| | 08/01/2024 | exceedances of permit effluent limitations. Specifically, a review of Discharge Monitoring Reports (DMRs) | | | | | |
| | | from May 1, 2023, through June 30, 2024, found the Respondent exceeded the permit effluent limitations for Five-Day Biochemical Oxygen Demand (BODs). Each exceedance is a violation of LPDES Permit LA0005665 | | | | | |
| | | (Deemit Paguirom | ente Effluo | nt Limitations and Monitoring Requir | ements. P | ge 1 of 14 an | d Standa |
| | | Conditions for LPD | ES Permits. | Section A.2), La. R.S. 30:2076(A)(3), and | d LAC 33:1X | 501.D. | |
| Ш. | | MP End Date | Outfall | Parameter | Limit | DMR Value | Units |
| | | 05/31/2023 | 001-A | BOD, 5-day, 20 deg. C MO AVG | 3068 | 3921.33 | lb/d |
| | | 01/31/2024 | 001-A | BOD, 5-day, 20 deg. C - MO AVG | 3068 | 6917 | lt/d |
| | | 01/31/2024 | 001-A | BOD, 5-day, 20 deg. C DAILY MX | 8492 | 11917.51 | lb/d |
| | ļ | 02/29/2024 | 001-A | BOD, 5-day, 20 deg. C MO AVG | 3068 | 4803.91 | lb/d |
| | | 02/29/2024 | 001-A | BOD, 5-day, 20 deg. C DAILY MX | 8492 | 8607.56 | lb/d |
| | File Review | The Department conducted a file review on August 1, 2024, which revealed the Respondent falled to | | | | | |
| 08/01/2024 Implement adequate laboratory controls and appropriate quality assurance | | | | | | cedures. Specifi | cally, on |
| | I | October 2023 Discharge Monitoring Reports (DMRs) for Outfalls 001-A & 002-A, the Respondent reported | | | | | |
| | | No Data Indicator (NODI) Code P for laboratory error or invalid test for Five-Day Blo | | | | | |
| | | No Data Indicator (| NODI) Code | P for laboratory error or invalid test for | Five-Day 8 | lochemical Oxyg | en Dema |
| íV. | | No Data Indicator (| rt dated No | P for laboratory error or invalid test for evember 15, 2023, the Respondent st the contracted lab's quality assurance | ated BODs | samples did no | it meet |

30:2076(A)(3), and LAC 33:IX.2701.E.

Investigation to find the cause of the quality assurance failure and determined the cause was either an accidental sample contamination or an unknown error in sample analysis by the contracted lab. The failure to implement adequate laboratory controls and appropriate quality assurance procedures is a violation of LPDES Permit LA0005665 (Standard Conditions for LPDES Permits, Sections A.2 & B.3.a) La. R.S.

| inspection 04/3/2023 All pages of the property | | | | | | |
|---|---------|---|--|--|--|--|
| File Review 08/81/2024 A. 1.1000-gallon tank, located behind the forbilit mechanic shop, had used oil, as identified of by a representative of the Respondent stated that a small ring gasket on the drain pipe, at the bottom of the double-walled tank, and worm and developed a displead, slowing used oil to sturrate on the ground around the tank. Email correspondence submitted to the Department, by a representative of the Respondent on about July 2, 2025, stated the gasket was repaired in May 2023 and a project had been initiated to replace the gasket with new costom-fitted hardware. The used oil locknet was cleaned and project pictoped by Crystal Cean on or shout April 28, 2023. B. A used oil pan, located near the mechanic shop and used for maintenance activities, was observed leaking onto the ground. Final correspondence submitted to the Department or y a representative of the telepondent on or about July 23, 2023, stated the used oil pan observed during the Impection and Christian of the Cash and the control of the control of the Cash and the control of the control of the control of the Cash and th | · | 1 | | | | |
| representative of the Respondent, around it on the ground, indicating that the tank was leaking. The representative of the Respondent stated that a small ring gasked on the drain pipe, at the bottom of the double-walled tank, had worn and developed a dirty-leak, allowing used oil to startle on the ground around the teah. Email correspondence submitted to the Department, by a representative of the Respondent on or about July 21, 2023, stated the gasket was repaired in May 2023 and a project had been initiated to replace the gasket with new custom fitted hardware. The used oil downtown that been initiated to replace the gasket with new custom fitted hardware. The used oil control to an or about July 21, 2023, stated the used on or about July 21, 2023, stated the used oil pen observed wing the inspection of the Respondent failed to label or mark clearly containers and aboveground tanks used to store used oil with formation of the state of the second of the second on or about July 21, 2023, stated the used oil pen shorted with the words "Used Oil." In Second the leaking on the leaking of the second of the sec | | File Review | | | | |
| The representative of the Respondent stated that a small ring gasted on the drain pipe, at the bottom of the dolble-walled rank, and worn and developed a displeas, slawing used oil of studies on the ground around the tank. Email correspondence submitted to the Department, by a representative of the Respondent on so about July 2, 2003, stated the gasted was reported in May 2023 and a project had been initiated to replace the gasted with new contom fitted hardware. The used oil cheeved was claneed and properly disposed by Crystal Cean on or about April 18, 2023. B. A used oil pan, located near the mechanic shop and used for maintenance activities, was observed leaking onto the ground. Email correspondence submitted to the Department of a representative of the Respondent on or about July 21, 2023, stated the used oil pan observed during the impection was drained into the use of this take following day and stated in a covered are talk with prevent as a recurrence. Inspection Ox/13/2023 VI. Impection Ox/13/2023 Impection Ox/13/2023 Impection Ox/13/2023 Impection Ox/13/2023 Impection Ox/13/2023 Impection Ox/13/2024 Impection Ox/13/2024 Impection Ox/13/2024 Impection Ox/13/2025 Impection Ox/13/2025 Impection Ox/13/2025 Impection Ox/13/2025 Impection Ox/13/2026 Impection Ox/13/2026 Impection Ox/13/2026 Impection Ox/13/2026 Impection Ox/13/2027 Impection Ox/13/2027 Impection Ox/13/2027 Impection Ox/13/2028 Impection Ox/13/2029 Impec | | 1,10,00000 | representative of the Respondent, around it on the ground, indicating that the tank was leaking. | | | |
| V. reperteentative of the Respondent on about July 21, 2023, stated the gasker was repaired and project had been initiated to replace the gasket with new outcom-fitted hardware. No used all observed was claned and properly disposed by Cystal Clean on about July 12, 2023. 8. A used oil pan, located near the mechanic shop and used for maintenance activities, was observed leasing onto the ground, finall correspondence submitted to the Department by a representative of the Respondent on or about July 21, 2023, stated the used oil pan observed giving the inspection was drained into the used oil tank fine following day and staged in a covered area that will provide the words. "Used Oil." In violation of LAC 33/4/013.0.1. Specifically, one tij 1,000-gallon used oil tank, Tank 1,000-gallon used that the used oil tank is now ibseled with the words." Used Oil." Inspection 04/13/2023 Inspection 1,000-gallon used and pictures from a representative of the Respondent dated anaway 12, 2024, the distribution of tank 3,000-gallon used that the used oil tank is now ibseled with the words. "Used Oil." Inspection 04/13/2024 Inspection 1,000-gallon used that the used oil tank tank now ibseled with the words." Used Oil." Inspection 04/13/2024 Inspection 04/13/2029 Inspection 04/ | | | The representative of the Respondent stated that a small ring gasket on the drain pipe, at the | | | |
| representative of the Respondent on or about July 21, 2023, stated the gasker was repaired in May 2023 and a project had been initiated to replace the gasker with new various-fitted hardware. The used oil observed was cleaned and properly disposed by Crystal Clean on or about July 13, 2023. B. A used oil pan, located near the mechanic shop and used for maintenance activities, was observed leaking onto the ground. Familic correspondence submitted to the Department by a representative of the Respondent on or a about July 21, 2023, stated the used oil pan observed during the impaction was drained into the used oil tank the following day and staged in a covered area that will prevent a recurrence. The Respondent failed to label or mark clearly containers and aboveground tenks used to store used oil with the words "Used Oil." Inspection Inspection Inspection The Respondent failed on a post of the properties of the Respondent dated and the failed of the main of the properties of the Respondent dated and properties of the Respondent dated and properties of the Respondent dated and indicated that the used oil tank is now labeled with the words "Used Oil." A. Lime was observed disposed around the base of the lime slo, located near the mechanic shop. Email correspondence from a representative of the Respondent dated January 10, 2024, stated the init is operational, the Respondent caused being or stated the lime in its operational process. Pictures were also provided indicating the lime slo, located near the mechanic shop. Email correspondence from a representative of the Respondent roused the lime in its operational process. Pictures were also provided indicating the lime slo being desired. B. Lime was observed during the inspection. C. Spilled disself from Tank 3, a 540 gailon disself tank, was observed on the ground, near the shipping of the Respondent tasted on or about May 3, 2023, the portability dependent in the Respondent in the Respondent stated on or about May 3, 2023, the portability of the Responden | | | bottom of the double-walled tank, had worn and developed a drip/leak, allowing used oil to | | | |
| representative of the expendence float or adjusted to replace the gaste with new control-fletch hardware. The used oil observed was detained and properly disposed by Crystal Claim on or about April 13, 2023. 8. A used oil pan, located near the mechanic shop and used for maintenance activities, was choserved leaking onto the ground, family 2, 2023, state the used oil pan observed during the impection of the Respondent on or about July 2, 2023, state the used oil pan observed during the impection was drained into the used oil tank the following day and staged in a covered streat that will prevent the stream of the control of the stream of | V | | saturate on the ground around the tank. Email correspondence submitted to the Department, by a | | | |
| used oil observed was cleaned and properly disposed by Crystal Clean on or about April 18, 2023. 8. A used oil pan, located near the mechanic shop and used for maintenance activities, was observed leaking onto the ground, familic correspondence submitted to the Department by a representative of the Respondent on or about July 1, 2023, stated the used oil pen observed during the inspection was drained into the used oil stank the following day and staged in a covered acea that will prevent a recurrence. Inspection 04/13/2023 15. Inspection 16. Costed behind the forbiff mechanic shop, was not labeled or marked clearly with the words "Used Oil." Email correspondence and pictures from a representative of the Respondent dated January 12, 2024. 16. Inspection 04/13/2023 17. Inspection 04/13/2023 18. Review 08/101/2024 19. Inspection 04/13/2023 19. Inspection 04/13/2024 19. Inspection 05/13/2024 19. Inspection 06/13/2024 19. Inspection 19. Inspection 06/13/2024 19. Inspection 06/13/2024 19. Inspection 19. Inspection 19. Inspection 06/13/2024 19. Inspection | | | representative of the Respondent on or about July 21, 2023, stated the gasket was repaired in May | | | |
| 8. A used oil pan, located near the mechanic shop and used for maintenance activities, was observed of the Respondent on or about July 21, 2023, stated the used oil pan observed during the Inspection was drained into the used oil tank the following day and staged in a covered are that will present the words' "Used Oil," in violation of UA: 33/4,013.01.5 specifically, one (1) 1,000-gallon used oil tank, and indicated the label or mark clearly containers and aboveground tanks used to store used oil with the words' "Used Oil," in violation of UA: 33/4,013.01.5 specifically, one (1) 1,000-gallon used oil tank, and indicated with the words' "Used Oil." in violation of UA: 33/4,013.01.5 specifically, one (1) 1,000-gallon used oil tank, Tank indicated with the words' "Used Oil." Email correspondence and pictures from a representative of the Respondent dated January 12, 2024, indicated that the used oil tanks is now isbedied with the words' "Used Oil." The Respondent caused and/or allowed the unauthorized disposal of regulated solid waste at the facility, in oldation of 1a. 8.3.01.25 specifically, one (1) the object of the septiment of the septiment of the presentative of the Respondent dated January 10, 203, state of the Imms 180, located near the mechanic shopping the Inspection of the Imms 180, located near the mechanic shopping in the Inspection of the Imms 180, located near the replacement of the base is in the engineering phase. The medicarrespondence also stated the imms shopping in the Inspection of the Septiment of the Respondent residence of the Object of the Septiment of th | | | 2023 and a project had been initiated to replace the gasket with new costoni-little indicates. The | | | |
| leaking onto the ground, Email correspondence submitted to the Department by a representative of the Respondent on or about July 21, 2023, stated the used oil pan Oboserved during the inspection of 13/3/2013 VI. Inspection O4/13/2023 VI. Inspection O4/13/2024 Inspection O4/13/2024 Inspection O4/13/2024 VII. Inspection O4/13/2024 VII. Inspection O4/13/2024 VII. | | | A used oil pan, located near the mechanic shop and used for maintenance activities, was observed. | | | |
| of the Respondent on or about July 21, 2023, stated the used oil pen observed during the Inspection was drained into the used oil state the following day and staged in a covered area that will prevent a recurrence. The Respondent failed to label or mark clearly containers and aboveground tanks used to store used oil with the words "Used Oil." In violation of LAC 333./4013.0.1. Specifically, one (1) 1,000-gallon used oil tank, I small correspondence and pictures from a representative of the Respondent dated annuary 12, 2024, inclused that the used oil tank is now labeled with the words" Used Oil." The Respondent caused and/or allowed the unauthorized disposal of regulated solid waste at the facility, in violation of Lax 8.30.2515 and LAC 331/LBC. Specifically, during the inspection. A Line was observed disposed around the base of the line silo, located near the mechanic shop. Enall correspondence from a representative of the Respondent dated annuary 10, 2024, stated the line silo is still operational, the Respondent does plan to replace the base of the silo. and the replacement of the base is in the engineering phase. The email correspondence also stated the line observed during the Inspection was cleaned but not disposed. The Respondent reused the line is to sperational process. Pictures were also provided indicating the line had been cleaned. B. Linne was observed disposed on the ground, near the loading and unloading line silo piping. Pictures provided, we amail, on January 10, 2024, by a representative of the Respondent indicated the line had been cleaned. C. Splied diesel from Tank 3, a 540 gallon diesel tank, was observed on the ground, near the floading and unloading line silo piping. Pictures and the provided of the second of the provided provided in the second of the Respondent stated on an about Amy 3, 2023, the portable clease lank, Tank 3, was fitted with a steel secondary containment basin to prevent spillage of cleasel during transfer. D. Robe and the provided provided the secondary containm | | | leaking onto the ground, Email correspondence submitted to the Department by a representative | | | |
| Inspection 04/13/2023 VI. Inspection 04/13/2023 VI. Inspection 04/13/2023 VI. Inspection 04/13/2023 Inspection 15 Respondent failed for label or mark clearly containers and aboveground tanks used to store usec oil with the words "Used Oil." in violation of LAC 33/4/013.0.1. Specifically, one (1) 1.000-gailon used of tank, Tank 100, was not tabled or marked clearly with the words "Used Oil." Enall correspondence and pictures from a representative of the Respondent dated January 12, 2024, indicated that the used oil tank is now libered with the words "Used Oil." The Respondent caused and/or allowed the unauthorized disposal of regulated solid waste at the facility, in violation of 1.a. R.3.0.2155 and LAC 33/4/13.15.C. Specifically, during the inspection. A Line was observed disposad or nour disposal of the law solid or the provided of the control of the base of the solid or the provided in the provided of the solid or the provided in the provided provided in the specific provided in the provided provided in the ground, ear the base of the slo, and the replacement of the base is in the engineering phase. The email correspondence also stated the line in its operational process, Pictures were also provided Indicating the line had been cleaned. B. Ilme was observed disposad on the ground, near the shopling office, tenal Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent indicated the line in his operational process. Pictures were also provided Indicating the line had been cleaned. C. Spilled diesel from Tank 3, a 540-gailon diesel tank, was observed on the ground, near the shipping office, Email Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent stated on or about May 3, 2023, the transfer nozales for the diesel tank were fit with an interlocking nozale to prevent spillage of the begonder line in the shipping office, Email Correspondence and provided provided provided provided provided provided provided provided prov | | | of the Respondent on or about July 21, 2023, stated the used oil pan observed during the inspection | | | |
| VI. The Respondent failed to bable or mark clearly containers and aboveground tanks used to store used oil with over 3 used oil; "In violation of LAC 23A/A013.0.1.5 pecifically, one (1) Loop agilion used oil tank, Tank 10, located behind the forbill mechanic chop, was not labeled or marked clearly with the words "Used Oil." It mail correspondence and pictures from a representative of the Respondent dated January 12, 2024, indicated that the used oil tank is now inbelied with the words "Used Oil." The Respondent caused analy or allowed the unauthorized disposal of regulated solid waste at the facility, in violation of Lan. \$3.02155. sol publically, during the inspection. A. Lime was observed disposed around the base of the lime silo, located near the mechanic shop. Email correspondence from a representative of the Respondent dated analys 10, 2024, stated the lime silo is still operational, the Respondent does plan to replace the base of the silo, and the replacement of the base is in the engineering phase. The email correspondence also stead the lime is its operational process. Pictures were also provided indicating the lime had been cleaned. 9. Lime was observed disposed on the ground, near the loading and unloading lime silo piping. Pictures provided, via email, on January 10, 2024, by a representative of the Respondent reused the lime in the operation of the company of the Respondent reused the lime in the operation of the respondent process. Additionally, on or about May 3, 2023, the protable cleased tank, Tank, was stifted with a steel secondary correlationent basin to prevent spillage from entering the ground during transfer. 9. Rock salt crystals were observed formed around the sodium chlorides also, located ener the shipping office. Email Correspondence and pictures submitted to the Department, on July 21, 2023, indicated the sodium chloride was deamed on or about April 30, 2023, the morning cliowing the inspection. 1. To take, immediately upon receipt of this COMPLIANCE ORDER, and all steps necess | | } | | | | |
| Inspection Inspection O4/13/2023 Inspection O4/13/2023 Inspection O4/13/2023 Inspection O4/13/2023 File Review O3/03/2024 Inspection O4/13/2023 File Review O3/03/2024 Inspection O4/13/2023 A Line was observed disposed arround the base of the lime silo, located near the mechanic shop. Email correspondence from a representative of the Respondent dated January 12, 2024, stated the mechanic shop of the lime silo, located near the mechanic shop. Email correspondence from a representative of the Respondent dated January 10, 2024, stated the lime silo is still operational, the Respondent dated January 10, 2024, stated the lime silo is still operational, the Respondent dates plan to replace the base of the silo, and the replacement of the base is in the engineering planse. The email correspondence also valued the lime observed during the inspection was cleaned but not disposed. The Respondent reused the lime in its operational process, Pictures were also provided indicating the lime had been cleaned. B. Lime was observed disposed on the ground, near the loading and unloading lime sito piping. Pictures provided, via email, on January 10, 2024, by a representative of the Respondent indicated the lime had been cleaned. C. Spilled disent from Tank 3, a 540-gailon diesel tank, was observed on the ground, near the shipping office. Email Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent stated on or about May 3, 2023, the protate ideal est ank, Tank 3, sittled with sites excondary containment basin to prevent spillage from entering the ground during transfer. D. Rock salt crystals were observed formed around the soldien obtined sollo, located near the shipping office. Email Correspondence and pictures submitted to the Department, on July 21, 2023, indicated the processes. Additionally, on or about May 3, 2023, the protate incovals for the distant were it with an interlocking potate to the protesses. Additionally, on or about May 3, 2023, the transfer nozales for th | | | The Respondent failed to label or mark clearly containers and aboveground tanks used to store used oil with | | | |
| Inspection O4/13/2023 Indicated that the used oil tank is now leaked with the words' Used Oil; and is called the the use words' Used Oil; and is now oil of the Respondent dated January 12, 2024, indicated that the used oil tank is now used oil tank is now words' Used Oil; the Respondent of the Respondent Respondent Respondent Respondent Respondent Respondent Respondent Respondent Respo | | 04/13/2023 | the words "Used Oil," in violation of LAC 33:V.4013.D.1. Specifically, one (1) 1,000-gailon used oil tank, Tank | | | |
| Inspection 04/13/2023 File Review 08/01/2024 File Re | VI. | | 10, located bening the formit mechanic stop, was not labeled of the Respondent dated January 12, 2024. | | | |
| Inspection 04/13/2023 File Review 08/01/2024 A. Lime was observed disposed around the base of the time silo, located hear the mechanic shope time silo is still operational, the Respondent does plan to replace the base of the silo, and the replacement of the base is in the engineering phase. The email correspondence also stated the lime silo is still operational, the Respondent does plan to replace the base of the silo, and the replacement of the base is in the engineering phase. The email correspondence also stated the lime in its operational process. Pictures were also provided indicating the time had been cleaned. B. Lime was observed disposed on the ground, near the loading and unloading lime silo piping. Pictures provided, via email, on January 10, 2024, by a representative of the Respondent Indicated the lime in Ad been cleaned. C. Spilled diesel from Tank 3, a 540-gallon diesel tank, was observed on the ground, near the silopping office, Final Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent stated on or about May 3, 2023, the portable diesel tank, Tank 3, was fitted with a steel secondary containment basin to prevent spillage from entering the ground representative of the Respondent stated on or about May 3, 2023, the portable diesel tank were sit with an interlocking nozate to prevent spillage from entering the grounding transfer processes. Additionally, on or about May 3, 2023, the portable diesel tank were sit with an interlocking nozate to prevent spillage of diesel during transfer. D. Rock sait crystals were observed formed around the sodium clionide silo, located near the shipping office. Email correspondence and pictures submitted to the Department on July 21, 2023, indicated the sodium childred was detended on or about April 14, 2023, the morning following the inspection. To submit to the Enforcement Division, within thirty (30) days after receipt of t | | | Indicated that the used oil tank is now labeled with the words "Used Oil." | | | |
| File Rowlew 08/01/2024 File Rowlew 08/01/2024 Final correspondence from a representative of the Respondent dated January 10, 2024, stated the lime silo is still operational, the Respondent does plan to replace the base of the silo, and the replacement of the base is in the Respondent does plan to replace the base of the silo, and the replacement of the base is in the regimenting phase. The email correspondence also stated the lime in its operational process. Pictures were also provided indicating the lime had been cleaned. 8. Lime was observed disposed on the ground, near the loading and unloading lies plping. Pictures provided, via email, on January 10, 2024, by a representative of the Respondent Indicated the lime had been cleaned. C. Spilled diesel from Tank 3, a \$40-gallon diesel tank, was observed on the ground, near the shading office. Email Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent stated on or about May 3, 2023, the protable diesel tank, Tank 3, was fitted with a steel secondary containment basin to prevent spillage from entering the ground during transfer protesses. Additionally, on or about May 3, 2023, the transfer nozzles for the diesel tank were it with an interlocking nozzle to prevent spillage of diesel during transfer. Rowless the register of the secondary containment basin to prevent spillage from entering the ground during transfer. Rowless the register of the secondary containment basin to prevent spillage of diesel during transfer. Rowless the register of the secondary and the secondary and the solution with the register of the secondary containment basin to prevent spillage of diesel during transfer by diesel secondary containment basin to prevent spillage of diesel during transfer health secondary and the secondary containment basin to prevent spillage of diesel during transfer transfer transfer to the secondary and the secondary and transfer to the secondary and the secondary and the secondary and the secondary and the second | | | The Respondent caused and/or allowed the unauthorized disposal of regulated solid waste at the facility, in | | | |
| File Review 08/01/2024 Email correspondence from a representative of the Respondent dated January 10, 2024, stated the film silo is still operational, the Respondent does pilen to replace the base of the silo, and the replacement of the base is in the engineering phase. The email correspondence also stated the lime observed during the inspection was cleaned but not disposed. The Respondent reused the lime in its operational process. Pictures were also provided indicating the lime had been cleaned. 8. Lime was observed disposed on the ground, near the loading and unloading lime slip piping. Pictures provided, via email, on hampury 10, 2024, by a representative of the Respondent indicated the lime had been cleaned. C. Spilled diesel from Tank 3, a 540-gallon diesel tank, was observed on the ground, near the shipping office. Email Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent stated on or about May 3, 2023, the portable diesel tank, Tank 3, was fitted with a steel secondary containment bash to prevent spillage of diesel during transfer. D. Rock salt crystals were observed formed around the sodium chlorides ilo, located near the shipping office. Email Correspondence and pictures submitted to the Department, on July 21, 2023, Indicated the sodium chlorides was cleaned on or about April 14, 2023; the merning following the inspection. To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain corripliance with the "Order" portion of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain corripliance with the "Order" portion of this COMPLIANCE ORDER. The report and all other reports or information recurred to be automitted to the Enforcement Division by this COMPLIANCE ORDER. The report and all other reports or information recurred to be automitted to the Enforcement Division by this COMPLIANCE ORDER, the facility's Storm Water Poliution Prevention Plant | | 04/13/2023 | Molation of La.R.S.30:2155 and LAC 33:VII.315.C. Specifically, during the inspection, | | | |
| If the slid is still operational, the Respondent does plan to replace the base of the slid, and the replacement of the base is in the engineering phase. The email correspondent is ostated the lime in two operational process. Pictures were also provided indicating the lime had been cleaned. B. Lime was observed disposed on the ground, near the loading and unloading lime sito piping. Pictures provided, via email, on January 10, 2024, by a representative of the Respondent indicated the lime had been cleaned. C. Spilled diesel from Tank 3, a \$40-gallon diesel tank, was observed on the ground, near the shipping office. Email Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent stated on or about May 3, 2023, the portable diesel tank, Tank 3, was fitted with a steel secondary containment basin to prevent spillage from entering the ground during transfer. O. Rook saft crystals were observed formed around the sodium chloride silo, located near the shipping office. Email correspondence and pictures submitted to the Department, on July 21, 2023, indicated the sodium chloride was cleaned on or about May 18, 2023, the morning following the inspection of the Compliance of the Water Quality, Hazardous Waste, and Solid Waste Regulations. This shall include, but not be limited to; correcting all of the violations described in the "Findings of fact" portion. To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER, a written report the includes a detailed description of the circumstances surrounding the cited violations; and all other reports or information recurred to specified in this document. To implement, immediately upon receipt of this COMPLIANCE ORDER, may and all other reports or information recurred to specified in this document. To receive the solicy of the circumstances surrounding the cited violations; and actions taken or to be taken to achieve compliance with the "Greder" portion of this COMPLIANCE ORDER. This report | | File Review | Email correspondence from a representative of the Respondent dated January 10, 2024, stated the | | | |
| observed during the inspection was cleaned but not disposed. The Respondent result the line in its operational process. Pictures were also provided indicating the lime had been cleaned. B. Lime was observed disposed on the ground, near the loading and unloading lime sito piping. Pictures provided, via email, on January 10, 2024, by a representative of the Respondent indicated the lime had been cleaned. C. Spilled diesel from Tank 3, a 540-gallon diesel tank, was observed on the ground, near the shipping office, Email Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent stated on or about May 3, 2023, the portable diesel tank, Tank 3, was fitted with a steel secondary containment basin to prevent spillage from entering the ground during transfer processes. Additionally, on or about May 9, 2023, the transfer nozales for the diesel tank were it with an interlocking nozale to prevent spillage of diesel during transfer. D. Rok salt crystals were observed formed around the sodium chlorides slio, located near the shipping office. Email correspondence and pictures submitted to the Department, on July 21, 2023, Indicated the sodium chloride was cleaned on or about April 14, 2023, the morning following the inspection. Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below: To take, immediately upon receipt of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain compliance with the Water Quellity, Hazdrous Waste, and Solid Waste Regulations. This shall include, but not be limited to; correcting all of the violations described in the "Findings of Fact" portion. To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER, and a stotions taken or to be taken to achieve the violations described in the "Findings of Fact" portion of this COMPLIANCE ORDER. This report and all other reports or information reculted to be submitted to the Enforcement Division by | | | fime sile is still operational, the Respondent does plan to replace the base of the sile, and the | | | |
| Its operational process. Pictures were also provided indicating the lime had been cleaned. B. Lime was observed disposed on the ground, near the bading and unloading lime silo piping. Pictures provided, via email, on January 10, 2024, by a representative of the Respondent indicated the lime had been cleaned. C. Spilled idealed from Tank 3, a 540-gallon diesel tank, was observed on the ground, near the shipping office. Email Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent stated on or about May 3, 2023, the protable diesel tank, Tank 3, was fitted with a steel secondary containment basin to prevent spillage from entering the ground during transfer processes. Additionally, on or about May 3, 2023, the transfer nozales for the diesel tank were fit with an interlocking nozale to prevent spillage of diesel during transfer. D. Rock salt crystals were observed formed around the sodium chlorides silo, located near the shipping office. Email correspondence and pictures submitted to the Department, on July 21, 2023, indicated the sodium chloride was cleaned on or about April 14, 2023, the morning following the inspection. Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below: To take, immediately upon receipt of this COMPLIANCE ORDER, any and all steeps necessary to meet and maintain compliance with the Variety Quality, Hazardous Waste, and Solid Waste Regulations. This shall include, but not be limited to; correcting all of the violations described in the "indings of Fact" portion. To submit to the Enforcement Division, within thirty (3D) days after receipt of this COMPLIANCE ORDER, and all other reports or information recuried to be submitted to the Enforcement Division by this COMPLIANCE ORDER, This report and all other reports or information recuried to be submitted to the Enforcement Division by this COMPLIANCE ORDER, the facility's Storm Water Pollution provention Plans (SWPPP). Specifically, address | • | | replacement of the base is in the engineering phase. The email correspondence also stated the lime | | | |
| VII. Ime was observed disposed on the ground, near the loading and unloading lime silo piping. Pictures provided, via email, on January 10, 2024, by a representative of the Respondent indicated the lime had been cleared. C. Spilled diesel from Tank 3, a 540-gallon diesel tank, was observed on the ground, near the shipping office. Email Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent stated on or about May 3, 2023, the portable diesel tank, Tank 3, was fitted with a steel secondary containment bash to prevent spillage from entering the ground during transfer processes. Additionally, on or about May 3, 2023, the transfer nozzles for the diesel tank were fit with an interlocking nozzle to prevent spillage of diesel during transfer. O. Rock salt crystals were observed formed around the sodium childred islo, located near the shipping office. Email correspondence and pictures submitted to the Department, on July 21, 2023, indicated the sodium childred was cleaned on or about April 34, 2023, the morning following the inspection. D. Rock salt crystals were observed formed around the sodium childred islo, located near the shipping office. Email correspondence and pictures submitted to the Department, on July 21, 2023, indicated the sodium childred was cleaned on or about April 34, 2023, the morning following the inspection. D. Rock salt crystals were observed formed and all steeps necessary to meet and maintain corpolators with the Water Quality Hazardous Waste, and Solid Waste Regulations. This shall include, but not be finded to; correcting all of the Violations described in the "Findings of Fact" portion. D. Submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER, and the cited violation(s) 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 recuired to be submitted to the Department Division by this COMPL | | | observed during the inspection was cleaned but not disposed. The respondent reused the lime had been cleaned | | | |
| Provided, via email, on January 10, 2024, by a representative of the Respondent Indicated the lime had been cleaned. C. Spilled diesel from Tank 3, a 540-gallon diesel tank, was observed on the ground, near the shipping office. Email Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent stated on or about May 3, 2023, the portable diesels for the diesel from the Respondent stated on or about May 3, 2023, the portable diesels for the diesel tank were fit with an interlocking nozale to prevent spillage of diesel during transfer. O. Rock salt crystals were observed formed around the sodium chlorides ilo, located near the shipping office. Email Correspondence and pictures submitted to the Department, on July 21, 2023, indicated the sodium chloride was cleaned on or about April 14, 2023, the morning following the Inspection. Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below: To take, immediately upon receipt of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain compliance with the Water Quality, Hazardous Waste, and Solid Waste Regulations. This shall include, but not be limited to; correcting all of the violations described in the "Findings of Fact" portion. To submit to the Enforcement Division, within thirty (3D) days after receipt of this COMPLIANCE ORDER, a written report that includes a detailed description of the circumstances surrounding the cited violation(s) 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 reculred to be submitted to the Enforcement Division by this COMPLIANCE ORDER. To cease, Immediately upon receipt of this COMPLIANCE ORDER, the facility's Storm Water Poliution Prevention Plai (SWPPP). Specifically, address the violations cited in Paragraph II of the "Findings of Fact" portion of this COMPLIANCE ORDER. To cease, Immediately upon receipt of this COMP | | · | B. Time was observed disposed on the ground, near the loading and unloading lime silo piping. Pictures | | | |
| C. Splited diesel from Tank 3, a \$40-gallon diesel tank, was observed on the ground, near the shipping office, Email Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent stated on or about May 3, 2023, the portable diesel tank, Tank 3, was fitted with a steel secondary containment basin to prevent splitage from entering the ground during transfer processes. Additionally, on or about May 3, 2023, the transfer causes for the diesel tank were fit with an interlocking nozzie to prevent splitage of diesel during transfer. D. Rock salt crystals were observed formed around the sodium chlorides islo, located near the shipping office. Email correspondence and pictures submitted to the Department, on July 21, 2023, indicated the sodium chloride was cleaned on or about April 14, 2023, the morning following the inspection. Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below: To take, immediately upon receipt of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain compliance with the Water Quality, Hazardous Waste, and Solid Waste Regulations. This shall include, but not be limited to; correcting all of the violations described in the "Findings of fact" portion. To submit to the Enforcement Division, within thirty (3D) days after receipt of this COMPLIANCE ORDER, a written report that includes a detailed description of the circumstances surrounding the cited violation(s) and actions taken or to be taken to achieve compliance with the "Order" portion of this COMPLIANCE ORDER, This report and all other prots or information recuired to be submitted to the Enforcement Division by this COMPLIANCE ORDER, the facility's Storm Water Poliution Prevention Plan (SWPPP). Specifically, address the violations cited in Paragraph II of the "Findings of Fact" portion of this COMPLIANCE ORDER. To cease, Immediately upon receipt of this COMPLIANCE ORDER, depositing or allowing the deposit of regulated waste of an | VII. | | provided, via email, on January 10, 2024, by a representative of the Respondent indicated the lime | | | |
| office. Email Correspondence submitted to the Department on July 21, 2023, by a representative of the Respondent stated on or about May 3, 2023, the protable diselet ank, Tank 3, was fitted with a steel secondary containment basin to prevent spillage from entering the ground during transfer processes. Additionally, on or about May 3, 2023, the transfer nozzies for the diesel tank were fit with an interlocking nozzie to prevent spillage of diesel during transfer. D. Rock salt crystals were observed formed around the sodium chloride silo, located near the shipping office. Email correspondence and pictures submitted to the Department, on July 21, 2023, Indicated the sodium chloride was cleaned on or about April 14, 2023, the morning following the inspection of the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below: To take, immediately upon receipt of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain compliance with the Water Quality, Hazardous Waste, and Solid Waste Regulations. This shall include, but not be limited to; correcting all of the violations described in the "Findings of Fact" portion. To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPLIANCE ORDER, a written report tha includes a detailed description of the circumstances surrounding the cited violation(s) and actions taken or to be taken to achieve submitted to the Enforcement Division by this COMPLIANCE ORDER, this report and all other reports or information recuired to be submitted to the Enforcement Division by this COMPLIANCE ORDER, the facility's storm Water Pollution Prevention Plai (SWPPP). Specifically, address the violations cited in Paragraph il of the "Findings of Fact" portion of this COMPLIANCE ORDER. This report and all other reports or information recuired to increase, immediately upon receipt of this COMPLIANCE ORDER, depositing or allowing the deposit of regulated waste of an kind at the facility or any other site that is | | | C. Spilled diesel from Tank 3, a 540-gallon diesel tank, was observed on the ground, near the shipping | | | |
| steel secondary containment basin to prevent spillage from entering the ground during transfer processes. Additionally, on or about May 3, 2023, the transfer nozales for the diesel tank were fit with an interlocking nozale to prevent spillage of diesel during transfer. O. Rock saft crystals were observed formed around the sodium chlorides slio, located near the shipping office. Email correspondence and pictures submitted to the Darmment, on July 21, 2023, indicated the sodium chloride was cleaned on or about April 14, 2023, the morning following the inspection. Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below: To take, immediately upon receipt of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain compliance with the Water Quality, Hazardous Waste, and Solid Waste Regulations. This shall include, but not be limited to; correcting all of the violations described in the "Findings of Fact" portion. 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 violation(s) 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 recuired to be submitted to the Enforcement Division by this COMPLIANCE ORDER, this submitted to the Department at the address specified in this document. To Implement, immediately upon receipt of this COMPLIANCE ORDER, depositing or allowing the deposit of regulated waste of an indicate the facility or any other site that is not permitted to receive such waste. **REGULTORYPEA** The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this COMPLIANCE ORDER. The Respondent has a right to an adjudicatory hearing and adjudicatory hearing and adjudicatory hearing shall specify the provisions of the COMPLIANCE ORDER | | | office. Email Correspondence submitted to the Department on July 21, 2023, by a representative of | | | |
| processes. Additionally, on or about May 3, 2023, the transfer nozizes for the diesel tank were fit with an interlocking nozize to prevent spillage of diesel during transfer. D. Rock salt crystals were observed formed around the sodium chloride silo, located near the shipping office. Email correspondence and pictures submitted to the Department, on July 21, 2023, indicated the sodium chloride was cleaned on or about April 14, 2023, the morning following the inspection. Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below: To take, immediately upon receipt of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain compliance with the Water Quality, Hazardous Waste, and Solid Waste Regulations. This shall include, but not be limited to; correcting all of the violations described in the "Findings of Fact" portion. To submit to the Enforcement Division, within thirry (30) days after receipt of this COMPLIANCE ORDER, a written report that includes a detailed description of the circumstances surrounding the cited violations(s) 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 recuired to be submitted to the Enforcement Division by this COMPLIANCE ORDER, shall be submitted to the Department at the address specified in this document. To implement, immediately upon receipt of this COMPLIANCE ORDER, the facility's Storm Water Pollution Prevention Plan (Storm Processes) and the submitted to the Department at the address specified in this document. To cease, immediately upon receipt of this COMPLIANCE ORDER, depositing or allowing the deposit of regulated waste of any kind at the facility or any other site that is not permitted to receive such waste. The request for an adjudicatory hearing shall specify the provisions of the COMPLIANCE ORDER on which the hearing is requested and address specified in this document. This request should ref | | | the Respondent stated on or about May 3, 2023, the portable diesel tank, Tank 3, was nitted with a | | | |
| with an interlocking nozize to prevent spillage of diesel during transfer. D. Rock sait crystals were observed formed around the sodium childred silo, located near the shipping office. Email correspondence and pictures submitted to the Department, on July 21, 2023, indicated the sodium childred was cleaned on or about April 14, 2023, the morning following the inspection. Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below: To take, immediately upon receipt of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain compliance with the Water Quality, Hazardous Waste, and Solid Waste Regulations. This shall include, but not be limited to; correcting all of the violations described in the "Findings of Fact" portion. 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 violation(s) 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 recuired to be submitted to the Enforcement Division by this COMPLIANCE ORDER, the facility's Storm Water Pollution Prevention Plar (SWPPP). Specifically, address the violations cited in Paragraph II of the "Findings of Fact" portion of this COMPLIANCE ORDER. To cease, immediately upon receipt of this COMPLIANCE ORDER, depositing or allowing the deposit of regulated waste of am is the facility or any other site that is not permitted to receive such waste. REGISTORY The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this COMPLIANCE ORDER. The request for an adjudicatory hearing shall specify the provisions of the COMPLIANCE ORDER on which the hearing is requested and shall be refly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agenc interest N | | | steel secondary containment basin to prevent spinage from entering the ground during transfer | | | |
| D. Rock salt crystals were observed formed around the sodium chlorides ilo, located near the shipping office. Email correspondence and pictures submitted to the Department, on July 21, 2023, indicated the sodium chloride was cleaned on or about April 14, 2023, the morning following the inspection. Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below: To take, immediately upon receipt of this COMPIJANCE ORDER, any and all steps necessary to meet and maintain compliance with the Water Quality, Hazardous Waste, and Solid Waste Regulations. This shall include, but not be limited to; correcting all of the violations described in the "Findings of Fact" portion. To submit to the Enforcement Division, within thirty (30) days after receipt of this COMPIJANCE ORDER, a written report that includes a detailed description of the circumstances surrounding the cited violation(s) and actions taken or to be taken to achieve compliance with the "Order" portion of this COMPIJANCE ORDER. This report and all other reports or information recuired to be submitted to the Enforcement Division by this COMPIJANCE ORDER, shall be submitted to the Department at the address specified in this document. To implement, immediately upon receipt of this COMPIJANCE ORDER, the facility's Storm Water Poliution Prevention Plan (SWPPP). Specifically, address the violations cited in Paragraph II of the "Findings of Fact" portion of this COMPIJANCE ORDER. To cease, immediately upon receipt of this COMPIJANCE ORDER, depositing or allowing the deposit of regulated waste of am kind at the facility or any other site that is not permitted to receive such waste. The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this COMPIJANCE ORDER. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this COMPIJANCE ORDER. This right may be exercised by filing a written reques | | | with an interlocking nozzle to prevent spillage of clesel during transfer. | | | |
| office, Email correspondence and pictures submitted to the Department, on July 21, 2023, Indicated the sodium chloride was cleaned on or about April 14, 2023, the morning following the inspection. Based on the foregoing, the Respondent is hereby ordered to comply with the requirements that are indicated below: To take, immediately upon receipt of this COMPLIANCE ORDER, any and all steps necessary to meet and maintain compliance with the Water Quality, Hazardous Waste, and Solid Waste Regulations. This shall include, but not be limited to; correcting all of the violations described in the "Findings of Fact" portion. To submit to the Enforcement Division, within thirty (3D) 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 recuired to be submitted to the Enforcement Division by this COMPLIANCE ORDER. This report and all other reports or information recuired to be submitted to the Enforcement Division by this COMPLIANCE ORDER, the facility's Storm Water Poliution Prevention Plant (SWPPP). Specifically, address the violations cited in Paragraph II of the "Findings of Fact" portion of this COMPLIANCE ORDER. In Individual to the Compliance of | | | D. Rock salt crystals were observed formed around the sodium chloride silo, located near the shipping | | | |
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| 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 left-hand corner of the first page of this document and should be directed to the address specified in this document. Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding the 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's (DAL) Procedural Rules. The Department may amend or supplement this COMPLIANCE ORDER prior to the hearing, after providing sufficient notice and a opportunity for the preparation of a defense for the hearing. This COMPLIANCE ORDER shall become a final enforcement action unless the request for hearing is timely filed. Fallure to time 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 the 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 the 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 the content of the 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 the content of the request a hearing on a disputed issue of material fact or of law under the content of the request a hearing on a disputed issue of material fact or of law under the content of the request a hearing on the content of the request and the content of the request of the content of the request and the content of the | ۱۰ | COMBILANCE CON | FR | | | |
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MM-CN-23-00848 Page 2 CONOPP FORM 1

| ĐEQ- | EDMS Document 14462712, Page 3 of 5 | | | | | |
|--|--|---|--|--|--|--|
| V. | The Respondent's fallure 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. | | | | | |
| ۷ì. | 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 nothing herein shall be construed to preclude the rig | t reserves the right to seek civil penalties in any manner allowed by law, and | | | | |
| 47.7 | | X POTENTIAL PENALTY | | | | |
| l, | violation(s) described herein. Written comments may to submit comments, it is requested that they be sub- | otified that the issuance of a penalty assessment is being considered for the y be filed regarding the violation(s) and the contemplated penalty. If you elect emitted within ten (10) days of receipt of this notice. | | | | |
| il, | any mitigating circumstances concerning the violation (225) 219-3078 within ten (10) days of receipt of this | cement action(s), you may request a meeting with the Department to present n(s). If you would like to have such a meeting, please contact Jordan Landry at NOTICE OF POTENTIAL PENALTY. | | | | |
| 111. | The second secon | | | | | |
| IV. | PENALTY portion, the Respondent may offer a set described herein. The Respondent may offer a set settlement negotiations. The decision to proceed warmount may be entered on the attached "CONSOLI TO CLOSE" form. The Respondent may submit the NOTICE OF POTENTIAL PENALTY portion but no late portion. The Respondent must include a justification Department will review the settlement offer and no | AC 33:Subpart1.Chapter?. To expedite closure of this NOTICE OF POTENTIAL interment amount to resolve any claim for civil penalties for the violation(s) entitlement amount, but the Department is under no obligation to enter into with a settlement is at the discretion of the Department. The settlement offer DATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST settlement offer within one hundred and eighty (180) days of receipt of this or than ninety (90) days of achieving compliance with the COMPLIANCE ORDER of the offer. DO NOT submit payment of the offer amount with the form. The tify the Respondent as to whether the offer is or is not accepted. | | | | |
| V. | This CONSOLIDATED COMPLIANCE ORDER & NOTICE | SULPHIAL PERALTY IS ENECTIVE OPINITECEIPT. | | | | |
| - Endo | cement Division: | Hearing Requests: | | | | |
| Louis Offic Wate Post Bato | ilana Department of Environmental Quality e of Environmental Compliante er Enforcement Division Office Box 4312 n Rouge, LA 70821 : Jordan Landry | 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-23-00848 Agency Interest No. 1329 | | | | |
| Wate | r Permits Division (if necessary): | Physical Address (if hand delivered): | | | | |
| Dep Offi Post Bate | artment of Environmental Quality ce of Environmental Services : Office Box 4313 on Rouge, LA 70821-4313 n: Water Permits Division | Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802 | | | | |
| | | NO NOTICE OF POTENTIAL PENALTY, the Respondent must follow the guidelines | | | | |
| •] | to appear the consolibated computance order are let forth in the "Right to Appeal" portion of this CONSC | DUDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY. | | | | |

- To request closure of the COMPLIANCE ORDER portion, the Respondent must demonstrate compliance with the "Order" portion of this COMPLIANCE ORDER by completing the attached "CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE® form and returning it to the address specified.
 - o Before requesting closure of the COMPLIANCE ORDER portion, please contact the Financial Services Division at 225-219-3865 or email them at _DEQ-WWWFinancialServices@la.gov to determine if you owe outstanding fees.
- 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.
 - o The Department assesses civil penalties based on LAC 33:1.Subpart1.Chapter7.
 - o 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.
 - o 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.

LDEQ-EDMS Document 14462712, Page 4 of 5

O Before requesting closure of the NOTICE OF POTENTIAL PENALTY portion, please contact the Financial Services Division at 225-219-3865 or email them at _DEQ-WWWFinancialServices@la_gov to determine if you owe outstanding fees.

If you have questions or need more information, you may contact Jordan Landry at (225) 219-3078 or Jordan Landry@la_gov.

Attachment(s)
- Request to Close

CONOPP FORM 1

| | DMS Document | | | | | | |
|--|---|--|---|--|---------------------------------|--|--|
| | F ENVIRONMENTAL | | r dovert | | | / | |
| ENFORCE | MENT DIVISION | CONSOL | IDATED COMPLIA | NCE ORD | er & | | Till () |
| POST OF | FICE BOX 4312 | NO | TICE OF POTENTIA | L PENALT | Ϋ | 3 | DEO |
| BATON R | OUGE, LOUISIANA | 70821-4312 | REQUEST TO C | LOSE | | | LOUISIANA |
| | nent Tracking No. | MM-CN-23-008 | 48 | Conta | ct Name | Jordan Landry | |
| Agency l | nterest (AI) No. | 1329 | | Conta | ct Phone No. | (225) 219-3078 | · · · · · · · · · · · · · · · · · · · |
| Alternati | | LA0005665 | | | | | |
| Respond | ent: | American Suga | | | y Name: | Chalmette Cane S | |
| | | | reations Network, Inc | c. Physic | al Location: | 7417 North Peter | s Street |
| | | Agent for Service | | Class C | enta Ylar | Arabi, LA 70032 | |
| | | Mandeville, LA | iuseway Approach | Parish | tate, Zip: | St. Bernard | |
| (PAS) | | ivialitieville, CA | STATEMENT C | Mar 477 | · Marketti ii | Jr. Delliera | |
| * 4 July 20 | | MARKATANAN I | CONTRACTOR OF THE PROPERTY OF | a distribution | | Date Completed | Copy Attached? |
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| All Items facility is | in the "Findings of F being operated to n | eet and maintain | COMPLIANCE ORDER the requirements of t | R were add he "Order" | essed and the portion of the | | |
| COMPLIA | ANCE ORDER. Final c | ompliance was act | ileved as of: | Pite in | 68 , 2,82 (1) | <u> </u> | e salakina e |
| 4.4 | | | SETTLEMENT O | ffer (OP | TIONAL) | | |
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| | Department has the | right to assess civ | il penalties based on l | LAC 33:1.5ul | part1.Chapter | 7. | understanding that the |
| | Respondent is interesettlement procedu | ested in entering ir res. | to settlement negotia | ations with 1 | the Departmen | t and would like to set | MM-CN-23-00848), the up a meeting to discuss |
| | Respondent is Inter- which shall include | ested in entering ir LDEQ enforcemen | II penalties for the vi ito settlement negotia it costs and any monel | ations with 1 | the Departmen | t and offers to pay \$ | MM-CN-23-00348), the |
| | DO NOT SUB | vironmental Projection | ct (BEP)component (o THE OFFER WITH TH | IS FORM- th | \$ \$ ne Department | will review the settlen | nent offer and notify the |
| | The Respondent ha | is reviewed the vi | e offer is or is not occi- olations noted in NO on of any BEPs if incli | TICE OF PO | TENTIAL PEN | ALTY (MM-CN-23-008 | 48) and has attached a |
| | | | SERTIFICATION | ONSTATE | MENT | | - 350 |
| and bel | lef formed after red | sonable inquiry, to so certify that I do | he statements and l | information fees or pen | attached and alties to the D | the compliance state epartment for this fac | at based on information ement above, are true, ility or any other facility ent. |
| | Respondent's Sign | spondent's Signature Respondent's Printed Name | | | Respondent's Title | | |
| | | <u>,</u> | · · · · · · · · · · · · · · · · · · | | | 2 | |
| Respondent's Physical Address | | | | Respondent's Phone # Date | | | |
| | | MAIL CO | VIPLETED DOCUM | ENT TO T | HE ADDRESS | BELOW: | |
| Office o Enforce Post Off Baton R | a Department of En- f Environmental Con- ment Division fice Box 4312 ouge, LA 70821 ordan Landry | vironmental Qualit npliance | у | <u> </u> | | | |

If you have questions or need more information, you may contact Jordan Landry at (225) 219-3078 or jordan.landry@la.gov.