

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

CLARIANT CORPORATION

AI # 101872

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

* **Settlement Tracking No.**
* **SA-MM-25-0008**
*
* **Enforcement Tracking No.**
* **MM-CN-22-00767**
*
* **Docket No. 2024-10058-DEQ**
*

SETTLEMENT AGREEMENT

The following Settlement Agreement is hereby agreed to between Clariant Corporation (“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 an oil services product storage and distribution center located in Broussard, Lafayette Parish, Louisiana (“the Facility”).

II

On December 27, 2022, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. MM-CN-22-00767 (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 EIGHT THOUSAND AND NO/100 DOLLARS (\$8,000.00), of which Three Thousand Two Hundred Thirty and 60/100 Dollars (\$3,230.60) 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 Lafayette 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. 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. 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.

CLARIANT CORPORATION

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**
Aurelia S. Giacometto, Secretary

BY: _____
Jerrie "Jerry" Lang, Assistant Secretary
Office of Environmental Compliance

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

NOTARY PUBLIC (ID # _____)

(stamped or printed)

Approved:  _____
Jerrie "Jerry" Lang, Assistant Secretary

JOHN BEL EDWARDS
GOVERNOR



CHUCK CARR BROWN, PH.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

DEC 27 2022

CERTIFIED MAIL (7020 3160 0000 9230 0137)
RETURN RECEIPT REQUESTED



CLARIANT CORPORATION
c/o Corporation Service Company
Agent for Service of Process
501 Louisiana Avenue
Baton Rouge, LA 70802

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. MM-CN-22-00767
AGENCY INTEREST NO. 101872**

Dear Sir/Madam:

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 **CLARIANT CORPORATION (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 Dr. Jacqueline Prudente at (225) 219-3095 or jacqueline.prudente@la.gov.

Sincerely,

A handwritten signature in black ink that reads "Angela Marse".

Angela Marse
Administrator
Enforcement Division

AM/JAP/jll
Alt ID No. LAR000053413, LAG531799
Attachment

c: Clariant Corporation
c/o Scott Wood
500 E Morehead St. Suite 400
Charlotte, NC 28202

Clariant Corporation – Broussard Storage Facility
c/o Donny Matte, Plant Manager
304 Ida Road
Broussard, LA 70518

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

IN THE MATTER OF

**CLARIANT CORPORATION
LAFAYETTE PARISH
ALT ID NO. LAR000053413; LAG531799**

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

*
*
* **ENFORCEMENT TRACKING NO.**
*
* **MM-CN-22-00767**
*
* **AGENCY INTEREST NO.**
* **101872**
*

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

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **CLARIANT CORPORATION (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 an oil services product storage and distribution center located at 304 Ida Road in Broussard, Lafayette Parish, Louisiana. The facility repacks finished products for use in oil field production facilities. The Respondent notified the Department as a Large Quantity Generator (LQG) of Hazardous Wastes and operates under EPA Identification No. LAR000053413. Based on the information contained in the 2021 Hazardous Waste report submitted by the Respondent to the Department, the Respondent is a small quantity handler of universal waste. The Respondent was granted authorization under Louisiana Pollutant Discharge Elimination System (LPDES) General Permit LAG531799 effective on February 21, 2018 with an expiration date of November 30, 2022. LPDES Permit has been administratively continued. Under the terms and conditions of LPDES General Permit LAG531799, the Respondent is permitted to discharge treated sanitary wastewater into Cypress Bayou

via local drainage, thence into Bayou Tortue, all waters of the state. Effective January 30, 2015, the Respondent was automatically covered under the Louisiana Sewage Sludge and Biosolids Use or Disposal General Permit LAJ660000. The Respondent does not have authority from the Department to discharge industrial stormwater runoff to waters of the state.

II.

On or about May 2, 2022, the Department conducted an inspection of the above referenced facility to determine the degree of compliance with the Act and the applicable Louisiana Hazardous Waste and Water Quality Regulations. While the investigation is not yet complete, the following violations were noted during the course of the inspection and subsequent file review on or about November 16, 2022:

- A. The Respondent failed to keep containers holding hazardous waste closed at all times, except when it is necessary to add or remove waste, in violation of LAC 33:V.1015.B.1.d.i. Specifically, the inspection revealed that two (2) 275-gallon capacity totes observed in one of the less than 90-day hazardous waste container storage areas were open. The rings and bolts for the drum lids were not being used. The totes were labeled hazardous waste and contained Solvtreat, Foamtreat, and Hytreat D001 hazardous waste. Also noted during the inspection, in the less than 90-day hazardous waste container storage area located in the laboratory, were two (2) 55-gallon drums containing heptane, hexane, and acetone D001 hazardous waste with open bungholes. The SDS provided for the materials revealed that they all have a flashpoint of less than 140°F (D001). During the inspection, the facility representative closed all of the open containers.
- B. The Respondent accumulated/stored hazardous waste on-site for more than ninety (90) days without interim status or a standard permit, in violation of LAC 33:V.1015.B and LAC 33:V.303.B. Specifically, during the May 2, 2022 inspection, two (2) totes in the less than 90-day hazardous waste storage area labeled hazardous waste were being stored for more than ninety (90) days. The accumulation start dates on the totes were September 1, 2020, July 21, 2021, and January 28, 2022.
- C. The Respondent failed to determine if generated solid waste is a hazard, in violation of LAC 33:V.1005.A. Specifically, during the inspection, a spill was observed in the facility's 20,000 gallon tank farm. According to a representative of the Respondent, the only material stored in the 20,000 gallon tank farm is Hytreat. The Hytreat safety data

sheet (SDS) provided by the Respondent's representative revealed the material has a flashpoint of less than 73°F, indicating a potential hazardous waste. A hazardous waste determination was requested for the spilled material at the time of the May 2, 2022 inspection. As of December 12, 2022, the Respondent has not yet provided documentation indicating the hazardous waste determination was performed. Additionally, two (2) 55-gallon drums labeled "soap sticks," were observed at the facility. The Respondent has not yet determined if the material labeled "soap sticks" is hazardous waste.

- D. The Respondent failed to demonstrate the length of time that the universal waste has been accumulated from the date it became a waste or was received, in violation of LAC 33:V.3825.C. Specifically, at the time of the inspection, a closed box of waste lamps was observed, but the box was not labeled with an accumulation date.
- E. The Respondent failed to keep containers holding hazardous waste closed at all times during accumulation at or near the point of generation where the waste initially accumulates, except when it is necessary to add, remove, or consolidate waste, in violation of LAC 33:V.1011.A.4. Specifically, the inspection revealed one (1) 55-gallon drum containing still bottoms generated from the solvent recovery process at the satellite accumulation area in the tote rinsing unit was open.
- F. The Respondent failed to mark or label containers accumulating hazardous waste located at or near the point of generation where the waste was initially accumulated with the words "Hazardous Waste" and with an indication of the hazards of the contents, in violation of LAC 33:V.1011.A.5.a and LAC 33:V.1011.A.5.b. Specifically, the 55-gallon drum holding still bottoms generated from the solvent recovery process at the satellite accumulation area was not labeled with the words "Hazardous Waste," nor an indication of the hazards of the contents.
- G. The Respondent failed to notify the Office of Environmental Services within seven (7) days when any of the information submitted in the Notification of Hazardous Waste Activity Form (HW-1 Notification Form) changed, in violation of LAC 33:V.1017.A. Specifically, the Respondent installed a new tank wash system but did not reflect the Hazardous Secondary Material Activity (HSM) in the HW-1 Notification Form submitted to the Department on or about February 13, 2015. On or about June 6, 2022,

the Respondent submitted an updated HW-1 Notification form, which included the HSM activity.

- H. The Respondent failed to have a Waste Minimization Plan certified by a Louisiana registered Professional Engineer in accordance with LAC 33:V.2245.J, in violation of LAC 33:V.1015.B.9. Specifically, the waste minimization plan provided by the Respondent's representative via email on or about June 27, 2022 was not certified by a professional engineer. On or about August 10, 2022, the waste minimization plan provided by the Respondent was signed and certified by a Louisiana registered professional engineer.
- I. The Respondent failed to implement the Spill Prevention and Control (SPC) plan. Specifically, at the time of the May 2, 2022 inspection, the Department observed a spill collection pit within the "Bulk Loading/Unloading Area" whose capacity was approximately ninety-five percent (95%) full (Inspection Report, Photographs 1 & 2 of 24). The facility's SPC plan states that the Spill Collection Pit has a capacity of 60 gallons. The Respondent failed to maintain the Spill Collection Pit in accordance with the SPC plan in violation of (Section 3.2, Loading/Unloading Operations), La. R.S. 30:2076(A)(3) and LAC 33:IX.905.B. A representative of the Respondent stated that the accumulation in the collection pit occurred over at least six (6) months.
- J. The Respondent failed to comply with Sewage Sludge and Biosolids Use or Disposal General Permit LAJ660000. Specifically, the Respondent failed to submit the annual Sewage Sludge Reporting Form for 2017, 2018, 2019, 2020, and 2021. The failure to submit the annual Sewage Sludge Reporting Form is in violation of Sewage Sludge and Biosolids Use or Disposal General Permit LAJ660000 (Part II, Section C.3 and Part III, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.7313.A.2.
- K. The Respondent caused and/or allowed the discharge of industrial stormwater runoff from its facility to waters of the state without authority from the Department. The unauthorized discharge of industrial stormwater runoff to waters of the state is a violation of La. R.S. 30:2075.

COMPLIANCE ORDER

Based on the foregoing, the Respondent is hereby ordered:

I.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Louisiana Hazardous Waste and Water Quality Regulations including, but not limited to implementing SPC Plan.

II.

To cease, immediately upon receipt of this **COMPLIANCE ORDER**, the unauthorized storage of hazardous waste without interim status or standard permit. The Respondent shall submit to the Enforcement Division within thirty (30) days of receipt of this **COMPLIANCE ORDER**, manifests documenting proper disposal of the wastes as described in Finding of Fact Paragraph II.B.

III.

To perform, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, complete and accurate hazardous waste determinations for all the wastes generated at the facility including but not limited to wastes described in Findings of Fact Paragraph II.C, in accordance with LAC 33:V.1005.A. The Respondent shall submit the results of these hazardous waste determinations to the Office of Environmental Compliance, Enforcement Division, within fifteen (15) days after their completion. The Respondent shall, based on the determination results, containerize and manage these wastes in accordance with the applicable Louisiana Hazardous Waste and Solid Waste Regulations.

IV.

To label, immediately upon receipt of this **COMPLIANCE ORDER**, all universal waste containers with an accumulation date, in accordance with LAC 33:V.3825.C. The Respondent shall demonstrate the length of time that the universal waste has been accumulated from the date it became a waste or was received, and shall submit photographs of the hazardous waste containers including but not limited to those referenced in Findings of Fact Paragraph II.D, to the Department within thirty (30) days of receipt of this **COMPLIANCE ORDER**.

V.

To close, immediately upon receipt of this **COMPLIANCE ORDER**, all open containers holding hazardous waste. The Respondent shall keep all containers holding hazardous waste closed at all times during accumulation at or near the point of generation where the waste initially accumulated, except when it is necessary to add, remove, or consolidate waste, in accordance with LAC 33:V.1011.A.4. The Respondent shall submit a photograph of the hazardous waste container referenced in Findings of Fact Paragraph II.E, to the Department within thirty (30) days of receipt of this **COMPLIANCE ORDER**.

VI.

To label, immediately upon receipt of this **COMPLIANCE ORDER**, all containers accumulating hazardous waste at or near any point of generation where waste initially accumulates, with the words "Hazardous Waste" and with an indication of the hazards of the contents, in accordance with LAC 33:V.1011.A.5.a and LAC 33:V.1011.A.5.b. The Respondent shall submit photographs of the hazardous waste containers referenced in Findings of Fact Paragraph II.F, to the Department within thirty (30) days of receipt of this **COMPLIANCE ORDER**.

VII.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the annual Sewage Sludge Reporting Form for 2017, 2018, 2019, 2020, and 2021.

VIII.

To immediately cease, upon receipt of this **COMPLIANCE ORDER**, any unauthorized discharges from the Respondent's facility to waters of the state.

IX.

To submit a completed LPDES Permit Application to the Water Permits Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**. The completed LPDES Permit Application must address all outfalls at the facility, including stormwater, and must follow all procedures and guidelines set forth in LAC 33:IX.Chapter 25. The three sets (the original and two copies) of the completed permit application should be submitted to the Water Permits Division at the address specified in this document. A copy of the permit application should also be sent to the Enforcement Division.

X.

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: **Dr. Jacqueline Prudente**
Re: **Enforcement Tracking No. MM-CN-22-00767**
Agency Interest No. 101872

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: **Hearings Clerk, Legal Division**
Re: **Enforcement Tracking No. MM-CN-22-00767**
Agency Interest No. 101872

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 Dr. Jacqueline Prudente at (225) 219-3095 or jacqueline.prudente@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.

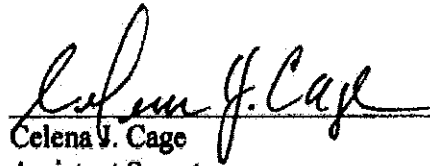
The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement 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 may submit the settlement offer within one hundred and eighty (180) days of receipt of this **NOTICE OF POTENTIAL PENALTY** portion but no later than ninety (90) days of achieving compliance with the **COMPLIANCE ORDER** portion. 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 27th day of December, 2022.


Celena J. Cage
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: Dr. Jacqueline Prudente



LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

OFFICE OF ENVIRONMENTAL COMPLIANCE

ENFORCEMENT DIVISION

POST OFFICE BOX 4312

BATON ROUGE, LOUISIANA 70821-4312

CONSOLIDATED COMPLIANCE ORDER &

NOTICE OF POTENTIAL PENALTY

REQUEST TO CLOSE

Enforcement Tracking No.	MM-CN-22-00767	Contact Name	Dr. Jacqueline Prudente
Agency Interest (AI) No.	101872	Contact Phone No.	(225) 219-3095
Alternate ID No.	LAR000053413, LAG531799		
Respondent:	Clariant Corporation	Facility Name:	Broussard Storage Facility
	c/o Corporation Service Company	Physical Location:	304 Ida Road
	Agent for Service of Process		
	501 Louisiana Avenue	City, State, Zip:	Broussard, LA 70518
	Baton Rouge, LA 70802	Parish:	Lafayette

STATEMENT OF COMPLIANCE

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph X of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraphs II, IV, V, VI, VII, and IX of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 15 days of receipt of the hazardous waste determination results, in accordance with Paragraph III of the "Order" portion of the COMPLIANCE ORDER.		
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:		

STATEMENT OF OFFER (OPTIONAL)

(check the applicable option)

☐	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.
☐	In order to resolve any claim for civil penalties for the violations in CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (MM-CN-22-00767), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
☐	In order to resolve any claim for civil penalties for the violations in CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (MM-CN-22-00767), 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. The Respondent may submit the settlement offer within one hundred and eighty (180) days of receipt of this NOTICE OF POTENTIAL PENALTY portion but no later than ninety (90) days of achieving compliance with the COMPLIANCE ORDER portion. • Monetary component = \$_____ • Beneficial Environmental Project (BEP) component (optional)= \$_____ • DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted. The Respondent has reviewed the violations noted in CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (MM-CN-22-00767) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

CERTIFICATION STATEMENT

I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above, are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.

Respondent's Signature	Respondent's Printed Name	Respondent's Title
Respondent's Physical Address	Respondent's Phone #	Date
MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:		
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Dr. Jacqueline Prudente		