

**STATE OF LOUISIANA**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**IN THE MATTER OF:**

**INDORAMA VENTURES OLEFINS LLC**

**AI # 5337**

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

\* **Settlement Tracking No.**

\* **SA-MM-24-0072**

\*

\* **Enforcement Tracking Nos.**

\* **AE-CN-18-00889**

\* **AE-CN-18-00889A**

\* **AE-CN-19-00568**

\* **MM-CN-19-00740**

\* **WE-PP-22-00426**

\*

\*

\* **Docket Nos. 2020-7948-DEQ**

\* **2021-511-DEQ**

\* **2021-2854-DEQ**

\*

**SETTLEMENT AGREEMENT**

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

**I**

Respondent is a limited liability company that owns and/or operates an ethylene/propylene manufacturing facility located in Westlake, Calcasieu Parish, Louisiana (“the Facility”).

**II**

On June 3, 2019, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-18-00889 (Exhibit 1).

On October 24, 2019, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-18-00889A

(Exhibit 2).

On October 24, 2019, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-19-00568 (Exhibit 3).

On January 21, 2020, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. MM-CN-19-00740 (Exhibit 4).

On October 20, 2022, the Department issued to Respondent a Notice of Potential Penalty, Enforcement Tracking No. WE-PP-22-00426 (Exhibit 5).

### III

In response to the Consolidated Compliance Orders & Notices of Potential Penalty, Respondent made timely requests for hearings.

### 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 ONE HUNDRED SEVENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$175,000.00), of which Fourteen Thousand Eight Hundred Sixty-Three and 44/100 Dollars (\$14,863.44) 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 Orders and Notices of Potential Penalty, Amended Consolidated Compliance Order & Notice of Potential Penalty, Notice of Potential and this Settlement Agreement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

## VII

This Settlement Agreement shall be considered a final order of the Secretary for all purposes, including, but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may be required for interpretation of this Settlement Agreement in any action by the Department to enforce this Settlement Agreement.

## VIII

This Settlement Agreement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and Settlement Agreement, the Department considered the factors for issuing civil penalties set forth in La. R.S. 30:2025(E) of the Act.

## IX

As required by law, the Department has submitted this Settlement Agreement to the Louisiana Attorney General for approval or rejection. The Attorney General's concurrence is

appended to this Settlement Agreement.

X

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Calcasieu Parish, Louisiana. The advertisement, in form and wording approved by the Department, announced the availability of this Settlement Agreement for public view and comment and the opportunity for a public hearing. Respondent has submitted an original proof-of-publication affidavit and an original public notice to the Department and, as of the date this Settlement Agreement is executed on behalf of the Department, more than forty-five (45) days have elapsed since publication of the notice.

XI

Payment is to be made within thirty (30) days from notice of the Secretary's signature. If payment is not received within that time, this Settlement Agreement is voidable at the option of the Department. 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.

**INDORAMA VENTURES OLEFINS LLC**

BY: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed)

TITLE: \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC (ID # \_\_\_\_\_)

\_\_\_\_\_  
(stamped or printed)


**LOUISIANA DEPARTMENT OF  
ENVIRONMENTAL QUALITY**  
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

June 3, 2019

CERTIFIED MAIL (7017 0530 0000 5978 6981)  
RETURN RECEIPT REQUESTED

**INDORAMA VENTURES OLEFINS LLC**  
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. AE-CN-18-00889  
AGENCY INTEREST NO. 5337**

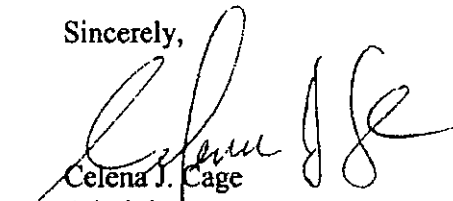
Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **INDORAMA VENTURES OLEFINS LLC (RESPONDENT)** for the violations described therein.

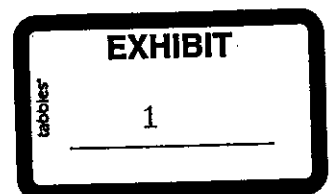
Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Emily Poche at (225) 219-3760 or at [emily.poche@la.gov](mailto:emily.poche@la.gov).

Sincerely,

  
Celena J. Cage  
Administrator  
Enforcement Division

CJC/EAP/eap  
Alt ID No. 0520-00107  
Attachment



c: Indorama Ventures Olefins LLC  
Robert Lynch  
4300 Louisiana Highway 108  
Westlake, LA 70669



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

**IN THE MATTER OF**

**INDORAMA VENTURES OLEFINS LLC  
CALCASIEU PARISH  
ALT ID NO. 0520-00107**

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

\*  
\*  
\* **ENFORCEMENT TRACKING NO.**  
\*  
\* **AE-CN-18-00889**  
\*  
\* **AGENCY INTEREST NO.**  
\*  
\* **5337**  
\*

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

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

**FINDINGS OF FACT**

I.

The Respondent owns and/or operates Indorama Ventures Olefins LLC-Lake Charles Facility (the Facility), an ethylene/propylene manufacturing facility located at 4300 Louisiana Highway 108 in Westlake, Calcasieu Parish, Louisiana. The Facility operates or has operated under the authority of the following Title V and PSD Permits:

<b>PERMIT</b>	<b>ISSUE DATE</b>
0520-00107-V2	8/3/16
PSD-LA-813	8/3/16
0520-00107-V3	2/2/18
PSD-LA-813(M1)	2/2/18
0520-00107-V4	11/15/18

PERMIT	ISSUED DATE
PSD-LA-813(M2)	11/15/18

## II.

During the Department's June 2018 inspection, it was discovered Boiler A (EQT 10) and Boiler B (EQT 11) were equipped with two (2) burners each. The individual burners were each rated at 135.5 MM BTU/hr, which gave each boiler a maximum capacity of 271 MM BTU/hr. Title V Permit Nos. 0520-00107-V2 and V3 listed the maximum operating rates for Boiler A and Boiler B as 248 MM BTU/hr, each. According to the initial startup notification dated November 13, 2017, Boiler A was started up on September 16, 2017, and according to a revised startup notification dated June 27, 2018, Boiler B was started up on October 6, 2017. According to the Respondent's correspondence dated December 21, 2018, it contracted a third party to perform a boiler derate for Boilers A and B so that the maximum firing rate for these boilers would not exceed 248 MM BTU/hr, and this work was performed during March 2018.

## III.

During the Department's June 2018 inspection, it was discovered the fire water pump engines' nameplates listed the ratings as 482 horsepower (hp) for EQT 27-32. According to the Title V 1<sup>st</sup> Semiannual Monitoring Report for 2017 dated November 12, 2018, and the 2<sup>nd</sup> Semiannual Monitoring Reports for 2016 and 2017, both dated November 12, 2018, the Respondent reported during the period of August 3, 2016 through December 31, 2017, the diesel fire water pump's (EQT 27-32) nameplate ratings were inaccurate and should be updated from 425 hp to 482 hp and these pumps had been operated for maintenance and readiness testing. The maximum operating rates for EQT 27-32 was listed as 425 hp in Title V Permit No. 0520-00107-V2, issued on August 3, 2016, and Title V Permit No. 0520-00107-V3, issued February 2, 2018. The Respondent submitted a permit application dated September 11, 2018 to change the horsepower rating for EQT 27-32 from 425 hp to 482 hp and to increase volatile organic compound (VOC) and greenhouse gas (CO<sub>2</sub>e) emissions. Title V Permit No. 0520-00107-V4 was issued on November 15 2018 to incorporate these changes.

## IV.

According to the Title V 1<sup>st</sup> and 2<sup>nd</sup> Semiannual Monitoring Reports for 2017, both dated November 12, 2018, the Respondent reported during the period of January 1, 2017 through December 31, 2017, as-built changes were incorporated prior to receiving a modified air permit which reflected this

change. The Respondent submitted a permit modification on September 11, 2018, which resulted in the issuance of Title V Permit No. 0520-00107-V4 and PSD-LA-813 (M-2) on November 15, 2018. The changes included in the permit application are listed in the below table:

	Emission Point/Source	Changes/Description
1.	Modular Cracking Furnaces 001 (EQT 1)	- Update heat input - Update decoking cycle - Update design data
2.	Dryer Regeneration Heater 005 (EQT 5)	- Update heat input - Update stack parameters
3.	Cooling Towers 006 (EQT 7)	- Update circulating water flow rate - Use bleach instead of chlorine
4.	Flare No. 1 008 (EQT 8)	- Update firing rate for the flare tip - Add process vents that may be received during startups
5.	Railcar/Truck Loading Area Flare F-6 009 (EQT 9)	- Update the loading and depressurizing vent rate - Add sweep gas as pilot fuel - Update location coordinates of the flare
6.	Stormwater Surge Tank TK-9 013 (EQT 13)	- Update tank dimensions and capacity - Update calculations using EPA TANKS 4.09d
7.	Decoking Gas Vents 004 (EQT 14)	- Update decoking time/cycle - Add the possibility of simultaneously decoking three (3) furnaces at a time
8.	Cracking Furnace F-201 (EQT 15)	- Update heat input - Update decoking cycle - Update design data
9.	Vessel Evacuation Flare F-7 018	- Add vents from maintenance of three (3) propylene spheres

	<b>Emission Point/Source</b>	<b>Changes/Description</b>
	(EQT 18)	- Update location coordinates of the flare
10.	Truck/Railcar Loadout System 023 (EQT 23)	- Add fuel oil loading - Update data on product composition, loading throughputs, and loading arm disconnect frequency
11.	Modular Cracking Furnace 001SU (EQT 35)	- Update heat input - Update number of startups - Update time for hot steam standby
12.	Process Water Tanks TK-636A/B (EQT 38)	-Revise to represent Tank TK-636A only - Update calculation based on EPA TANKS 4.09d and 95% control efficiency carbon bed

## V.

On or about June 18, 2018 through June 22, 2018, the Department performed inspections of the Respondent's Facility to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Air Quality Regulations. While the Department's investigation is not yet complete, the following violations were noted during the course of the inspections and subsequent file review conducted on May 20, 2019:

- A. The Respondent did not submit notification of actual date of initial startup which is required to be postmarked within fifteen (15) days of the startup for Boiler A (EQT 10, CRG 0002), Boiler B (EQT 11, CRG 0002), and Boiler B-201 (EQT 16, CRG 0002) as denoted in the below table:

<b>Boilers</b>	<b>Date on Initial Notification</b>	<b>Actual Startup Date from Initial Notification</b>	<b>Date on Revised Notification</b>	<b>Revised Actual Startup Date</b>
Boiler A	November 13, 2017	September 16, 2017	N/A	N/A
Boiler B	November 13, 2017	October 26, 2017	June 27, 2018	October 6, 2017
Boiler B-201	April 19, 2018	April 11, 2018	June 27, 2018	March 29, 2018

This is a violation of Specific Requirement No. 21, for CRG 0002 (EQT 10 and 11), of Title V Permit No. 0520-00107-V2, Specific Requirement No. 18 for CRG 0002 (EQT 16), of Title V Permit No. 0520-00107-V3, 40 CFR 60.49b(a), which language has been adopted as a Louisiana regulation in LAC 33:III.3003, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The

deviations for EQT 10 and 11 were reported in the Title V 2<sup>nd</sup> Semiannual Monitoring Report for 2017 dated November 12, 2018.

- B. According to the initial startup notification dated November 13, 2017, Boiler A was started up on September 16, 2017, and according to a revised startup notification dated June 27, 2018, Boiler B was started up on October 6, 2017. Therefore, the initial test for Boiler A was due March 15, 2018, and April 4, 2018, for Boiler B. Performance/emission tests were conducted on June 4, 2018 through June 7, 2018 for both boilers. The Respondent failed to conduct performance/emission test within 180 days of startup of Boiler A (EQT 10, CRG 0002) and Boiler B (EQT 11, CRG 0002). This is a violation of Specific Requirement No. 28 of Permit No. 0520-00107-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- C. The Respondent failed to submit the Title V Semi-Annual Monitoring and Deviation report for the 2<sup>nd</sup> half of calendar year 2016 and for the 2<sup>nd</sup> half of calendar year 2017 prior to the March 31, 2017 and 2018 due dates. Specifically the Respondent submitted the Title V Semi-Annual Monitoring and Deviation report for the 2<sup>nd</sup> half of calendar year 2016 to the Department with a postmark date of February 5, 2018 and the Title V Semi-Annual Monitoring and Deviation report for the 2<sup>nd</sup> half of calendar year 2017 was submitted with a postmark date of November 15, 2018. Each failure to timely submit a Title V Semi-Annual Monitoring and Deviation report is a violation of Specific Requirement No. 304 of Title V Permit No. 0520-00107-V2, Specific Requirement No. 312 of Title V Permit No. 0520-00107-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- D. The Respondent failed to submit the Emission Inventories (EI) and certification statements in a timely and complete manner to the Office of Environmental Services for calendar year 2016 and 2017 by the respective due dates of April 30, 2017 and 2018. Respectively, this is a violation of Specific Requirement No. 313 of Title V Permit No. 0520-00107-V2, Specific Requirement No. 321 of Title V Permit No. 0520-00107-V3, LAC 33:III.919.F.1.d, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The Respondent submitted the EI and certification statements for calendar year 2016 and 2017 with a postmark date of September 4, 2018 to the Department.
- E. According to the Respondent's Title V 1<sup>st</sup> and 2<sup>nd</sup> Semiannual Monitoring Reports for 2017, both dated November 12, 2018, non-resettable hour meters were not installed on six (6) diesel engine fire water pumps (EQT Nos. 27 through 33, CRG 0003) from January 1, 2017 through December 31, 2017. This is a violation of LAC 33:III.501.C.4, Specific Requirement No. 50 of Title V Permit No. 0520-00107-V2, 63.6625(f), which language has been adopted as a Louisiana regulation in LAC 33:III.5122, and La. R.S. 30:2057(A)(2). According to the 2<sup>nd</sup> Semiannual Monitoring Report for 2017, the Respondent

installed the required non-resettable hour meters to record the operating time of the engines.

- F. According to the Respondent's Title V 1<sup>st</sup> and 2<sup>nd</sup> Semiannual Monitoring Reports for 2017, both dated November 12, 2018, the Respondent reported failures to submit construction completion reports within ten (10) days of construction completion for several emission points. The reported emissions source was UNF001, which is Unit or Facility wide. Each failure to timely submit a construction report is a violation of Specific Requirement No. 304 in Title V Permit No. 0520-00107-V2, LAC 33:III.537, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). According to the 2<sup>nd</sup> Semiannual Monitoring Report for 2017, the Respondent will submit a notification of construction completion within ten (10) calendar days from the date that construction is complete, and provide the estimated date of start-up once the entire project is complete.
- G. According to the Respondent's Title V 2<sup>nd</sup> Semiannual Monitoring Report for 2017 dated November 12, 2018, Boiler A (EQT 10, CRG 0002), did not have a fuel gas monitoring instrument and the annual capacity factor was not calculated monthly. The Respondent's failure to record fuel gas monitoring data is a violation of Specific Requirement No. 24 in Title V Permit No. 0520-00107-V2, LAC 33:III.501.C.4, 40 CFR 60.49b(d), which language has been adopted as a Louisiana regulation in LAC 33:III.3003, and La. R.S. 30:2057(A)(2). According to the 2<sup>nd</sup> Semiannual Monitoring Report for 2017, fuel gas monitoring data was not recorded until October 9, 2017, and the Respondent will calculate the annual capacity factor on a monthly basis as required.
- H. According to the Respondent's Title V 2<sup>nd</sup> Semiannual Monitoring Report for 2017 dated November 12, 2018, Boiler B (EQT 11, CRG 0002), did not have a fuel gas monitoring instrument and the annual capacity factor was not calculated monthly. The Respondent's failure to record fuel gas monitoring data is a violation of Specific Requirement No. 24 in Title V Permit No. 0520-00107-V2, LAC 33:III.501.C.4, 40 CFR 60.49b(d), which language has been adopted as a Louisiana regulation in LAC 33:III.3003, and La. R.S. 30:2057(A)(2). According to the 2<sup>nd</sup> Semiannual Monitoring Report for 2017, the fuel gas monitoring data was not recorded until October 9, 2017, and there were some gaps in monitoring data between October 9, 2017 and October 11, 2017. The Respondent also reported it will calculate the annual capacity factor on a monthly basis as required.
- I. According to the Respondent's Title V 1<sup>st</sup> Semiannual Monitoring Report for 2018 dated September 28, 2018, the Respondent failed to submit construction completion reports within ten (10) days of construction completion for the modular cracking furnaces (EQT 1), its associated startup operations for the modular cracking furnace – startup (EQT 35), and the decoking gas vents (EQT 14). This is a violation of Specific Requirement No. 312 in Title V

Permit No. 0520-00107-V3, LAC 33:III.537, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). According to the 1<sup>st</sup> Semiannual Monitoring Report for 2018, the notification of construction completion was submitted and was dated July 24, 2018.

J. The Respondent reported the following unauthorized release:

Unauthorized Discharge Report for Incident	Outfall	Date	Chemical	Quantity	Description
189101 (January 19, 2019)	Outfall 002	January 20, 2019- January 22, 2019 (47.73 Hours)	Benzene	0.3336 lbs	Spill of Benzene due to operator error. A valve was open which resulted in a spill of Benzene.

The failure to control emissions is a violation of LAC 33:III.905, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

#### VI.

On or about May 13, 2019 through May 17, 2019, the Department conducted a full compliance audit for the Chemical Accident Prevention Provisions set forth in LAC 33:III.5901 at the Facility. While the Department's investigation is not yet complete, the following violation was noted during the course of the inspections:

The Respondent failed to register with the Office of Environmental Compliance within sixty (60) days of becoming subject to LAC 33:III.Chapter 59. The Department received the Respondent's Chemical Accident Prevention Program Registration Form on May 17, 2019. According to the information provided in this form, the Respondent has been subject to Program Level Three (3) since October 18, 2018. This is a violation of LAC 33:III.5911.A.2, Specific Requirement No. 403 of Title V Permit No. 0520-00107-V4, and La. R.S. 30:2057(A)(2).

### COMPLIANCE ORDER

Based on the foregoing, the Respondent is **hereby ordered**:

#### I.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Air Quality Regulations.

#### II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report indicating if any regulations and/or permit requirements were

violated while operating Boiler A (EQT 10) and/or Boiler B (EQT 11) at 271 MM Btu/hr as referenced in Paragraph II of Findings of Fact.

III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report indicating if any regulations and/or permit requirements were violated while operating Diesel Engine Fire Water Pumps (EQT 27-32) at 482 hp and the date the Respondent first became aware of the discrepancy in the actual operating rate, 482 hp, and the permitted maximum operating rate, 425 hp, for each of the Diesel Engine Fire Water Pumps (EQT 27-32) as referenced in Paragraph III of Findings of Fact.

IV.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report indicating if any regulations and/or permit requirements were violated while operating, the dates of startup, and the dates the Respondent first became aware of the discrepancies for EQT Nos. 1, 5, 7, 8, 9, 13, 14, 15, 18, 23, 35, and 38 as referenced in Paragraph IV of Findings of Fact.

V.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report indicating the specific emission points that construction completion reports were not submitted to the Department within ten (10) days of construction completion as referenced in Paragraph V.I of the Findings of Fact; if construction completion reports have already been submitted, provide the date of the report; and if construction completion reports have not been submitted provide the report.

VI.

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: Emily Poche**  
**Re: Enforcement Tracking No. AE-CN-18-00889**  
**Agency Interest No. 5337**

**THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:**

**I.**

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

**II.**

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

Department of Environmental Quality  
Office of the Secretary  
Post Office Box 4302  
Baton Rouge, Louisiana 70821-4302  
**Attn: Hearings Clerk, Legal Division**  
**Re: Enforcement Tracking No. AE-CN-18-00889**  
**Agency Interest No. 5337**

**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 Emily Poche at (225) 219-3760 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

IV.

The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "**CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form. The Respondent must include a justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

V.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.


Baton Rouge, Louisiana, this 3<sup>rd</sup> day of June, 2019.



Lourdes Iturralde  
Assistant Secretary  
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality  
Office of Environmental Compliance  
Enforcement Division  
P.O. Box 4312  
Baton Rouge, LA 70821-4312  
Attention: Emily Poche

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE ENFORCEMENT DIVISION POST OFFICE BOX 4312 BATON ROUGE, LOUISIANA 70821-4312		CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE			
Enforcement Tracking No.	AE-CN-18-00889	Contact Name	Emily Poche		
Agency Interest (AI) No.	5337	Contact Phone No.	(225) 219-3760		
Alternate ID No.	0520-00107				
Respondent:	Indorama Ventures Olefins LLC	Facility Name:	Indorama Ventures Olefins LLC-Lake Charles Facility		
	c/o Corporation Service Company	Physical Location:	4300 Louisiana Highway 108		
	Agent for Service of Process				
	501 Louisiana Avenue	City, State, Zip:	Westlake, LA 70669		
	Baton Rouge, LA 70802	Parish:	Calcasieu		
<b>STATEMENT OF COMPLIANCE</b>					
STATEMENT OF COMPLIANCE			Date Completed	Copy Attached?	
A written report was submitted in accordance with Paragraph VI of the "Order" portion of the COMPLIANCE ORDER.					
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) II, III, IV, and V of the "Order" portion of the COMPLIANCE ORDER.					
All necessary documents were submitted to the Department within 45 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) of the "Order" portion of the COMPLIANCE ORDER.			N/A	N/A	
All necessary documents were submitted to the Department within 90 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) of the "Order" portion of the COMPLIANCE ORDER.			N/A	N/A	
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:					
<b>SETTLEMENT OFFER (OPTIONAL)</b>					
(check the applicable option)					
<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.				
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-18-00889), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.				
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-18-00889), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional)= \$ _____</li> <li>• 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.</li> </ul>				

The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-CN-18-00889) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.			
<b>CERTIFICATION STATEMENT</b>			
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 Physical Address		Respondent's Phone #	Date
<b>MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:</b>			
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Emily Poche			

JOHN BEL EDWARDS  
GOVERNOR



CHUCK CARR BROWN, Ph.D.  
SECRETARY

**State of Louisiana**  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

October 24, 2019

CERTIFIED MAIL (7017 0530 0000 5978 6851)  
RETURN RECEIPT REQUESTED

**INDORAMA VENTURES OLEFINS LLC**  
c/o Corporation Service Company  
Agent for Service of Process  
501 Louisiana Avenue  
Baton Rouge, LA 70802

**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &  
NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. AE-CN-18-00889A  
AGENCY INTEREST NO. 5337**

Dear Sir/Madam:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **INDORAMA VENTURES OLEFINS LLC (RESPONDENT)** for the violations described therein.

Any questions concerning this action should be directed to Emily Poche at 225-219-3760 or at [emily.poche@la.gov](mailto:emily.poche@la.gov).

Sincerely,

  
Celena J. Cage  
Administrator  
Enforcement Division

CJC/EAP/eap  
Alt ID No. 0520-00107  
Attachment

**EXHIBIT**

2

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

**IN THE MATTER OF**

**INDORAMA VENTURES OLEFINS LLC  
CALCASIEU PARISH  
ALT ID NO. 0520-00107**

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**ENFORCEMENT TRACKING NO.**

**AE-CN-18-00889A**

**AGENCY INTEREST NO.**

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

**5337**

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

The Louisiana Department of Environmental Quality (the Department) hereby amends the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-CN-18-00889** issued to **INDORAMA VENTURES OLEFINS LLC (RESPONDENT)** on June 3, 2019 in the above-captioned matter as follows:

I.

The Department hereby amends the Order portion of Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-18-00889A to replace paragraph V in its entirety to read as follows:

“V.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report indicating the specific emission points that construction completion reports were not submitted to the Department within ten (10) days of construction completion as referenced in Paragraph V. F of the Findings of Fact; if construction completion reports have already been submitted, provide the date of the report; and if construction completion reports have not been submitted provide the report.”



II.

The Department incorporates all of the remainder of the original **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-CN-18-00889A** and **AGENCY INTEREST NO. 5337** as if reiterated herein.

III.

This **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 14 day of October, 2019.

  
\_\_\_\_\_  
Lourdes Iturralde  
Assistant Secretary  
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality  
Office of Environmental Compliance  
Enforcement Division  
Post Office Box 4312  
Baton Rouge, LA 70821-4312  
Attention: Emily Poche

c: Indorama Ventures Olefins LLC  
Robert Lynch  
4300 Louisiana Highway 108  
Westlake, LA 70669

JOHN BEL EDWARDS  
GOVERNOR



CHUCK CARR BROWN, Ph.D.  
SECRETARY

**State of Louisiana**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**OFFICE OF ENVIRONMENTAL COMPLIANCE**

October 24, 2019

CERTIFIED MAIL (7017 0530 0000 5978 6844)  
RETURN RECEIPT REQUESTED

**INDORAMA VENTURES OLEFINS LLC**

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. AE-CN-19-00568  
AGENCY INTEREST NO. 5337**

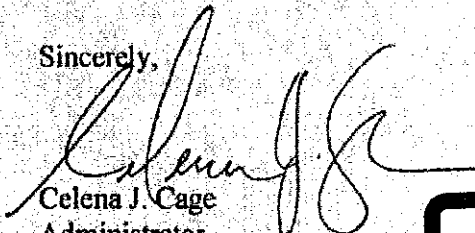
Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **INDORAMA VENTURES OLEFINS LLC (RESPONDENT)** for the violations described therein.

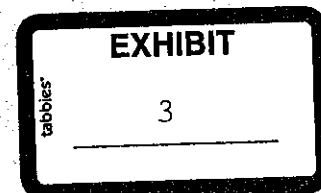
Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Emily Poche at (225) 219-3760 or at [emily.poche@la.gov](mailto:emily.poche@la.gov).

Sincerely,

  
Celena J. Cage  
Administrator  
Enforcement Division

CJC/EAP/eap  
Alt ID No. 0520-00107  
Attachment



c: Indorama Ventures Olefins LLC  
c/o Robert Lynch  
4300 Louisiana Highway 108  
Westlake, LA 70669

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

**IN THE MATTER OF**

**INDORAMA VENTURES OLEFINS LLC  
CALCASIEU PARISH  
ALT ID NO. 0520-00107**

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

**ENFORCEMENT TRACKING NO.**

**AE-CN-19-00568**

**AGENCY INTEREST NO.**

**5337**

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

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

**FINDINGS OF FACT**

**I.**

The Respondent owns and/or operates Indorama Ventures Olefins LLC-Lake Charles Facility (the Facility), an ethylene/propylene manufacturing facility, located at 4300 Louisiana Highway 108 in Westlake, Calcasieu Parish, Louisiana. The Respondent voluntarily shutdown the Facility in June 2019. The Facility operates or has operated under the authority of the following Title V and PSD Permits:

PERMIT	ISSUE DATE
0520-00107-V2	8/3/16
PSD-LA-813	8/3/16
0520-00107-V3	2/2/18

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

**IN THE MATTER OF**

**INDORAMA VENTURES OLEFINS LLC  
CALCASIEU PARISH  
ALT ID NO. 0520-00107**

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

**ENFORCEMENT TRACKING NO.**

**AE-CN-19-00568**

**AGENCY INTEREST NO.**

**5337**

**CONSOLIDATED**

**COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY**

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

**FINDINGS OF FACT**

I.

The Respondent owns and/or operates Indorama Ventures Olefins LLC-Lake Charles Facility (the Facility), an ethylene/propylene manufacturing facility, located at 4300 Louisiana Highway 108 in Westlake, Calcasieu Parish, Louisiana. The Respondent voluntarily shutdown the Facility in June 2019. The Facility operates or has operated under the authority of the following Title V and PSD Permits:

PERMIT	ISSUE DATE
0520-00107-V2	8/3/16
PSD-LA-813	8/3/16
0520-00107-V3	2/2/18

PSD-LA-813(M1)	2/2/18
0520-00107-V4	11/15/18
PSD-LA-813(M2)	11/15/18

## II.

The Department conducted an inspection on June 4, 2019, in response to citizens' complaints received by the Department on May 9, 2019, May 10, 2019, and May 11, 2019 (incident number T191054); May 11, 2019, and May 14, 2019 (incident number T191082); and May 24, 2019 (incident number T191390) and self-reported unauthorized discharges occurring on May 4, 2019, and May 24, 2019 (incident numbers T190970 and T191402, respectively).

## III.

On or about July 2, 2019, the Respondent was issued Warning Letter, Enforcement Tracking No. AE-L-19-00568 for Areas of Concern noted during the June 4, 2019 inspection. The Respondent submitted a response dated September 3, 2019, to the Warning Letter. In this response, the Respondent stated a high flow alarm on the steam flow for Flare No. 1 (EQT 0008) was in the process of being installed. The Respondent stated that a tool was being developed that will pull data from the existing distributed control system (DCS) and perform the flare calculations on real-time basis for Flare No. 1 (EQT 0008). According to the Respondent, this will calculate emissions for compliance with the current Title V air permit and the tool will also be used to provide an indication of an exceedance of the reportable quantity (RQ).

## IV.

On or about June 4, 2019, the Department performed an inspection of the Facility to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Air Quality Regulations. While the Department's investigation is not yet complete, the following violations were noted during the course of the inspection and subsequent file review conducted on or about October 2, 2019:

- A. According to the unauthorized discharge report dated May 9, 2019, incident number T190970, all pilots were snuffed out to Flare No. 1 (EQT 0008) during the unauthorized discharge that occurred on May 4, 2019, and the RQ for ethylene was exceeded. The RQ for ethylene is 5,000 pounds and the amount of ethylene released during



the unauthorized discharge was estimated to be 5,159 pounds. The Respondent reported that on May 4, 2019, in anticipation of heavy flaring after the cracked gas compressor tripped off-line, excess steam was added to prevent potential smoking, which snuffed out the flare pilots. The pilot was re-lit after ten (10) minutes. The Respondent reported this discharge was preventable. The Respondent's operations personnel were trained not to increase steam flow drastically prior to hydrocarbons being flared. The failure to operate with a flame present at all times is a violation of Specific Requirement Nos. 102, 106, and 114 of Title V Permit No. 0520-00107-V4, LAC 33:III.501.C.4, LAC 33:III.905, 40 CFR 60.18(c)(2) and 40 CFR 60.18(e), which language has been adopted as a Louisiana regulation in LAC 33:III.3003, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

- B. At the time of the inspection, steam application records were provided for Flare No. 1 (EQT 0008). These records indicated the center steam rates were greater than the manufacturer's specified center steam maximum rate of 2,500 pounds per hour based on the specifications provided by the Respondent. The dates and number of occurrences the rates exceeded the manufacturer's maximum rate are listed in the following table:

TIMEFRAMES	NUMBER OF HOURS THE CENTER STEAM RATES EXCEEDED THE MANUFACTURER'S MAXIMUM RATE
May 3, 2019- May 6, 2019	40
May 8, 2019- May 13, 2019	61

The Respondent's failure to operate and maintain a control device in proper working order is a violation of LAC 33:III.905, Specific Requirement No. 371 of Title V Permit No. 0520-00107-V4, 40 CFR 60.11(d), which language has been adopted as a Louisiana regulation in LAC 33:III.3003, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

- C. The June 4, 2019 inspection and/or the October 2, 2019 file review revealed the Department requested documentation containing the hourly emissions of carbon monoxide (CO) and nitrogen oxide (NO<sub>x</sub>) from the Respondent for Flare No. 1 (EQT 0008). These information requests are listed in the table below:



<b>DATE DEPARTMENT REQUESTED INFORMATION</b>	<b>TIMEFRAME OF EMISSIONS REQUESTED</b>
Email dated May 7, 2019	May 4, 2019 from 10:00-12:00
Email dated May 16, 2019	May 9, 2019-May 13, 2019 from 0:00-0:00
Email dated June 3, 2019	May 3, 2019 -May 6, 2019 from 0:00-23:00
	May 8, 2019-May 13, 2019 from 0:00-23:00
	May 22, 2019-May 26, 2019 from 0:00-23:00
Field Interview Form (FIF) dated June 4, 2019	May 3, 2019 -May 6, 2019 from 0:00-23:00
	May 8, 2019-May 13, 2019 from 0:00-23:00
	May 22, 2019 from 0:00-23:00

The Department requested the above information be submitted by June 11, 2019. On or about June 24, 2019, the Department received a letter dated June 14, 2019, containing the hourly emissions of CO and NO<sub>x</sub> from the Flare No. 1 (EQT 0008) for the timeframe of May 3, 2019 through May 6, 2019. As of October 2, 2019, the Department has not received the requested records for the following timeframes: May 9, 2019 through May 13, 2019; May 8, 2019 through May 13, 2019; and May 22, 2019 through May 26, 2019. The Respondent's failure to provide information requested in writing by the Department to determine compliance with Title V Permit No. 0520-00107-V4 is a violation of Specific Requirement No. 396 of Title V Permit No. 0520-00107-V4, LAC 33:III.535, Part 70 General Condition F, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

- D. At the time of the inspection, the Respondent provided hourly flare emissions in pounds per hour excluding, NO<sub>x</sub> and CO, from Flare No. 1 (EQT 0008) for the following timeframes: May 2, 2019 at 23:00 through May 7, 2019 at 0:00; May 8, 2019 at 0:00 through May 13, 2019 at 0:00; and May 22, 2019 at 23:00 through May 26, 2019 at 23:00. Based on the hourly emission rates, the Respondent exceeded the RQ of 5,000 pounds for ethylene, on or about May 3, 2019 and May 11, 2019. The Respondent also exceeded the RQ of 5,000 pounds for propylene, on or about May 11, 2019. In an email to the Respondent's representative on June 12, 2019, the inspector noted these RQ exceedances. As of October 2, 2019, a twenty-four (24) hour notification has not been made to the Department of Public Safety (DPS) for these exceedances. The Respondent's failure to promptly notify DPS within twenty-four (24) hours after learning of

the unauthorized discharge that exceeded a RQ is a violation of LAC 33:I.3917 and La. R.S. 30:2057(A)(2).

- E. At the time of the inspection, the Respondent provided hourly flare emissions in pounds per hour excluding, NO<sub>x</sub> and CO, from Flare No. 1 (EQT 0008) for the following timeframes: May 2, 2019 at 23:00 through May 7, 2019 at 0:00; May 8, 2019 at 0:00 through May 13, 2019 at 0:00; and May 22, 2019 at 23:00 through May 26, 2019 at 23:00. Based on the hourly emission rates, the Respondent exceeded the RQ of 5,000 pounds for ethylene, on or about May 3, 2019, May 11, 2019, and May 24, 2019. The Respondent also exceeded the RQ of 5,000 pounds for propylene, on or about May 11, 2019. In an email to the Respondent's representative on June 12, 2019, the inspector noted these RQ exceedances. As of October 2, 2019, the Department has not received a written report in accordance with LAC 33:I.3925.A for these events. The Respondent's failure to submit an unauthorized discharge written report to the Single Point of Contact (SPOC) within seven (7) calendar days is a violation of Specific Condition No. 2 of the PSD Permit No. PSD-LA-813(M2), LAC 33:III.509, Specific Requirement Nos. 392 and 396 of Title V Permit No. 0520-00107-V4, LAC 33:I.3925, LAC 33:III.535, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- F. In correspondence dated June 14, 2019, the Respondent provided the hourly emissions in pounds per hour of CO and NO<sub>x</sub> from Flare No. 1 (EQT 0008) for the timeframe of May 3, 2019, through May 6, 2019. Based on the hourly emission rates, the Respondent exceeded the RQ of 10 pounds for NO<sub>x</sub>, on or about May 5, 2019. The Respondent also exceeded the RQ of 5,000 pounds for CO, on or about May 4, 2019. In an email to the Respondent's representative on June 24, 2019, the inspector noted these RQ exceedances. As of October 2, 2019, a twenty-four (24) hour notification has not been made to DPS for these exceedances. The Respondent's failure to promptly notify DPS within twenty-four (24) hours after learning of the unauthorized discharge that exceeded a RQ is a violation of LAC 33:I.3917 and La. R.S. 30:2057(A)(2).
- G. In correspondence dated June 14, 2019, the Respondent provided the hourly emissions in pounds per hour of CO and NO<sub>x</sub> from Flare No. 1 (EQT 0008) for the timeframe of May 3, 2019, through May 6, 2019. Based on the hourly emission rates, the Respondent exceeded the RQ of 10 pounds for NO<sub>x</sub>, on or about May 5, 2019. The Respondent also exceeded the RQ of 5,000 pounds for CO, on or about May 4, 2019. In an email to the Respondent's representative on June 24, 2019, the inspector noted these RQ exceedances. As of October 2, 2019, the Department has not received a written report in

accordance with LAC 33:I.3925.A for these events. The Respondent's failure to submit an unauthorized discharge written report to SPOC within seven (7) calendar days is a violation of Specific Condition No. 2 of the PSD Permit No. PSD-LA-813(M2), LAC 33:III.509, Specific Requirement Nos. 392 and 396 of Title V Permit No. 0520-00107-V4, LAC 33:I.3925, LAC 33:III.535, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

- H. The Respondent failed to submit the Title V Annual Compliance Certification Report for calendar year 2018 by the March 31, 2019 deadline. As of October 2, 2019, the report has not been received by the Department. The failure to submit a Title V Annual Compliance Certification Report is a violation of Specific Requirement No. 396 of Title V Permit No. 0520-00107-V4, LAC 33:III.501.C.4, LAC 33:III.535, and La. R.S. 30:2057(A)(2).
- I. The Respondent failed to submit the Title V Semi-Annual Monitoring and Deviation Report for the 2<sup>nd</sup> half of calendar year 2018 by the March 31, 2019 deadline. As of October 2, 2019, the report has not been received by the Department. The failure to submit a Title V Semi-Annual Monitoring and Deviation report is a violation of Specific Requirement No. 396 of Title V Permit No. 0520-00107-V4, LAC 33:III.501.C.4, LAC 33:III.535, and La. R.S. 30:2057(A)(2).
- J. The Respondent failed to submit the Annual Criteria Emission Inventory (EI) and certification statement to the Office of Environmental Services for calendar year 2018 by the due date of April 30, 2019. The failure to timely submit the 2018 EI and certification statement is a violation of Specific Requirement No. 405 of Title V Permit No. 0520-00107-V4, LAC 33:III.919.F.1.d, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The Respondent submitted the EI and certification statement for calendar year 2018 with a postmark date of June 18, 2019.
- K. The Respondent failed to submit the Annual Toxic EI and certification statement to the Office of Environmental Services for calendar year 2018 by the due date of April 30, 2019. The failure to timely submit the 2018 EI and certification statement is a violation of Specific Requirement No. 395 of Title V Permit No. 0520-00107-V4, LAC 33:III.5107.A, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The Respondent submitted the EI and certification statement for calendar year 2018 with a postmark date of June 18, 2019.
- L. In correspondence dated June 14, 2019, the Respondent provided data showing the CO and NO<sub>x</sub> hourly emissions in pounds per hour from Flare No. 1 (EQT 0008). The data showed Flare No. 1 (EQT 0008)

exceeded the maximum pounds per hour for CO and NO<sub>x</sub> on the following dates and times:

DATE/TIME	CO (LB) 225.59 MAX LB/HR	NO <sub>x</sub> (LB) 49.48 MAX LB/HR
May 3, 2019 0:00:00	459.04	100.69
May 3, 2019 1:00:00	445.03	97.62
May 3, 2019 2:00:00	414.59	90.94
May 3, 2019 3:00:00	383.45	84.11
May 3, 2019 4:00:00	393.71	86.36
May 3, 2019 5:00:00	426.31	93.51
May 3, 2019 6:00:00	407.86	89.47
May 3, 2019 7:00:00	400.05	87.75
May 3, 2019 8:00:00	395.78	86.82
May 3, 2019 9:00:00	375.12	82.28
May 3, 2019 10:00:00	617.88	135.54
May 3, 2019 11:00:00	399.59	87.65
May 3, 2019 12:00:00	398.37	87.38
May 3, 2019 13:00:00	413.83	90.78
May 3, 2019 14:00:00	389.52	85.44
May 3, 2019 15:00:00	388.93	85.31
May 3, 2019 16:00:00	385.51	84.56
May 3, 2019 17:00:00	383.88	84.20
May 3, 2019 18:00:00	386.17	84.71
May 3, 2019 19:00:00	404.59	88.75
May 3, 2019 20:00:00	402.25	88.24
May 3, 2019 21:00:00	362.44	79.50
May 3, 2019 22:00:00	322.07	70.65
May 3, 2019 23:00:00	430.43	94.42
May 4, 2019 0:00:00	460.77	101.07
May 4, 2019 1:00:00	536.52	117.69
May 4, 2019 2:00:00	498.42	109.33
May 4, 2019 3:00:00	412.87	90.57
May 4, 2019 4:00:00	465.45	102.10
May 4, 2019 5:00:00	537.11	117.82
May 4, 2019 6:00:00	677.64	148.64
May 4, 2019 7:00:00	676.39	148.37
May 4, 2019 8:00:00	610.08	133.82
May 4, 2019 9:00:00	525.77	115.33
May 4, 2019 10:00:00	523.08	114.74
May 4, 2019 11:00:00	678.05	148.73
May 4, 2019 12:00:00	523.79	114.90
May 4, 2019 13:00:00	505.06	110.79
May 4, 2019 14:00:00	502.73	110.28
May 4, 2019 15:00:00	433.13	95.01

DATE/TIME	CO (LB)	NO <sub>x</sub> (LB)
	225.59 MAX LB/HR	49.48 MAX LB/HR
May 4, 2019 16:00:00	488.68	107.19
May 4, 2019 17:00:00	432.64	94.90
May 4, 2019 18:00:00	431.66	94.69
May 4, 2019 19:00:00	343.92	75.44
May 4, 2019 20:00:00	459.59	100.81
May 4, 2019 21:00:00	478.00	104.85
May 4, 2019 22:00:00	421.10	92.37
May 4, 2019 23:00:00	373.88	82.01
May 5, 2019 0:00:00	416.40	91.34
May 5, 2019 1:00:00	380.03	83.36
May 5, 2019 2:00:00	371.69	81.53
May 5, 2019 3:00:00	344.70	75.61
May 5, 2019 4:00:00	389.17	85.37
May 5, 2019 5:00:00	355.37	77.95
May 5, 2019 6:00:00	306.12	67.15
May 5, 2019 7:00:00	361.18	79.23
May 5, 2019 8:00:00	508.54	111.55
May 5, 2019 9:00:00	415.73	91.19
May 5, 2019 10:00:00	419.71	92.07
May 5, 2019 11:00:00	280.41	61.51
May 5, 2019 13:00:00	244.51	53.64
May 5, 2019 14:00:00	405.98	89.05
May 5, 2019 15:00:00	303.81	66.64
May 5, 2019 16:00:00	817.12	179.24
May 5, 2019 17:00:00	488.56	107.17
May 5, 2019 18:00:00	498.22	109.29
May 5, 2019 19:00:00	612.11	134.27
May 5, 2019 20:00:00	610.59	133.94
May 5, 2019 21:00:00	596.51	130.85
May 5, 2019 22:00:00	601.81	132.01
May 5, 2019 23:00:00	580.49	127.33
May 6, 2019 0:00:00	555.11	121.77
May 6, 2019 1:00:00	517.65	113.55
May 6, 2019 2:00:00	482.14	105.76
May 6, 2019 3:00:00	511.04	112.10
May 6, 2019 4:00:00	478.35	104.93
May 6, 2019 5:00:00	532.32	116.77
May 6, 2019 6:00:00	454.36	99.67
May 6, 2019 7:00:00	450.54	98.83
May 6, 2019 8:00:00	478.88	105.04
May 6, 2019 9:00:00	473.91	103.95
May 6, 2019 10:00:00	512.26	112.37
May 6, 2019 11:00:00	552.83	121.27



DATE/TIME	CO (LB)	NO <sub>x</sub> (LB)
	225.59 MAX LB/HR	49.48 MAX LB/HR
May 6, 2019 12:00:00	305.30	66.97
May 6, 2019 13:00:00	424.24	93.06
May 6, 2019 14:00:00	314.91	69.08
May 6, 2019 15:00:00	335.73	73.64
May 6, 2019 16:00:00	343.62	75.38
May 6, 2019 17:00:00	375.95	82.47
May 6, 2019 18:00:00	310.19	68.04
May 6, 2019 19:00:00	227.02	49.80
May 6, 2019 20:00:00	384.52	84.35
May 6, 2019 21:00:00	1216.52	266.85
May 6, 2019 22:00:00	867.80	190.36
May 6, 2019 23:00:00	758.17	166.31

Each exceedance of the maximum pounds per hour permit limit is a violation of the PSD Permit No. PSD-LA-813(M2), Title V Permit No. 0520-00107-V4, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

M. According to the Respondent's General Condition R Reports dated July 5, 2019, and August 9, 2019, Flare No. 1 (EQT 0008) exceeded the tons per year permitted emissions limits. The reported emissions from January 2019 through May 30, 2019, and June 1, 2019 through July 10, 2019, are listed in the following table:

POLLUTANT	JANUARY- MAY 2019	JUNE 1, 2019- JULY 10, 2019	PERMIT LIMIT (TONS)	AMOUNT OVER PERMIT LIMIT (TONS) ROUNDED
	TOTAL EMISSIONS (TONS)	TOTAL EMISSIONS (TONS)		
NO <sub>x</sub>	110.70	5.67	16.95	100
CO	504.64	25.83	77.26	453
VOC	554.91	29.27	6.19	577
PM <sub>2.5</sub>	11.40	0.58	1.86	10
PM <sub>10</sub>	11.40	0.58	1.86	10
SO <sub>2</sub>	0.98	0.05	0.15	0.9
Formaldehyde	0.14	0.01	0.02	0.13
Hexane	3.46	0.16	0.44	3.2
Zinc (and compounds)	0.06	0.003	0.01	0.05

POLLUTANT	JANUARY- MAY 2019	JUNE 1, 2019- JULY 10, 2019	PERMIT LIMIT (TONS)	AMOUNT OVER PERMIT LIMIT (TONS) ROUNDED
	TOTAL EMISSIONS (TONS)	TOTAL EMISSIONS (TONS)		
CO2e	191,517	9,802.49	29,184	172,135

Each exceedance of the maximum tons per year permit limit is a violation of the PSD Permit No. PSD-LA-813(M2), Title V Permit No. 0520-00107-V4, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

### COMPLIANCE ORDER

Based on the foregoing, the Respondent is hereby ordered:

#### I.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Air Quality Regulations and applicable permits.

#### II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes the below information for the time period of January 1, 2019 through June 30, 2019:

- Date and amount of each exceedance of the maximum pounds per hour permit limit for each pollutant and emission point;
- Date the maximum tons per year permit limit was first exceeded for each pollutant and emission point;
- For the pollutants that exceeded the maximum tons per year permit limit, provide the total tons per year for each pollutant and emission point to date;
- Date the Facility ceased operation.

#### III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, unauthorized discharge written reports in accordance with LAC 33:1.3925 as referenced in Paragraphs IV. E. and G. of the Findings of Fact.

IV.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the Title V Annual Compliance Certification Report for calendar year 2018. The report shall cover the applicable reporting period of January 1, 2018, through December 31, 2018, as referenced in Paragraph IV. H. of the Findings of Fact.

V.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the Title V Semi-Annual Monitoring and Deviation Report for the 2<sup>nd</sup> Half of calendar year 2018. The report shall cover the applicable reporting period of July 1, 2018, through December 31, 2018, as referenced in Paragraph IV. I. of the Findings of Fact.

VI.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes the below information for Flare No. 1 (EQT 0008) as referenced in Paragraph III. of the Findings of Fact:

- The status of installing a high flow alarm on the steam flow.
- The status of developing a tool that will pull data from the existing DCS and perform the flare calculations on a real-time basis.
- The date these projects will be complete.

VII.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance  
Post Office Box 4312  
Baton Rouge, Louisiana 70821-4312  
Attn: **Emily Poche**  
Re: **Enforcement Tracking No. AE-CN-19-00568**  
**Agency Interest No. 5337**



**THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:**

**I.**

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

**II.**

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

Department of Environmental Quality  
Office of the Secretary  
Post Office Box 4302  
Baton Rouge, Louisiana 70821-4302  
**Attn: Hearings Clerk, Legal Division**  
**Re: Enforcement Tracking No. AE-CN-19-00568**  
**Agency Interest No. 5337**

**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 Emily Poche at (225) 219-3760 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

### III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

### IV.

The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "**CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form. The Respondent must include a justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

V.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 24th day of October, 2019.



Lourdes Iturralde  
Assistant Secretary  
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality  
Office of Environmental Compliance  
Enforcement Division  
P.O. Box 4312  
Baton Rouge, LA 70821-4312  
Attention: Emily Poche

## LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

OFFICE OF ENVIRONMENTAL COMPLIANCE

ENFORCEMENT DIVISION

POST OFFICE BOX 4312

BATON ROUGE, LOUISIANA 70821-4312

## CONSOLIDATED COMPLIANCE ORDER &amp;

## NOTICE OF POTENTIAL PENALTY

## REQUEST TO CLOSE



Enforcement Tracking No.	AE-CN-19-00568	Contact Name	Emily Poche
Agency Interest (AI) No.	5337	Contact Phone No.	(225) 219-3760
Alternate ID No.	0520-00107		
Respondent:	Indorama Ventures Olefins LLC	Facility Name:	Indorama Ventures Olefins LLC-Lake Charles Facility
	c/o Corporation Service Company	Physical Location:	4300 Louisiana Highway 108
	Agent for Service of Process		
	501 Louisiana Avenue	City, State, Zip:	Westlake, LA 70669
	Baton Rouge, LA 70802	Parish:	Calcasieu

## STATEMENT OF COMPLIANCE

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

## SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-19-00568), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-19-00568), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional) = \$ _____</li> <li>• 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.</li> </ul>

The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-CN-19-00568) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.		
<b>CERTIFICATION STATEMENT</b>		
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
<b>MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:</b>		
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Emily Poche		

JOHN BEL EDWARDS  
GOVERNOR



CHUCK CARR BROWN, Ph.D.  
SECRETARY

**State of Louisiana**  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE  
January 21, 2020

CERTIFIED MAIL (7018 1130 0001 5655 2519)  
RETURN RECEIPT REQUESTED

**INDORAMA VENTURES OLEFINS LLC**  
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-19-00740  
AGENCY INTEREST NO. 5337**

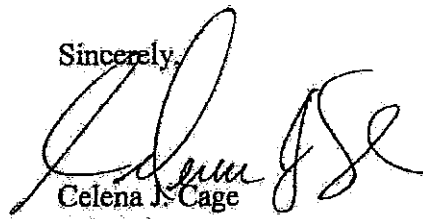
Dear Sir/Madam:

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 **INDORAMA VENTURES OLEFINS LLC (RESPONDENT)** for the violations described therein.

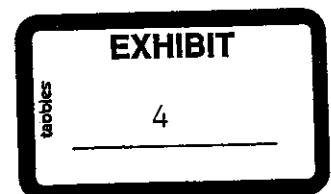
Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Scott B. Pierce at (225) 219-3723.

Sincerely,

  
Celena J. Cage  
Administrator  
Enforcement Division

CJC/sbp/al  
Alt ID Nos. LA0069850; LAD981052376  
Attachment



c: Indorama Ventures Olefins LLC  
c/o Anand Kumar Agrawal  
4300 Hwy. 108  
Westlake, LA 70669

Indorama Ventures Olefins LLC  
c/o Tony Barre, Sr. Site Dir.  
P O Box 2689  
Sulphur, LA 70664



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

**IN THE MATTER OF**

**INDORAMA VENTURES OLEFINS LLC  
CALCASIEU PARISH  
ALT ID NOS. LA0069850; LAD981052376**

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

\*  
\*  
\* **ENFORCEMENT TRACKING NO.**  
\*  
\* **MM-CN-19-00740**  
\*  
\* **AGENCY INTEREST NO.**  
\*  
\* **5337**  
\*

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

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

**FINDINGS OF FACT**

**I.**

The Respondent owns and/or operates the Indorama Ventures Olefins LLC – Lake Charles Facility, an ethylene, propylene, and associated by-products production facility located at 4300 Highway 108 in Westlake, Calcasieu Parish, Louisiana. The Respondent was issued Louisiana Pollutant Discharge Elimination System (LPDES) Permit LA0069850 on September 29, 2016, with an effective date of January 1, 2017. LPDES Permit LA0069850 will expire on December 31, 2021. Under the terms and conditions of LPDES Permit LA0069850, the Respondent is permitted to discharge various process and non-process area wastewaters into Bayou D'Inde, all waters of the state. Furthermore, the Respondent is notified as a large quantity generator of hazardous waste and operates under EPA identification number LAD981052376.

## Water Quality

### II.

On or about February 1, 2019, February 28, 2019, March 1, 2019, and May 28, 2019, the Department conducted inspections in regards to incidents reported by the Respondent on or about January 19, 2019, January 23, 2019, February 27, 2019, March 15, 2019, and April 5, 2019. A subsequent file review conducted by the Department on or about September 9, 2019, and the fore-mentioned inspections revealed violations of the Water Quality Regulations. Specifically, the violations are as follows:

- A. The inspection conducted on or about February 1, 2019, in response to incidents that occurred on January 16, 2019, and January 20, 2019, which were reported on January 19, 2019, and January 23, 2019, respectively, revealed the following:
  1. The Respondent caused and/or allowed the discharge of wastewater from a source or location not authorized by the permit. Specifically,
    - a. On January 19, 2019, the Respondent reported that the sump collection system filled up with elevated benzene laden quench water and overflowed into the drainage system designated for outfall 002, and that this was a result of the open valve discovered to have occurred on January 16, 2019.
    - b. On January 23, 2019, the Respondent reported that on January 20, 2019, a second occurrence of benzene laden quench water overflowed into the drainage system designated for outfall 002.
    - c. Furthermore, the Respondent employed a bioremediation product called MicroBlaze to treat the benzene laden quench water prior to discharging through outfall 002. The Respondent used a total of one hundred and fifty (150) gallons of MicroBlaze to treat the quench water within the drainage system. The Respondent did not notify the Department prior to the use of the MicroBlaze product.

The unauthorized discharge of wastewater from a source or location not authorized by the permit is a violation of La. R.S. 30:2076(A)(1)(a), and LAC 33:IX.501.C & D; & 2701.A.

2. The Respondent failed to implement the Spill Prevention and Control (SPC) Plan. Specifically, the Respondent failed to close the valve mentioned in the incident above resulting in an unauthorized discharge. The failure to implement the SPC Plan is a violation of La. R.S. 30:2076(A)(3) and LAC 33:IX.901.B & 907.F.2.

B. The inspections conducted on or about February 28, 2019, and March 1, 2019, in response to an incident that occurred on February 27, 2019, which was reported on the same day, revealed the following:

1. The Respondent failed to implement the SPC Plan. Specifically,

- a. On or about February 26, 2019, the Respondent observed approximately two (2) to six (6) inches of quench water within the containment area and that the drain valve for the containment area was in the closed position.
- b. On or about February 27, 2019, the Respondent observed that quench water was no longer present in the containment area, that one (1) on the tanks was overflowing, and that the drain valve for the containment area was in the opened position.
- c. On or about March 1, 2019, the Department observed that secondary containment valve, which was now in the closed position, was leaking. The Respondent stated that the valve did not seal properly. In addition, the Department observed that concrete retaining wall of the containment area was leaking from a seam just to the east of the leaking valve on the same side of the wall. At the same time, the Department observed that one (1) of the tanks was overflowing into the containment area, and wastewater, which was opaque in color, was leaking into the drainage system designated for outfall 002.
- d. On or about March 1, 2019, the Department observed the cooling tower basin over-topping the containment wall on the west end, flowing into the drainage system designated for outfall 002. During this inspection, the Respondent additionally disclosed to the Department that on or about February 16, 2019, the Respondent overfilled the sulfuric acid tank, and approximately 15 gallons of sulfuric acid was release into containment. Via an internal release report, the Respondent diluted the release with water and that some leaked through the containment area's valve into the drainage system designated for outfall 002.

Each failure to implement the SPC Plan is a violation of La. R.S. 30:2076(A)(3) and LAC 33:IX.901.B & 907.F.2.

2. The Respondent caused and/or allowed the destruction of fish and/or wildlife. Specifically, the above-mention release of benzene laden quench water that occurred on February 27, 2019, resulted in the death of approximately 20 fish ranging from one (1) to four (4) inches in length. On or about February 28, 2019, the Department observed the dead and decomposing fish just before the outfall 002 discharge, which comprised of mosquito fish, sailfin mollies, and bream. The destruction of fish and/or wildlife is a violation of La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A & 1113.B.1.d & B.5.
3. The Respondent failed to implement the Storm Water Pollution Prevention Plan (SWPPP). Specifically,
  - a. On or about March 1, 2019, the Department observed the collection system for storm water within the process area inundated, overflowing into the drainage system for low contamination potential storm water. The Respondent had attempted to block off water in the process area from being able to drain into the drainage system; however, process area water was still able to get into the storm water basins designated for low contamination potential. On or about May 28, 2019, the Department observed again the same occurrence of the Respondent's failure to block process area water from reaching the drainage system for low contamination potential storm water. (Refer to photographs 6, 7, and 10 of 12, Attachment D of inspection report, pages 1 – 6)
  - b. On or about March 1, 2019, the Respondent disclosed to the Department that the Respondent was not keeping records of discharges from secondary containment, and was not keeping records of quarterly inspections, both in relation and as is required by the Respondent's SWPPP.

Each failure to implement the SWPPP is a violation of LPDES Permit LA0069850 (Part II, Section L and Part III, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A & 2701.A.

- C. An inspection conducted on or about April 5, 2019, in response to an incident reported by the Respondent that occurred on the same day, revealed that the Respondent caused and/or allowed the discharge of wastewater from a source or location not authorized by the permit. Specifically, fuel oil leaking from a blind flange released into the drainage system designated for outfall 002 and discharged into Bayou D'Inde. The Respondent performed cleanup operations to recover fuel oil and remove any fuel oil contamination. During the inspection, the Department observed approximately 11 dead fish in the internal drainage lateral. The Respondent reported that approximately one hundred-five (105) gallons of fuel oil had released. The unauthorized discharge of pollutants from a source or location not authorized by the permit is a violation of LPDES Permit LA0069850 (Part I, page 10 of 13, Part II, Section A, and Part III, Section A.2), La. R.S. 30:2076(A)(1)(a), and LAC 33:IX.501.C & D; & 2701.A. In addition, the destruction of fish and/or wildlife is a violation of La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A & 1113.B.1.d & B.5.
- D. An inspection conducted on or about May 28, 2019, revealed that that the Respondent caused and/or allowed the discharge of wastewater from a source or location not authorized by the permit. Specifically, on or about March 15, 2019, the Respondent reported that the discharge flowing from outfall 001 consisted of a white foam and oil sheen. The Respondent stated that the anti-foaming agent normally used in the aeration basin for the wastewater treatment unit depleted. The unauthorized discharge of pollutants from a source or location not authorized by the permit is a violation of La. R.S. 30:2076(A)(1)(a), and LAC 33:IX.501. C & D; & 2701.A. In addition, the discharge of foam and oil sheen is a violation of LPDES Permit LA0069850 (Part I, page 10 of 13, Part II, Section A, and Part III, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.1113.B.6 and 7.
- E. The inspection conducted on or about May 28, 2019, revealed the following:
1. The Respondent failed to monitor in accordance with approved test procedure. Specifically, the Respondent stated that the Respondent does not place samples taken for oil & grease and fecal coliform from the outfall directly into the sample containers. Instead, the Respondent collects effluent from the outfall using an intermediate container, and then transfers effluent to the sample containers. The failure to monitor in accordance with approved test procedure is a violation of LPDES Permit LA0069850

(Part II, Section F, and Part III, Sections A.2 and C.5.a), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.J.4.

2. The Respondent failed to implement the Storm Water Pollution Prevention Plan (SWPPP). Specifically, the Department observed many drums filled with the material recovered from the incident that occurred on March 15, 2019, still being stored along the equalization basin not in the Hazardous Waste 90-day storage area. The Department observed that a few of these drums had tops that were not sealed. In addition, the Department also observed waste product containers store outside the Hazardous Waste 90-day storage area that were leaking. The outside storage of leaking containers and open top drums, which is a failure to implement the SWPPP is a violation of LPDES Permit LA0069850 (Part II, Section L, and Part III, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A & 2701.A.

F. An inspection conducted on or about May 28, 2019, revealed that the Respondent failed to implement the Spill Prevention and Control (SPC) plan. Specifically, Per the Department's review of the SPC plan the following were noted:

1. Site contacts are not updated,
2. Inspections are not documented,
3. The Respondent's environmental department is not maintaining inspections as stated in plan,
4. The gates within the storm water ditches leading to outfall 002, which are referred to as a control process within the plan, leak when in the closed position,
5. The 3 hub gates just before outfall 002 were observed to be easily over-topped, and
6. The Appendix D material inventory list is missing data for many pollutants maximum volumes.

The failure to implement the SPC Plan is a violation of La. R.S. 30:2076(A)(3), and LAC 33:IX.901.B & 907.

G. An inspection conducted on or about May 28, 2019, and a subsequent file review conducted on September 9, 2019, revealed that the Respondent failed to submit a complete and/or accurate Discharge Monitoring Report (DMR). Specifically, the following were noted:

1. The Department conducted a calculation review for 5-day biological oxygen demand for the month of March 2019. The review revealed that the discharge rates supplied by the Respondent during the inspection did not correspond with the rates used in calculating the loading values reported on the March 2019 DMR.
2. The daily discharge rates for March 2019, supplied by the Respondent did not match the maximum and average monthly flow reported on the DMR.
3. The Respondent failed to report the Monthly Total Accumulated Time in Minutes for pH Range Excursion during the monthly monitoring periods of August and September 2019.
4. The Respondent failed to report the Monthly Average Minimum and 7-Day Minimum 7-day Chronic Static Renewal pass/fail test results for the Menidia beryllina and Mysidopsis bahia species on the third quarter 2019 DMR.

Each failure to submit a complete and/or accurate DMR is a violation of LPDES Permit LA0069850 (Part I, page 2 of 13, Part II, Section M, and Part III, Sections A.2 and D.4), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.A.

- H. An inspection conducted on or about May 28, 2019, and a subsequent file review conducted on September 9, 2019, revealed that the Respondent failed to submit the one-year and two-year progress report regarding achieving the Final schedule of Effluent Limitations and Monitoring Requirements. Each failure submit the one-year and two-year progress reports regarding achieving the Final schedule of Effluent Limitations and Monitoring Requirements is a violation of LPDES Permit LA0069850 (Part II, Section J, and Part III, Sections A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.A.

### Hazardous Waste

#### III.

On or about January 19, 2019, the Respondent notified the Department of a release of process wastewater contaminated with benzene that occurred on or about January 16, 2019. Subsequently, the facility experienced an overflow of the process unit and oily water sewer system, which flowed into non-contact storm water ditches. This constitutes disposal. The material that overflowed into the ditches consisted of process wastewater contaminated with benzene. Miller Environmental treated the benzene contaminated process wastewater with a bioremediation product called "Microblaze." Miller Environmental recovered the treated process wastewater, via vacuum system, and it was subsequently

placed into fuel oil storage tank FA-712. According to a representative of the Respondent, the facility processed the benzene contaminated process wastewater through carbon canisters to decrease the amount of benzene before placing the process wastewater into the wastewater treatment unit. The Respondent failed to determine if the benzene contaminated process wastewater was a hazardous waste prior to placing it into tank FA-712. Analytical results of the material in tank FA-712 were provided to the Department; however, these samples were taken after the contaminated process wastewater was removed from the tank.

#### IV.

On or about March 15, 2019, an oily material was discovered in the equalization basin at the waste water treatment unit. The oily material was removed and placed into numerous fifty-five (55) gallon drums, which were stored adjacent to the equalization basin. These drums were still present during the May 28, 2019 inspection. Many of these drums had labels that were faded and unreadable, and a few had unsecured lids. During the May 28, 2019 inspection, a representative of the Respondent stated a waste determination had not been performed on the waste in the drums.

#### V.

On or about May 28, 2019 and August 6, 2019, the Department conducted inspections at the above referenced facility to determine the degree of compliance with the Act and the supporting Regulations. While the investigation by the Department is not yet complete, the following violations were noted during the course of the inspections and a subsequent file review conducted on or about September 16, 2019:

- A. The Respondent failed to determine if generated solid waste is a hazard, in violation of LAC 33:V.1103. Specifically, the Respondent failed to determine if the following wastes were a hazard:
  - i. benzene contaminated process wastewater, as described in Findings of Fact paragraph III.
  - ii. oily material removed from the equalization basin, as described in Findings of Fact paragraph IV.

This violation was noted during the May 28, 2019 inspection and a subsequent file review performed on or about September 16, 2019.

- B. The Respondent treated, stored, and disposed of hazardous waste without receiving an interim status or a standard permit, in violation of LAC 33:V.303.B. Specifically:



- i. A file review performed on or about September 16, 2019 revealed the Respondent disposed of hazardous waste, in the form of benzene contaminated process wastewater, in the non-contact storm water ditches, as described in Findings of Fact paragraph III.
  - ii. A file review performed on or about September 16, 2019 revealed the Respondent treated benzene contaminated process wastewater with a bioremediation product called "Microblaze," as described in Findings of Fact paragraph III.
  - iii. During the August 6, 2019 inspection, the Department observed one (1) drum containing hazardous waste which was dated December 1, 2018. At the time of the August 6, 2019 inspection, the drum had been stored on-site for greater than ninety (90) days.
- C. The Respondent failed to transfer hazardous waste from a leaking container or container not in good condition to a container that is in good condition or manage the waste in some other way that complies with LAC 33:V.Chapter 21, as specified in LAC 33:V.2103, in violation of LAC 33:V.1109.E.1.a.i. Specifically, adjacent to the less than ninety (90) day storage area, two (2) small containers, which were storing hazardous waste according to a representative of the Respondent, were observed to be leaking during the May 28, 2019 inspection. This violation was noted during a file review performed on or about September 16, 2019.
- D. The Respondent failed to clearly label or mark each container of hazardous waste with an accumulation start date and the words "Hazardous Waste," in violation of LAC 33:V.1109.E.1.c & d. Specifically, at the time of the May 28, 2019 inspection, adjacent to the less than ninety (90) day storage area, two (2) small containers and two (2) fifty-five (55) gallon drums, which were storing hazardous waste according to a representative of the Respondent, were not labeled as hazardous waste or labeled with an accumulation start date. This violation was noted during a file review performed on or about September 16, 2019. Additionally, during the August 6, 2019 inspection, the Department observed two (2) drums containing hazardous waste which were labeled with the words "Hazardous Waste" but were not labeled with accumulation start dates.

E. The Respondent failed to keep hazardous waste containers closed during storage, except when necessary to add or remove hazardous waste, as specified in LAC 33:V.2107.A, in violation of LAC 33:V.1109.E.1.a.i. Specifically, at the time of the May 28, 2019 inspection, adjacent to the less than ninety (90) day storage area, one (1) fifty-five (55) gallon drum, which was storing hazardous waste according to a representative of the Respondent, was observed to have an open bung. This violation was noted during a file review performed on or about September 16, 2019.

### **COMPLIANCE ORDER**

Based on the foregoing, the Respondent is hereby ordered:

#### **I.**

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

#### **II.**

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Water Quality Regulations and the permit limitations and conditions contained in LPDES permit LA0069850. These steps shall include, but not be limited to, proper implementation of the SPC Plan and the SWPPP, submitting complete and accurate DMRs, properly operating and maintaining all facilities and systems of treatment and control (and related appurtenances), and maintaining proper sampling and analysis procedures.

#### **III.**

To prepare and implement, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a site specific SPC Plan for the facility in accordance with LAC 33:IX.907. A copy of the SPC plan also shall be submitted to the Enforcement Division within thirty (30) days after receipt of this **COMPLIANCE ORDER**.

#### **IV.**

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Louisiana Hazardous Waste Regulations.

#### **V.**

To cease, immediately upon receipt of this **COMPLIANCE ORDER**, disposing of hazardous waste without receiving an interim status or a standard permit, in accordance with LAC 33:V.303.B.

VI.

To properly dispose of, within fifteen (15) days after receipt of this **COMPLIANCE ORDER**, the hazardous waste drum described in Findings of Fact Paragraph V.B.iii at an authorized hazardous waste treatment/storage/disposal facility. Additionally, the Respondent shall submit documents verifying proper disposal of that hazardous waste within fifteen (15) days following disposal to the Enforcement Division.

VII.

To perform, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a hazardous waste determination on the wastes specified in Findings of the Fact Paragraph V.A.ii in accordance with LAC 33:V.1103. The results of the determination shall be submitted to the Enforcement Division within fifteen (15) days of performing the waste determination. All waste shall be disposed of in accordance with the Hazardous Waste or Solid Waste regulations, whichever is applicable.

VIII.

To institute procedures, immediately upon receipt of this **COMPLIANCE ORDER**, to ensure a hazardous waste determination is performed on all wastes at the time of generation, in accordance with LAC 33:V.1103.

IX.

To immediately transfer, upon receipt of this **COMPLIANCE ORDER**, hazardous waste from damaged containers to containers in good condition, and institute procedures which ensure that hazardous waste in leaking or deteriorated containers are transferred to containers in good condition, in accordance with LAC 33:V.2103.A.

X.

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

XI.

To close, immediately upon receipt of this **COMPLIANCE ORDER**, all containers storing hazardous waste and to institute procedures to ensure that containers storing hazardous waste remain closed except when necessary to add or remove waste, as specified in LAC 33:V.2107.A, in accordance with LAC 33:V.1109.E.7.a.

**XII.**

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: Scott B. Pierce  
Re: Enforcement Tracking No. MM-CN-19-00740  
Agency Interest No. 5337

**THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:**

**I.**

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

**II.**

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

Department of Environmental Quality  
Office of the Secretary  
Post Office Box 4302  
Baton Rouge, Louisiana 70821-4302  
Attn: Hearings Clerk, Legal Division  
Re: Enforcement Tracking No. MM-CN-19-00740  
Agency Interest No. 5337

### 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 Scott B. Pierce at (225) 219-3723 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

### **III.**

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement. If the Respondent chooses not to submit the requested most current annual gross revenues statement within ten (10) days, it will be viewed by the Department as an admission that the Respondent has the ability to pay the statutory maximum penalty as outlined in La. R.S. 30:2025.

### **IV.**

The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "**CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form. The Respondent must include a

justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

V.


This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 21st day of January, 2020.

  
\_\_\_\_\_  
Lourdes Iturralde  
Assistant Secretary  
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality  
Office of Environmental Compliance  
Enforcement Division  
P.O. Box 4312  
Baton Rouge, LA 70821-4312  
Attention: Scott B. Pierce

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE ENFORCEMENT DIVISION POST OFFICE BOX 4312 BATON ROUGE, LOUISIANA 70821-4312				CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE			
Enforcement Tracking No.	MM-CN-19-00740	Contact Name	Scott B. Pierce				
Agency Interest (AI) No.	5337	Contact Phone No.	(225) 219-3723				
Alternate ID No.	Multiple						
Respondent:	Indorama Ventures Olefins LLC	Facility Name:	Lake Charles Facility				
	c/o Corporation Service Company	Physical Location:	4300 Highway 108				
	Agent for Service of Process						
	501 Louisiana Ave. Baton Rouge, LA 70802	City, State, Zip:	Westlake, LA 70669				
		Parish:	Calcasieu				
<b>STATEMENT OF COMPLIANCE</b>							
STATEMENT OF COMPLIANCE						Date Completed	Copy Attached?
A written report was submitted in accordance with XII of the "Order" portion of the COMPLIANCE ORDER.							
All necessary documents verifying proper disposal of hazardous waste were submitted to the Department within 15 days following disposal in accordance with Paragraphs VI and VII of the "Order" portion of the COMPLIANCE ORDER.							
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph 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:							
<b>SETTLEMENT OFFER (OPTIONAL)</b>							
(check the applicable option)							
<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1 Subpart 1, Chapter 7.						
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (WE-CN-19-00740), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.						
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (WE-CN-19-00740), 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.						
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Monetary component = \$ _____</li> <li>Beneficial Environmental Project (BEP) component (optional) = \$ _____</li> <li>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.</li> </ul>						
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (WE-CN-19-00740) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.						
<b>CERTIFICATION STATEMENT</b>							
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	
<b>MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:</b>							
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Scott B. Pierce							



LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

ENFORCEMENT DIVISION  
POST OFFICE BOX 4312

BATON ROUGE, LOUISIANA 70821-4312

NOTICE OF POTENTIAL PENALTY



Enforcement Tracking No.	WE-PP-22-00426	Certified Mail No.	7005 1820 0002 2361 5729
Agency Interest (AI) No.	5337	Contact Name	Scott B. Pierce
Alternate ID No.	LA0069850	Contact Phone No.	(225) 219-3723
Respondent:	Indorama Ventures Olefins LLC c/o Corporation Service Company Agent for Service of Process 501 Louisiana Ave. Baton Rouge, LA 70802	Facility Name:	Lake Charles Facility (Indorama Ventures Olefins Westlake Ethylene Plant)
		Physical Location:	4300 Hwy. 108
		City, State, Zip:	Westlake, LA
		Parish:	Calcasieu

This 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 30:2050.3(B).

FINDINGS OF FACT

An authorized representative of the Department inspected the abovementioned facility or conducted a file review of the facility to determine the degree of compliance with regulations promulgated in the Louisiana Administrative Code, Title 33. The State regulatory citations for the violation(s) identified during the inspection and/or file review are indicated below.

I.	The Respondent owns and/or operates an ethylene, propylene, and associated by-products production facility located at 4300 Hwy. 108, Westlake, Calcasieu Parish, Louisiana. The Respondent was issued Louisiana Pollutant Discharge Elimination System (LPDES) Permit LA0069850 on September 29, 2016, with an effective date of January 1, 2017, and expiration date of December 31, 2021. The Respondent submitted a renewal application on or about July 2, 2021 and LPDES Permit LA0069850 is administratively continued until it can be reissued. Under the terms and conditions of LPDES Permit LA0069850, the Respondent is permitted to discharge various process and non-process area wastewaters, storm water runoff, treated sanitary wastewater, and hydrostatic test wastewater into Bayou D'Inde, waters of the state.						
II.	Date of Violation	Description of Violation					
	Inspection(s) & File Review 2/7/2022 10/5/2022	The Respondent failed to verbally report within twenty-four (24) hours after learning of the release of a reportable quantity. Specifically, on or about February 2, 2022, the Respondent verbally reported a release of 1,538 pounds of sulfuric acid which occurred on or about January 11, 2022 at 9:57pm, and was discovered on or about January 12, 2022 at 3:31am. (La. R.S. 30:2076(A)(3), and LAC 33:13917.A) According to the Respondent's written report dated February 9, 2022, the release migrated to internal stormwater drains, but was contained onsite via closure of ditch gates and did not reach waters of the state. The water within the ditch was neutralized and transported to the facility's wastewater treatment plant.					
III.	Inspection(s) & File Review 5/29/2022 10/5/2022	The Respondent failed to comply with LPDES permit LA0069850. Specifically, a review of Discharge Monitoring Reports (DMRs) between September 2017 and September 2022, revealed that the Respondent reported the following exceedances of permit effluent limitations:					
		MP End Date	Outfall	Parameter	Limit	DMR Value	Units
		12/31/2020	102-A	Coliform, fecal general --- MOAV GEO	200	440	#/100mL
		12/31/2020	102-A	Coliform, fecal general --- DAILY MX	400	440	#/100mL
		01/31/2021	102-A	Coliform, fecal general --- MOAV GEO	200	1440	#/100mL
		01/31/2021	102-A	Coliform, fecal general --- DAILY MX	400	1440	#/100mL
		02/28/2021	102-A	Solids, total suspended --- MO AVG	20	24	mg/L
		05/31/2021	002-A	Oil & Grease --- DAILY MX	15	25	mg/L
		01/31/2022	102-A	Coliform, fecal general --- MOAV GEO	200	840	#/100mL
		01/31/2022	102-A	Coliform, fecal general --- DAILY MX	400	840	#/100mL
		05/31/2022	001-A	BOD, 5-day, 20 deg. C --- MO AVG	103	160.94	lb/d
		05/31/2022	001-A	BOD, 5-day, 20 deg. C --- DAILY MX	251	439.43	lb/d
		(LA0069850 (Part I, pgs. 6, 10, and 11 of 13, and Part III, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.D)					
IV.	File Review 10/5/2022	The Respondent failed to sample the effluent and/or provide analytical data from Outfalls 001, 002, and 003, on a monthly or quarterly basis as required by LPDES Permit LA0069850. See Attachment "A". (LA0069850 (Part I, pgs. 6 -- 11 & 13 of 13, Part III, Section A.2), La. R.S. 30:2076(A)(3), and LAC 33:IX.501.A)					
V.	Inspection(s) 5/29/2022	The Respondent caused and/or allowed the discharge of pollutants not authorized by the permit. Specifically, the Respondent's discharge from Outfall 001 consisted of a visible oil sheen and visible foam greater than a trace amount. The observation was made during an inspection investigating an incident involving the discharge of an unknown material from an unknown source, which was later discovered to be caused by a maintenance activity which put a slug of oil into the wastewater treatment plant (WWTP) corrugated plate separator (CPI). (LA0069850 (Part I, pg. 9 of 13, and Part III, Section A.2), La. R.S. 30:2076(A)(1)(a) and LAC 33:IX.501.D)					

EXHIBIT

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VI.	Inspection(s) 5/29/2022	The Respondent failed to properly operate and maintain its WWTP. Specifically, the inspection determined that the above referenced discharge of an oil sheen was a result of improper preparation of the WWTP during a turnaround in which the WWTP became overwhelmed by depressurizing tanks too quickly. This inundated the WWTP CPI with oil, allowing the oil to underflow to the Tank 9 sump. Per the Respondent, the WWTP sand filters and carbon canister polishing system prevented free oil from entering waters of the state, but the WWTP was not able to treat the waste oil within the sump properly, resulting in a discharge of oily sheen to Outfall 001. (LA0069850 (Part III, Sections A.2 and B.3.a, La. R.S. 30:2076(A)(3), and LAC 33:IX.2701.E)
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#### 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 Scott B. Pierce at (225) 219-3723 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.	For each violation described herein, the Department reserves the right to seek civil penalties and the right to seek compliance with its rules and regulations in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties and compliance.
V.	The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter 7. To expedite closure of this NOTICE OF POTENTIAL PENALTY, 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 "NOTICE OF POTENTIAL PENALTY REQUEST TO SETTLE" form. The Respondent may submit the settlement offer within one hundred and eighty (180) days of receipt of this NOTICE OF POTENTIAL PENALTY. The Respondent must include a justification of the offer. <b>DO NOT</b> 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.
VI.	To reduce document handling, please refer to the Enforcement Tracking Number and Agency Interest Number on the front of this document on all correspondence in response to this action.

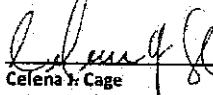
#### CONTACTS AND SUBMITTAL OF INFORMATION

Enforcement Division:	Physical Address (if hand delivered):
Louisiana Department of Environmental Quality Office of Environmental Compliance Water Enforcement Division Post Office Box 4312 Baton Rouge, LA 70821 Attn: Scott B. Pierce	Department of Environmental Quality 602 N Fifth Street Baton Rouge, LA 70802

#### HOW TO REQUEST CLOSURE OF THIS NOTICE OF POTENTIAL PENALTY

<p>To expedite closure of the NOTICE OF POTENTIAL PENALTY, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein.</p> <ul style="list-style-type: none"> <li>The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter 7.</li> <li>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.</li> <li>The settlement offer amount may be entered on the attached "NOTICE OF POTENTIAL PENALTY REQUEST TO SETTLE" form. The Respondent must include a justification of the offer.</li> <li><b>DO NOT</b> 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.</li> <li>Before requesting closure of this NOTICE OF POTENTIAL PENALTY, please contact the Financial Services Division at 225-219-3865 or email them at <a href="mailto:DEQ-WWWFinancialServices@la.gov">DEQ-WWWFinancialServices@la.gov</a> to determine if you owe outstanding fees.</li> </ul>
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If you have questions or need more information, you may contact Scott B. Pierce at (225) 219-3723 or [scott.pierce@la.gov](mailto:scott.pierce@la.gov).

  
Celena Y. Cage  
Assistant Secretary  
Office of Environmental Compliance

Date: 10/20/2022

cc: Indorama Ventures Olefins LLC  
c/o Damian Fryoux, Env. Mgr.  
4300 Hwy. 108  
Westlake, LA 70669

Attachment(s)  
- Request to Settle  
- Attachment "A"

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

ENFORCEMENT DIVISION

POST OFFICE BOX 4312

BATON ROUGE, LOUISIANA 70821-4312

NOTICE OF POTENTIAL PENALTY  
REQUEST TO SETTLE (OPTIONAL)



Enforcement Tracking No.	WE-PP-22-00426	Contact Name	Scott B. Pierce
Agency Interest (AI) No.	5337	Contact Phone No.	(225) 219-3723
Alternate ID No.	LA0069850		
Respondent:	Indorama Ventures Olefins LLC c/o Corporation Service Company Agent for Service of Process 501 Louisiana Ave. Baton Rouge, LA 70802	Facility Name:	Lake Charles Facility (Indorama Ventures Olefins Westlake Ethylene Plant)
		Physical Location:	4300 Hwy. 108
		City, State, Zip:	Westlake, LA
		Parish:	Calcasieu

SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1 Subpart 1 Chapter 7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (WE-PP-22-00426), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (WE-PP-22-00426), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional) = \$ _____</li> <li>• 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.</li> </ul>
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (WE-PP-22-00426) 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  
Post Office Box 4312  
Baton Rouge, LA 70821  
Attn: Scott B. Pierce

If you have questions or need more information, you may contact Scott B. Pierce at (225) 219-3723 or scott.pierce@la.gov.

# ATTACHMENT "A"

Indorama Ventures Olefins LLC - LA0069850

## Failures to Sample/Provide Analytical Data

MP End Date	Curve	Parameter
03/31/2020	001-Q	Copper, total [as Cu] -- MO AVG
03/31/2020	001-Q	Copper, total [as Cu] -- DAILY MX
03/31/2020	001-Q	Bromoform -- MO AVG
03/31/2020	001-Q	Hexachlorobutadiene -- MO AVG
03/31/2020	001-Q	1,1,2,2-Tetrachloroethane -- MO AVG
03/31/2020	001-Q	Vinyl chloride -- MO AVG
03/31/2020	001-Q	Vinyl chloride -- DAILY MX
03/31/2020	001-Q	PCB-1254 -- MO AVG
03/31/2020	001-Q	Hexachlorobenzene -- MO AVG
03/31/2020	001-Q	Mercury, total [as Hg] -- MO AVG
03/31/2020	001-Q	Mercury, total [as Hg] -- DAILY MX
06/30/2020	001-Q	Copper, total [as Cu] -- MO AVG
06/30/2020	001-Q	Copper, total [as Cu] -- DAILY MX
06/30/2020	001-Q	Bromoform -- MO AVG
06/30/2020	001-Q	Hexachlorobutadiene -- MO AVG
06/30/2020	001-Q	1,1,2,2-Tetrachloroethane -- MO AVG
06/30/2020	001-Q	Vinyl chloride -- MO AVG
06/30/2020	001-Q	Vinyl chloride -- DAILY MX
06/30/2020	001-Q	PCB-1254 -- MO AVG
06/30/2020	001-Q	Hexachlorobenzene -- MO AVG
06/30/2020	001-Q	Mercury, total [as Hg] -- MO AVG
06/30/2020	001-Q	Mercury, total [as Hg] -- DAILY MX
06/30/2020	003-Q	pH -- INST MIN
06/30/2020	003-Q	pH -- INST MAX
06/30/2020	003-Q	Oil & Grease -- DAILY MX
06/30/2020	003-Q	Carbon, tot organic (TOC) -- DAILY MX
06/30/2020	003-Q	Flow, in conduit or thru treatment plant -- MO AVG
06/30/2020	003-Q	Flow, in conduit or thru treatment plant -- DAILY MX
12/31/2020	001-Q	Bromoform -- MO AVG
12/31/2020	001-Q	1,1,2,2-Tetrachloroethane -- MO AVG
12/31/2020	003-Q	pH -- INST MIN
12/31/2020	003-Q	pH -- INST MAX
12/31/2020	003-Q	Oil & Grease -- DAILY MX
12/31/2020	003-Q	Carbon, tot organic (TOC) -- DAILY MX
12/31/2020	003-Q	Flow, in conduit or thru treatment plant -- MO AVG
12/31/2020	003-Q	Flow, in conduit or thru treatment plant -- DAILY MX
03/31/2021	001-A	Toluene -- MO AVG
03/31/2021	001-A	Toluene -- DAILY MX
03/31/2021	001-A	Benzene -- MO AVG
03/31/2021	001-A	Benzene -- DAILY MX
03/31/2021	001-A	Ethylbenzene -- MO AVG
03/31/2021	001-A	Ethylbenzene -- DAILY MX
03/31/2021	001-A	Phenol -- MO AVG
03/31/2021	001-A	Phenol -- DAILY MX
03/31/2021	001-A	Naphthalene -- MO AVG
03/31/2021	001-A	Naphthalene -- DAILY MX
03/31/2021	001-ME	Pass/Fail Static 7 Day Chronic Menidia -- MO AV MN
03/31/2021	001-ME	Pass/Fail Static 7 Day Chronic Menidia -- 7 DA MIN
03/31/2021	001-ME	Low Flow Pass/Fail Survival Test Static Renewal 7 Day Chronic Menidia menidia -- MO AV MN
03/31/2021	001-ME	Low Flow Pass/Fail Survival Test Static Renewal 7 Day Chronic Menidia menidia -- 7 DA MIN
03/31/2021	001-ME	NOEC Lethal Static Renewal 7 Day Chronic Menidia menidia -- MO AV MN

03/31/2021	001-ME	NOEC Lethal Static Renewal 7 Day Chronic Menidia menidia --- 7 DA MIN
03/31/2021	001-ME	NOEC Sub-Lethal Static Renewal 7 Day Chronic Menidia menidia --- MO AV MN
03/31/2021	001-ME	NOEC Sub-Lethal Static Renewal 7 Day Chronic Menidia menidia --- 7 DA MIN
03/31/2021	001-ME	Coef Of Var Static Renewal 7Day Chronic Menidia menidia --- MAXIMUM
03/31/2021	001-MY	Pass/Fail Static Renewal 7 Day Chronic Americamysis bahia --- MO AV MN
03/31/2021	001-MY	Pass/Fail Static Renewal 7 Day Chronic Americamysis bahia --- 7 DA MIN
03/31/2021	001-MY	Low Flow Pass/Fail Survival Test Static Renewal 7 Day Chronic Americamysis bahia --- MO AV MN
03/31/2021	001-MY	Low Flow Pass/Fail Survival Test Static Renewal 7 Day Chronic Americamysis bahia --- 7 DA MIN
03/31/2021	001-MY	NOEC Lethal Static Renewal 7 Day Chronic Americamysis bahia --- MO AV MN
03/31/2021	001-MY	NOEC Lethal Static Renewal 7 Day Chronic Americamysis bahia --- 7 DA MIN
03/31/2021	001-MY	NOEC Sub-Lethal Static Renewal 7 Day Chronic Americamysis bahia --- MO AV MN
03/31/2021	001-MY	NOEC Sub-Lethal Static Renewal 7 Day Chronic Americamysis bahia --- 7 DA MIN
03/31/2021	001-MY	Coef Of Var Statre 7Day Chronic Mysid. Bahis --- MAXIMUM
03/31/2021	001-Q	Copper, total [as Cu] --- MO AVG
03/31/2021	001-Q	Copper, total [as Cu] --- DAILY MX
03/31/2021	001-Q	Bromofom --- MO AVG
03/31/2021	001-Q	Hexachlorobutadiene --- MO AVG
03/31/2021	001-Q	1,1,2,2-Tetrachloroethane --- MO AVG
03/31/2021	001-Q	Vinyl chloride --- MO AVG
03/31/2021	001-Q	Vinyl chloride --- DAILY MX
03/31/2021	001-Q	PCB-1254 --- MO AVG
03/31/2021	001-Q	Hexachlorobenzene --- MO AVG
03/31/2021	001-Q	Mercury, total [as Hg] --- MO AVG
03/31/2021	001-Q	Mercury, total [as Hg] --- DAILY MX
03/31/2021	002-A	pH --- INST MIN
03/31/2021	002-A	pH --- INST MAX
03/31/2021	002-A	Oil & Grease --- DAILY MX
03/31/2021	002-A	Carbon, tot organic [TOC] --- DAILY MX
03/31/2021	002-A	Flow, in conduit or thru treatment plant --- MO AVG
03/31/2021	002-A	Flow, in conduit or thru treatment plant --- DAILY MX
06/30/2021	003-Q	pH --- INST MIN
06/30/2021	003-Q	pH --- INST MAX
06/30/2021	003-Q	Oil & Grease --- DAILY MX
06/30/2021	003-Q	Carbon, tot organic [TOC] --- DAILY MX
06/30/2021	003-Q	Flow, in conduit or thru treatment plant --- MO AVG
06/30/2021	003-Q	Flow, in conduit or thru treatment plant --- DAILY MX
03/31/2022	003-Q	pH --- INST MIN
03/31/2022	003-Q	pH --- INST MAX