

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

SAFESOURCE DIRECT, L.L.C.

AI # 228471

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

* **Settlement Tracking No.**

* **SA-MM-25-0076**

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* **Enforcement Tracking No.**

* **MM-CN-22-00581**

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* **Docket No. 2024-5113-DEQ**

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SETTLEMENT AGREEMENT

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

I

Respondent is a limited liability company that owns and/or operates a nitrile glove manufacturing facility located in Broussard, St. Martin Parish, Louisiana (“the Facility”).

II

On November 29, 2022, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. MM-CN-22-00581 (Exhibit 1).

III

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

IV

Respondent denies it committed any violations or that it is liable for any fines, forfeitures

and/or penalties.

V

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of ONE HUNDRED TEN THOUSAND AND NO/100 DOLLARS (\$110,000.00), of which Sixteen Thousand Three Hundred Forty and 24/100 Dollars (\$16,340.24) represents the Department's enforcement costs, in settlement of the claims set forth in Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. MM-CN-22-00581 (Exhibit 1) and this Settlement Agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

VI

Respondent further agrees that the Department may consider the inspection report(s), permit record(s), the Consolidated Compliance Order & Notice of Potential Penalty and this Settlement Agreement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

VII

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

review as may be required for interpretation of this Settlement Agreement in any action by the Department to enforce this Settlement Agreement.

VIII

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

IX

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

X

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in St. Martin 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 Accounts Receivable, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303 or by Electronic Funds Transfer (EFT) to the Department of Environmental Quality, in accordance with instructions provided to Respondent by the Financial Services Division. Each payment shall be accompanied by a completed Settlement Payment Form attached hereto.

XII

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

XIII

Each undersigned representative of the parties certifies that he or she is fully authorized to execute this Settlement Agreement on behalf of his or her respective party, and to legally bind such party to its terms and conditions.

SAFESOURCE DIRECT, L.L.C.

BY: _____
(Signature)

(Printed)

TITLE: _____

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

NOTARY PUBLIC (ID # _____)

(stamped or printed)

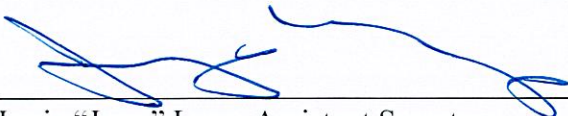
**LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY**
Courtney J. Burdette, Secretary

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

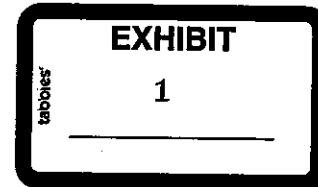


CHUCK CARR BROWN, Ph.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

NOV 29 2022

CERTIFIED MAIL (7020 1290 0001 0463 1842)
RETURN RECEIPT REQUESTED



SAFESOURCE DIRECT, L.L.C.
c/o C T Corporation System
Agent for Service of Process
3867 Plaza Tower Drive
Baton Rouge, LA 70816

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. MM-CN-22-00581
AGENCY INTEREST NO. 228471**

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 **SAFESOURCE DIRECT, L.L.C. (RESPONDENT)** for the violation(s) described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violation(s) 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 Antoinette Cobb at (225) 219-3072 or antoinette.cobb@la.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Angela Marse".
Angela Marse
Administrator
Enforcement Division

AM/AFC/SAC/KCE
Alt ID Nos. 2620-00145, LA0127544, LAG542400, and LAR000102535
Attachments

c: SafeSource Direct, L.L.C.
c/o Mr. John Koury, Environmental Manager
200 St. Nazaire Road
Broussard, LA 70518

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

IN THE MATTER OF

**SAFESOURCE DIRECT, L.L.C.
ST. MARTIN PARISH
ALT ID NOS. 2620-00145, LA0127544,
LAG542400, and LAR000102535**

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

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ENFORCEMENT TRACKING NO.

MM-CN-22-00581

AGENCY INTEREST NO.

228471

CONSOLIDATED

COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **SAFESOURCE DIRECT, L.L.C. (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 Nitrile Glove Plant (Facility), a nitrile glove manufacturing facility, located at 142 Lake Talon Road in Broussard, St. Martin Parish, Louisiana. The Respondent manufactures the nitrile gloves by receiving and processing an emulsion of nitrile butadiene rubber (NBR). The Facility current operates under the authority of Minor Source/Small Source Initial Air Permit No. 2620-00145-00 issued on October 14, 2021. The effective expiration date of the permit is October 14, 2031. The Department issued Louisiana Pollutant Discharge Elimination System (LPDES) Permit LA0127544 to the Respondent on November 17, 2021, with an effective date of the same, and an expiration date of November 16, 2026. On or about February 3, 2022, the Respondent submitted a request for modification of LPDES Permit LA0127544 to address seasonal limitations specific to wastewater discharges to the Vermilion River. The Department issued the Respondent a Major Modification of

LPDES Permit LA0127544 with an issuance and effective date of April 22, 2022, and an expiration date of November 16, 2026. Under the terms and conditions of LPDES Permit LA0127544, the Respondent is authorized to discharge treated process wastewater and stormwater to local drainage thence to LaSalle Coulee thence into Cypress Bayou, via Outfalls 001 and 002, all waters of the state. The Respondent is also authorized to discharge treated sanitary wastewater, via LPDES General Sanitary Class II Permit LAG542400 to waters of the state, via Outfall 001, into LaSalle Coulee via local drainage. The Respondent's coverage under this general permit was effective on June 21, 2022 and with an expiration date of August 1, 2023. On or about March 10, 2022, the Respondent notified the Department of hazardous waste generating activities, as a Small Quantity Generator (SQG). Specifically, the notification indicated that the Respondent's facility generates U.S. Environmental Protection Agency (EPA) waste codes F003, F005, U009, and U118. The Respondent is not an authorized solid waste disposal facility.

Via correspondence from the Department dated June 16, 2022, the Respondent was advised that water and air permit authorizations are based on the representations made in the respective permit applications. The letter provided comments relative to permitting and operation of the Respondent's facility, based on the Department's review of a May 31, 2022 submittal regarding "Project Phases", as well as site observations and discussions with the Respondent and facility representatives. In summary, the Department advised the Respondent that a permit modification or additional authorization may be required to increase capacity or operating rates beyond those represented in the permit application(s). In addition, the Respondent was strongly advised to consult with the Department's Office of Environmental Services for a pre-application meeting, including air, water and waste permits staff, and prior to any construction or operation that may exceed currently authorized levels.

II.

On or about May 23, 2022, the Department received a complaint [Department Incident No. T208773]. On or about May 24, 2022, the Department initiated an investigation at the Facility to determine the Respondent's degree of compliance with all applicable federal and state regulations and all applicable permits. In response to the investigation the Respondent submitted information under May 27, 2022 and June 3, 2022 cover letters. On or about May 31, 2022, July 13, 2022, and September 27, 2022 the Department revisited the Facility. Subsequent file reviews were conducted on or about July 18-20, 2022; August 22-25, 2022; September 6-8, 2022; September 12, 2022, and November 10, 2022. While the

investigation by the Department is not yet complete, the following violations were noted during the course of the investigation/inspections and/or file reviews:

- A. The Respondent failed to maintain the best practical housekeeping and maintenance practices at the highest possible standards to reduce the quantity of organic compounds emissions. Pursuant to LAC 33:III.2113.A.2, containers of volatile organic compounds (VOCs) shall not be left open and the contents allowed to evaporate. During the May 24, 2022 inspection, three (3) containers of methyl ethyl ketone were noted without caps; there was liquid in all the containers. In addition to the containers being opened, there were several 5-gallon buckets on a pallet that contained solvent, Sherwin-Williams R7K15 Reducer Solvent, as well as brushes and rollers. The lids on the buckets were not closed properly. In a response dated May 27, 2022, the Respondent reported the three (3) containers of methyl ethyl ketone contained SP-400 Corrosion Inhibitor. The Respondent also provided Safety Data Sheets (SDSs) for the inhibitor and solvent which revealed the open and/or improperly closed containers stored materials that contained VOCs. Failure to maintain the best practical housekeeping and maintenance practices at the highest possible standards is a violation of Specific Requirement 18 of Minor Source Air Permit No. 2620-00145-00, LAC 33:III.2113.A, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). In a response dated May 27, 2022, the Respondent reported the following corrective actions were taken to address the violation: 1) the material in the methyl ethyl ketone containers were placed in the SP-400 Corrosion Inhibitor drum and disposed of properly; 2) the improper storage of the solvent buckets with the brushes and paints were discussed with personnel; and 3) a cabinet was added for paint related material.
- B. The Respondent failed to install all proposed control equipment as specified in the permit application. Specifically, in the Application for New Minor Source Air Permit dated June 17, 2021, the Respondent proposed to install eight (8) activated carbon columns. The activated carbon columns would collect exhausts and vapors from various equipment associated with the nitrile dipping process, the vulcanization processes within two (2) glove lines, and a steam boiler. The activated carbon columns would reduce pollutants as applicable, and vent the remaining pollutants to the

atmosphere. At the time of the May 24, 2022 inspection and as reported in subsequent communication, the activated carbon columns were not installed. Failure to install all proposed control equipment as specified in a permit application is a violation of Specific Requirements 20 and 23 of Minor Source Air Permit No. 2620-00145-00, LAC 33:III.905, LAC 33:III.537, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). In correspondence dated September 9, 2022, the Respondent provided information related to the installation of control equipment. According to the correspondence, an activated carbon unit was installed on June 23, 2022. The sampling ports on the activated carbon unit were installed on August 3, 2022. The activated carbon unit is composed of three (3) principal components/units connected in series: 1) a unit in which water is applied to the emission stream [water cabinet]; 2) a particulate filter; and 3) a unit containing activated carbon blocks on removable trays [carbon cabinet]. As of June 23, 2022, the following emissions streams are currently routed to the activated carbon unit: NBR storage tanks, NBR mixing tanks, NBR dipping tanks (on the production line), all vulcanization ovens, and all drying ovens.

- C. The Respondent failed to operate the Facility in accordance with Minor Source Air Permit No. 2620-00145-00. Specifically, the failure to install the proposed eight (8) activated carbon columns resulted in uncontrolled emissions. Minor Source Air Permit No. 2620-00145-00 only has permitted emissions for the following sources: Caustic Scrubbers #1-8 (EQT 0001-EQT 0008), Activated Carbon Column #1-8 (EQT 0009-EQT 0016), Steam Boiler (EQT 0017), and Fugitives (FUG 0001). In correspondence dated September 9, 2022, the Respondent reported the emissions information listed in Tables 1-3 below:

Table 1. Emissions from the first use of NBR through 06/23/2022
(prior to controls being installed)

Particulate Matter (filterable & condensable)	-	-	198	0.10
Sulfur Dioxide	-	-	18	0.1
Nitrogen Oxides	-	-	2605	1.30
Carbon Monoxide	-	-	2188	1.09

Total VOC	-	798	143	0.47
1,3-Butadiene	84.07	33	-	0.06
Acrylonitrile	21.02	45	-	0.03
Carbon Disulfide	-	1306	-	0.65
Carbon Sulfide	-	133	-	0.07
Hexane	-	10	46.9	0.03

Table 2. Emissions from 06/24/2022 through 07/31/2022 (Post control installation)

Particulate Matter (filterable & condensable)	-	-	126	126	0.06
Sulfur Dioxide	-	-	11	11	0.01
Nitrogen Oxides	-	-	1656	1656	0.83
Carbon Monoxide	-	-	1391	1391	0.70
Total VOC	-	569	91	660	0.03
Carbon Disulfide	-	931	-	931	0.05

Table 3. Boiler Emissions from Startup through 07/31/2022

Particulate Matter (filterable & condensable)	0.09
Sulfur Dioxide	0.01
Nitrogen Oxides	1.20

Carbon Monoxide	1.01
Total VOC	0.07
Hexane	0.02

Each failure to operate in accordance with Minor Source Air Permit No. 2520-00145-00 is a violation of LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

- D. Pursuant to General Condition XLB of LAC 33:III.537, the Respondent is required to submit a written report for any emission in excess of permit limitations, regardless of the amount, where such emission occurs over a period of seven (7) days or longer. The report is required to be submitted no later than fourteen (14) days from the initial occurrence of the release event. The Respondent submitted a General Condition XI Notification Report dated September 28, 2022, reporting excess emissions for the period of January 1, 2022 through June 30, 2022. The Respondent reported Caustic Scrubbers #1 & #2 operated outside of the required pH range during the period and resulted in excess emissions. The excess emissions were resolved by making adjustments to the scrubbers to return to the required pH range. Failure to submit the report within fourteen (14) days of a exceedance that lasted longer than seven (7) days is a violation of Specific Requirement No. 20 of Minor Source Air Permit No. 2520-00145-00, LAC 33:III.537, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). Each failure to comply with a permitted emission limit is a violation of Minor Source Air Permit No. 2520-00145-00, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
- E. The Respondent failed to maintain pH monitoring records for the Caustic Scrubbers #1-8 (EQT 0001, EQT 0002, EQT 0003, EQT 0004, EQT 0005, EQT 0006, EQT 0007, and EQT 0008) [CRG 0002]. The Respondent is required to record pH levels by electronic or hard copy once every twelve (12) hours. There were no records from the date operations began, March 1, 2022, through March 20, 2022. According to correspondence dated June 21, 2022, the Respondent was monitoring pH as required; however, the scrubber log was not developed and pH levels were not recorded as

required until March 21, 2022. Each failure to maintain the required records is a violation of Specific Requirement 15 of Minor Source Air Permit No. 2620-00145-00, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). In correspondence dated September 9, 2022, the Respondent provided information for the installation of the Caustic Scrubbers. On December 18, 2021, the installation of Caustic Scrubber 1 (EQT 0001) & Caustic Scrubber 2 (EQT 0002) [in series] and Caustic Scrubber 3 (EQT 0003) & Caustic Scrubber 4 (EQT 0004) [in series] was completed. On May 15, 2022, the installation of Caustic Scrubber 5 (EQT 0005) and Caustic Scrubber 6 (EQT 0006) was completed.

- F. The Respondent failed to monitor the water flow rate once every twelve (12) hours for the Caustic Scrubbers #1-8 (EQT 0001, EQT 0002, EQT 0003, EQT 0004, EQT 0005, EQT 0006, EQT 0007, and EQT 0008) [CRG 0002]. The Respondent has a permitted water flow rate of greater than or equal to 55 m³/hr. The water flow rate is required to be monitored by a flow rate monitoring device once twelve (12) hours and recorded by electronic or hard copy at the same interval. At the time of the May 24, 2022 inspection, the Respondent did not have a water flow rate monitoring device installed. Each failure to monitor the water flow rate is a violation of Specific Requirement 11 of Minor Source Air Permit No. 2620-00145-00, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1). In correspondence dated September 9, 2022, the Respondent provided information for the installation of the Caustic Scrubbers. On December 18, 2021, the installation of Caustic Scrubber 1 (EQT 0001) & Caustic Scrubber 2 (EQT 0002) [in series] and Caustic Scrubber 3 (EQT 0003) & Caustic Scrubber 4 (EQT 0004) [in series] was completed. On May 15, 2022, the installation of Caustic Scrubber 5 (EQT 0005) and Caustic Scrubber 6 (EQT 0006) was completed. The Respondent also provided an explanation of how flow rate is currently determined for the caustic scrubbers. According to the Respondent, the re-circulation rate of scrubber water through the scrubber column is calculated using water pressure measured via a pressure gauge and the pump curve provided by the pump manufacturer. The Respondent installed flow meters on the caustic scrubbers on June 9, 2022. Based on the location of the installed flow meters, the Respondent believes measurements from these flow meters are not as accurate as the flow rate calculated using the

measured water pressure and pump curve. The Respondent has recently installed two (2) new external water pumps on two (2) of the caustic scrubbers with extended lengths of lateral water piping between the pump and the tower. The Respondent has proposed to install new external pumps on all of the caustic scrubbers and is consulting with a third party on flow meter options.

- G. The Respondent failed to submit notifications for the Steam Boiler (EQT 0017) by the required due dates. The Steam Boiler (EQT 0017) is subject to the requirements of 40 CFR 60, Subparts A and Dc. The Respondent is required to submit a notification indicating the date of construction or reconstruction and the actual startup of EQT 0017. The notification of the date of construction is required to be postmarked no later than thirty (30) days after commencement. The notification of the actual date of initial startup must be postmarked within fifteen (15) days of startup. On or about August 12, 2022, the Department received a consolidated construction and actual startup notification dated May 10, 2022. According to the notification, the date of construction was December 8, 2021, and initial startup was December 15, 2021. Each failure to submit a required notification by the due date is a violation of 40 CFR 60.48c(a), which has been incorporated by reference as Louisiana regulation LAC 33:III.3003, Specific Requirement 1 of Minor Source Air Permit No. 2620-00145-00, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- H. The Respondent failed to timely submit a completion of construction notification. Pursuant to LAC 33:III.537 General Condition VI, the Respondent is required to submit a notification of construction completion within ten (10) calendar days from the date construction is complete. The notification is also required to include the estimated date of start-up operation. In the General Condition VI Notification dated May 10, 2022 and received on May 11, 2022, the Respondent reported construction of the first two (2) lines was completed and operation began on March 1, 2022. Failure to submit a timely notification is a violation of Specific Requirement 20 of Minor Source Air Permit No. 2620-00145-00, LAC 33:III.537, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). In correspondence dated September 9, 2022, the Respondent provided a general timeline for Facility milestones as noted in the table below.

03/03/2021	Foundation for the 16 line glove production plant poured.
12/14/2021	Boiler installation completed.
12/15/2021	Boiler first fired. After brief (< one hour) test period, boiler shut down.
12/15/2021	Line 1 glove production line ("Line 1") installation completed.
12/16/2021	Line 1 shakedown, testing period with limited operation begins.
12/18/2021	Boiler re-fired for brief (approximately one hour) test period, boiler shut down.
12/18/2021	Caustic Scrubbers 1 & 2 installation (in series) completed.
12/18/2021	Caustic Scrubbers 3 & 4 installation (in series) completed.
01/01/2022	Boiler re-fired for extended service.
02/23/2022	Line 2 glove production line ("Line 2") installation completed.
02/24/2022	Line 2 shakedown, testing period with limited operation begins.
03/01/2022	Commercial production of merchantable gloves from Lines 1 & 2 begins.
03/02/2022	Glove production on Lines 1 & 2 suspended for extended (+3 week) period.
05/15/2022	Caustic Scrubbers 5 & 6 installation (in series) completed.
06/06/2022	Line 3 glove production line ("Line 3") installation completed.
06/13/2022	Line 3 shakedown, testing period with limited operation begins.
06/20/2022	Commercial production of merchantable gloves from Line 3 begins.
06/23/2022	Activated carbon control device installation completed.

- I. The Respondent failed to submit 2021 Annual Caustic Scrubber Operation report by the March 31, 2022 due date. The Respondent is required to submit a report of the hours the scrubbers operated out of range for the preceding calendar year by March 31st. The 2021 annual report was dated May 10, 2022 and received on or about August 12, 2022.

Failure to comply with the reporting requirement is a violation of Specific Requirement 9 of Minor Source Air Permit No. 2620-00145-00, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

- J. The Respondent failed to submit a permit application and receive authorization prior to the installation and subsequent operation of an emission source. During the September 27, 2022 inspection, the Respondent was in the process of installing a second steam boiler. Failure to submit a permit application to the Department prior to the construction of the steam boiler is a violation of LAC 33:III.501.C.1 and La. R.S. 30:2057(A)(2). The unauthorized operation of the second boiler is a violation of LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(2). In a Request for Minor Air Source Air Permit Modification Application dated November 7, 2022, the Respondent proposed to delete the existing Steam Boiler (EQT 0017) and replace it with four (4) 500 horsepower steam boilers equipped with low NOx burners.
- K. During the September 27, 2022 inspection, a FLIR camera survey of the process areas of the facility indicated VOCs were present at the junction box of the floor drains prior to the flow exiting the building and being directed to the lagoons.
- L. The Respondent caused and/or allowed the discharge of wastewater and/or process area storm water from a source or location not authorized by the permit, per the following occurrences as noted below:
 - i. During an investigation by the Department on or about May 24, 2022, it was observed that the facility was operating a 25,000 gallon per day (GPD) extended aeration sanitary treatment package plant [referred to as a sanitary treatment plant (STP)] without permitting authorization, since the facility began operations on or about March 1, 2022. Specifically, an active discharge was observed from the STP's effluent discharge pipe, during the investigation (see Attachment 4: Photos 51-56, LDEQ-EDMS Document 13367050, Pages 151-156 of 579). A file review conducted on or about July 14, 2022 revealed that on or about June 1, 2022, the Respondent submitted to the Department a LPDES Notice of Intent (NOI) to Discharge Sanitary Wastewater. Based on the information contained in the NOI, the Department subsequently issued LPDES General Sanitary Class II Permit LAG542400 to the Respondent with an effective date of June 21, 2022, and an expiration date of August 1, 2023. Under the authorization of LPDES Permit LAG542400, the Respondent is only authorized to discharge treated sanitary wastewater.
 - ii. The April 16, 2021 application identified the discharge location of treated process wastewater as Outfall 001 with a latitude and longitude of 30°6'38.36"N and -

91°56'1.04" W, respectively. During the May 24, 2022 investigation, the treated process wastewater was discharging from a location not listed in the LPDES permit application and/or effective LPDES Permit LA0127544. The outfall for the previously mentioned STP is also not located at above-referenced latitude and longitude.

- iii. During the May 24, 2022 investigation, the Department also observed a manhole next to the STP, as well as the package plant both actively overflowing. Specifically, the overflow from the manhole was discharging into a nearby roadside ditch (see Attachment 4: Photos 57-60, LDEQ-EDMS Document 13367050, Pages 157-160 of 579), while the overflow from the package plant was discharging into nearby local drainage, thence waters of the state (see Attachment 4: Photos 61-67, LDEQ EDMS Document 13367050, Pages 161-167 of 579). In addition, a shovel was observed next to the manhole. A man-made trench was created to usher the overflowing wastewater to discharge to waters of the state, via the roadside ditch.

According to the Respondent, via email communication received by the Department on or about May 27, 2022, the Respondent stated that one (1) of the production chains/lines was stopped, due to the inundation of water at the package plant to allow the plant to function at an appropriate level. Furthermore, the Respondent's response stated that the diverted streams from the package plant were covered (i.e., backfilled with fresh dirt) and cleaned up of trash and particles.

- iv. During the May 31, 2022 investigation, upstream from the STP, the Department also observed two (2) storm water discharge pipes (see Attachment 4: Photos 71-72, LDEQ EDMS Document 13367050, Pages 171 and 172 of 579). However, only one (1) of the storm water discharge pipes is mentioned in the Respondent's April 16, 2021 LPDES permit application and ultimately identified and authorized as Outfall 002 in LPDES Permit LA0127544. Per the Respondent's LPDES permit application, Outfall 002 is depicted as being located at latitude and longitude 30°6'17.33"N and -91°55'59.93"W, respectively (see Attachment 4: Photo 73, LDEQ EDMS Document 13367050, Page 173 of 579), and the monitoring location, per the LPDES permit is at the point of discharge north/northeast of the building and parking lot, prior to mixing with other waters. However, it was noted during the investigation that no storm water discharge pipe was observed in that area. Accordingly, the Respondent's permitted storm water runoff is from a location not authorized, and the second storm water discharge pipe is a source not included in the Respondent's LPDES permit application and not permitted and/or authorized to discharge to waters of the state. Please note that the above-mentioned latitude and longitude is located in the immediate vicinity of the Respondent's STP (see Attachment 4: Photo 73, LDEQ EDMS Document 13367050, Page 173 of 579).

According to the Respondent, via email communication received by the Department on or about June 3, 2022, the Respondent indicated that recent drain

improvements had been made at the facility and further acknowledged that there are two (2) additional outfalls into the drainage ditch from the parking lot.

- v. During the May 31, 2022 investigation, holes were noted at the bottom of the coagulated waste NBR dumpster, and liquid was visibly observed and actively leaking from the bottom (see Attachment 4: Photos 38-39, LDEQ EDMS Document 13367050, Pages 138 and 139 of 579). Three (3) totes were observed next to the waste NBR dumpster and staining was observed on the ground in this area, as well as evidence of drainage to the nearby ditch behind the stack of pallets. One tote was labeled caustic soda (Attachment 4: Photo 42). This tote was punctured on the sides and the cap at the top of the tote was off. The labels on the other two (2) totes were not legible; however, evidence of NBR residue was observed in both totes. Both caps at the top of these totes were off and blue staining was observed coming from the valve of the last tote (Attachment 4: Photos 45-46, LDEQ EDMS Document 13367050, Pages 145 and 146 of 579). A white staining was observed on the ground around the backside of the waste NBR dumpster and the three (3) totes. The staining observed on the ground continued into the nearby ditch behind the stack of pallets (Attachment 4: Photos 47-49, LDEQ EDMS Document 13367050, Pages 147-149 of 579).

The above-discussed occurrences of unauthorized discharges of process wastewater, process area storm water, non-contact area storm water and/or treated sanitary wastewater from a source or location not authorized by an applicable LPDES permit is a violation of La. R.S. 30:2076(A)(1)(a) and LAC 33:IX.501.D.

- M. Records of monitoring information shall include: the date, exact place, and time of sampling or measurements; the individual(s) who performed the sampling or measurements; the date(s) analyses were performed; the individual(s) who performed the analyses; the analytical techniques or methods used; the results of such analyses; and additional information found in LAC 33:IX.6515. The chain-of-custody forms were not complete. Specifically, review of the analytical reports and the corresponding chains of custody provided by hoh-Pak, Laboratory Inc. (hoh-Pak) revealed the facility's name, location of the samples, and the outfall of each sample were not included in any of the documentation. The required information was not included in additional documentation provided by the Respondent June 24, 2022. (La. R.S. 30:2076(A)(3), LAC 33:IX.2701.J.3, and LAC 33:IX.6515.A)
- N. The Respondent failed to prepare and/or implement a Storm Water Pollution Prevention Plan (SWP3). Specifically, during the time of the initial investigation, the

Respondent was unable to provide the Department the SWP3 for review. As required by the Respondent's LPDES permit, a SWP3 was required to be prepared, implemented and maintained within six (6) months of the effective date of the final permit (for first time permit issuance). LPDES Permit LA0127544, became effective on November 17, 2021. Accordingly, the SWP3 was required to be prepared, maintained and implemented no later than May 17, 2022. On or about May 27, 2022, the Respondent informed the Department that a formal plan is being developed by an outside consulting firm, which will also include the SWP3 and Spill Prevention and Control (SPC) plan for the facility. (LPDES Permit LA0127544, Narrative Requirement for Outfall 002, Page 5 of 7, Items N-6; La. R.S. 30:2076(A)(3) and LAC 33:IX.2701.A)

- O. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Specifically, according to the Respondent's LPDES Permit LA0127544, 24-hour composite samples are required twice per month for Biochemical Oxygen Demand [5-day (BOD5), Total Ammonia Nitrogen (as N), and Total Suspended Solids (TSS), and quarterly 24-hour composite samples are required for Acrylonitrile, Total Nitrogen (as N), Total Recoverable Phenolics, Total Phosphorus (as P), and Total Zinc (as Zn). However, the lab analyses provided to the Department indicated that the Respondent only took grab samples on two (2) separate days for the month of February; the Respondent took grab samples on seven (7) separate days during the month of March, as well as one 8-hour composite sample; the Respondent took grab samples on six (6) separate days in April; and the Respondent took grab samples on five (5) separate days in May (see Attachment 18, LDEQ EDMS Document 13367050, Pages 292- and 315 of 579). (LPDES Permit LA0127544, Effluent Limitation and Monitoring Requirements for Outfall 001, Page 1 of 7; La. R.S. 30:2076(A)(3) and LAC 33:IX.2701.J.1)
- P. The Respondent failed to submit relevant facts in a permit application, per the following occurrences as noted below:
 - i. The Respondent failed to update and/or correct facility operational processes and/or production stages, (including flow fluctuations), wastewater treatment options and/or additional chemical uses. The Respondent's LPDES Permit LA0127544 was issued based on the representation of a continuous flow rate of 2.81 MGD (max 30

day), which is a representation of the facility producing at full capacity, and not a phased production line approach. In addition, a 30-day maximum flow of 1.5 MGD was used to calculate oxygen demanding parameters [i.e., BOD5 and Total Ammonia Nitrogen (as N)] summer mass loading than the winter 30-day max flow of 2.81 MGD to ensure that the permitted summer loadings are protective of the receiving streams. Per information received by the Department during a meeting held on August 25, 2022, the Respondent informed the Department that as of the date of the meeting, only three (3) of the anticipated 36 lines of productions were in operation. A file review conducted on August 23, 2022 revealed that a three-month snapshot of the Respondent's flow, via Outfall 001, reported monthly average and daily maximum flows of 0.117 MGD, 0.156 MGD, and 0.331 MGD for the Discharge Monitoring Reports (DMRs) submitted on April 30, 2022, May 31, 2022, and June 30, 2022, respectively. Effluent limitations in the Respondent's LPDES permit were based and issued on the representation of a continuous 30-day maximum flow of 2.81 MGD.

- ii. The Respondent is utilizing antifoam agents within the drains inside of the plant to prevent foaming at the outfall(s). The frequency and volumes of these antifoam agents were not provided with the LPDES permit application, dated April 16, 2021.
- iii. During the May 31, 2022 investigation, a feminine hygiene product was observed on the ground near the overflowing manhole. Per the Respondent's facility representative, sanitary wastewater was also being commingled with process wastewater. The effective LPDES Permit LA0127544, which was subsequently issued per the Respondent's LPDES permit application representations, does not include authorization for sanitary wastewater influents and/or subsequent effluent discharges. Per the facility's LPDES permit application, dated April 16, 2021, the Respondent provided correspondence, dated March 22, 2021, from the City of Broussard's Public Works Department noting that the City agreed to accept the sanitary waste stream from the facility.
- iv. Per the Respondent's technical memorandum, dated May 26, 2022, under the Corrective Actions section, the Department was informed that the facility recently completed construction of three (3) lined ponds with capacity of 10 million gallons, and that these ponds are part of the first phase of the 2.81 MGD process waste treatment plant. In addition, parallel 10 inch force mains, which will transport the process waste (and wastewater) from the plant to the ponds were also installed. The 3-lined ponds are not represented in the LPDES permit application.
- v. The wastewater treatment plant (WWTP) scheme as represented in the Respondent's April 16, 2021 LPDES permit application has not been built as of the date of this ORDER. The LPDES permit application, which was submitted on April 16, 2021 describes the process that will be used (for treatment) as follows:

"Wastewater treatment will consist of screening, equalization, sequencing batch reactor (with denitrification cycle), ultraviolet light disinfection, and flow measurement. Screening: The waste will be routed through a set of three rotary drum screens. These will be 1500 gpm capacity each. The solids will be wasted from the screens and deposited of at a local landfill. The solids will be mostly nitrile rubber particles from the glove making and mold cleaning. Water from

the screens will be routed to the waste treatment facility. Equalization/Neutralization: The screened waste will enter an equalization basin designed to provide dampening of the peak flows. The equalization will have 8 hours detention time (one shift) with a volume of $\frac{3}{4}$ of a million gallons. This basin will be mixed and will have a feed system for acid and base to neutralize the pH prior to the biological process. Sequencing Batch Reactor: An SBR treatment system with six reactors will provide removal of organics and denitrification. SBRs are particularly suitable for denitrification since the initial step of the sequence can be without aeration creating an anoxic phase which allows denitrification. The total detention time of the six reactors will be 18 hours. Each reactor will have a mixer, an aeration system, a floating weir for decanting and a pump for sludge removal and recycle. The reactors will be 350,000 gallons each and at 15 feet deep, and will be 33 feet wide and 100 feet long. Ultraviolet Light Disinfection: The treatment process will be ultraviolet disinfection. Flow Measurement: The plant will discharge over a V-notch weir with a level detector which will monitor the flow from the system".

The Respondent is currently using a 25,000 GPD (sanitary) package plant and a 3-lined pond system for treatment of its process wastewater and/or process area storm water. As of the date of this ORDER, an updated application for LPDES Permit LA0127544 has not been submitted to the Department. (La. R.S. 30:2076(A)(3); LAC 33:IX.501.A, and LAC 33:IX.2701.L.8).

In the technical memorandum, dated May 31, 2022, the Respondent maintains that the 25,000 GPD (sanitary) package plant follows the scheme as described in the LPDES individual permit application.

- Q. The Respondent failed to comply with LPDES Permit LA0127544. Specifically, a review of hard copy Discharge Monitoring Reports (DMRs) and electronically submitted via NetDMRs, for the monitoring periods of November 1, 2021 to June 30, 2022, revealed that the Respondent reported exceedances of permit effluent limitations at Outfall 001 for the parameter pH for the monthly reporting periods ending on March 31, 2022, April 30, 2022, and May 31, 2022. Review of the DMRs disclosed that the Respondent's effluent discharge exceeded the 6.0 standard units (s.u.) daily minimum pH permit limitation on three (3) discrete occurrences. The dates and exceedances of the daily minimum permit limit were reported as follows: March 21st

(1.7 s.u.), March 24th (1.7 s.u.), March 28th (2.7 s.u.). The Respondent also exceeded the 9.0 s.u. daily maximum limitation on four (4) discrete occurrences. The dates and exceedances of the daily maximum permit limit was reported as follows: March 31st (9.4 s.u.), April 14th (9.6 s.u.), April 28th (9.1 s.u.) and May 9th (9.3 s.u.). Per information submitted with the associated DMRs and/or NetDMRs, the above-mentioned pH permit effluent exceedances experienced were associated with the following: pH variations in acid dipping vat and caustic scrubbers discharged. The Respondent advised the Department that the following corrective actions were implemented to prevent reoccurrences: 1) Operational procedures in the plant were modified to avoid/neutralize acid discharges; 2) Solution changed from muriatic acid to citric acid; and 3) Procedure instituted to neutralize caustic scrubber liquor, prior to discharge. (LPDES Permit LA0127544, Effluent Limitation and Monitoring Requirements for Outfall 001, Page 1 of 7; La. R.S. 30:2076(A)(3); and LAC 33:IX.501.A)

- R. The Respondent failed to comply with LPDES Permit LA0127544. The Respondent is required to submit quarterly Discharge Monitoring Reports (DMRs) no later than the 28th day of each quarter for Outfall 002. Specifically, the Respondent failed to submit the 4th quarter DMR for the monitoring period of November 17, 2021 (effective date of the permit) to December 31, 2022. The DMR was due on or before January 28, 2022 (LPDES permit LA0127544, Submittal/Action Requirements, S-1, Page 3 of 7, Standard Conditions for LPDES Permits, Section A.2; La. R.S. 30:2076(A)(3); and LAC 33:IX.2701.A)
- S. The Respondent failed to submit Discharge Monitoring Reports (DMRs) in a timely manner. The Respondent is required to submit monthly DMRs no later than the 28th day of the quarter following each monthly monitoring period for Outfall 001. Specifically, the Respondent did not submit timely DMRs for the following monitoring/reporting periods: November and December 2021 (due January 28th; submitted April 29th); January, February and March 2022 (due April 28th; submitted April 29th); April and May 2022 (due July 28th; hard copy DMRs submitted July 29th and NetDMRs August 9th); and May 2022 (due July 28th; hard copy DMRs submitted July 28th and NetDMRs August 16th). (LPDES Permit LA0127544, Permit

Requirements, Submittal/Action Requirements, S-1, Pages 2 and 3 of 7, Standard Conditions for LPDES Permits, Section A.2; La. R.S. 30:2076(A)(3); and LAC 33:IX.2701.L.4)

- T. The Respondent failed to comply with LPDES General Sanitary Class II Permit LAG542400. Specifically, a review of hard copy Discharge Monitoring Reports (DMRs) for the monitoring period ending June 30, 2022, revealed that the Respondent reported an exceedance of the 400 Colonies/100ML daily maximum permit effluent limitation at Outfall 001 for the parameter fecal coliform. The Respondent's reported value was 2,419 Colonies/100ML. (LPDES General Sanitary Class II Permit LAG542400, Part I, Section B, Schedule A, Pages 4-5 of 25; La. R.S. 30:2076(A)(3); and LAC 33:IX.501.A)
- U. The Respondent failed to maintain waters of the state in an aesthetically attractive condition. Specifically, during the September 27, 2022 inspection, a buildup of sludge and bloodworms were observed in the receiving stream. (La. R.S. 30:2076(A)(3), LAC 33:IX.501.A, and LAC 33:IX.1113.B.1.a)
- V. The Respondent caused and/or allowed the unauthorized disposal of solid waste, in violation of La. R.S. 30:2155 and LAC 33:VII.315.C. Specifically, several areas of the facility contained unauthorized, disposed solid waste during the May 24, 2022 inspection. Unauthorized solid waste disposal was observed in the following areas:
 - i. Three (3) piles of debris containing metal scraps generated by on-site welding activities and coagulated NBR waste observed along a fence line and adjacent to a ditch along the south side of the facility. In email correspondence dated May 27, 2022, the Respondent provided information documenting that these waste piles had been removed and disposed of off-site.
 - ii. Contaminated/Stained soils observed in a ditch located in the northeast corner of the facility.
 - iii. Industrial wastewaters and sludges disposed of within three (3) unpermitted, earthen surface impoundments designated as the Phase 1- Facultative Lagoons.
 - iv. Wastewater sludge observed in a receiving stream downstream from an unpermitted point source discharge.
- W. The Respondent failed to determine if generated solid wastes are a hazard, in violation of LAC 33:V.1005.A. Specifically, the Respondent failed to perform a waste determination for:

- i. six (6) drums of paint waste observed in the central accumulation area observed during the May 24, 2022 inspection. The Respondent performed a waste determination and prepared a waste profile that was provided to the Department in email correspondence on or about May 27, 2022.
 - ii. discarded scrubbing media removed from Caustic Scrubbers 1 and 2 due to deterioration of the media resulting in the clogging of the scrubbers components observed during the September 27, 2022 inspection.
- X. The Respondent failed to notify the Office of Environmental Services within seven (7) days of changes to the information included in its application for an EPA identification number (HW-1 Notification Form), in violation of LAC 33:V.1017.A. Specifically, the Respondent failed to update its HW-1 Notification Form to include the waste codes D001 and D035 which were included on a paint waste profile provided to the Department on or about May 27, 2022. On September 30, 2022, the Department received an updated HW-1 Notification Form that included the D001 and D035 waste codes.
- Y. The Respondent failed to mark or label containers storing hazardous waste with the words "Hazardous Waste" and an indication of the hazards of contents, in violation of LAC 33:V.1013.C.6.a. Specifically, during the inspection, the Department observed six (6) drums in the facility's central accumulation area. Four (4) of the drums were labeled with the words "Waste Paint" while the other two had no markings or labels. All six (6) of the drums were ultimately discovered to contain hazardous waste. In email correspondence dated June 3, 2022, the Respondent provide photo documentation demonstrating that all of the above-referenced hazardous containers had been marked with the words "Hazardous Waste" and an indication of the hazards of the contents.
- Z. The Respondent failed to mark or label containers storing hazardous waste with an accumulation start date, in violation of LAC 33:V.1013.C.6.b. Specifically, during the inspection, the Department observed six (6) drums in the facility's central accumulation area. Four (4) of the drums were labeled with the words "Waste Paint" while the other two (2) had no markings or labels. All six (6) of the drums were ultimately determined to contain hazardous waste. In email correspondence dated June 3, 2022, the

Respondent provide photo documentation demonstrating that all of the above-referenced hazardous containers had been marked with an accumulation start date.

- AA. The Respondent failed to sufficiently close containers storing hazardous, in violation of LAC 33:V.1013.C.2.c.i. Specifically, during the inspection, the Department observed three (3) drums in the facility's central accumulation area that were not sufficiently closed. All three (3) of the drums were ultimately discovered to contain hazardous waste. In email correspondence dated May 27, 2022, the Respondent provide documentation demonstrating that all of the above-referenced hazardous containers had been properly closed.
- BB. The Respondent failed to store solid waste in containers in a manner that would keep out water and prevent leakage in violation of LAC 33:VII.503.A.2.c. Specifically, during the May 24, 2022 inspection, the Department observed a dumpster located outside the northeast corner of the plant that contained coagulated NBR waste. The dumpster was uncovered and holes were observed on the bottom and liquid was observed to be leaking from the container. Additionally, during the September 27, 2022 inspection, the Department observed six (6) roll-off containers in the northeast corner of the facility accumulating various solid wastes generated at the facility. Two (2) of the roll-off containers used for the collection of general solid waste were uncovered and had holes located along the bottom of the containers.

III.

On or about August 2, 2022, the Department conducted a Partial Compliance Evaluation (PCE) inspection in response to an anonymous complainant [Department Incident No. T209711]. The inspection was conducted to determine the Respondent's degree of compliance with all applicable federal and state regulations and all applicable permits. While the investigation by the Department is not yet complete, the following violations were noted during the course of the inspection:

- A. As cited in Paragraph II.B of the **FINDINGS OF FACT**, the Respondent failed to install all proposed control equipment as specified in the permit application. As noted during the inspection and in correspondence dated September 9, 2022, an activated carbon unit was installed on June 23, 2022. The activated carbon unit is composed of

three (3) principal components/units connected in series: 1) a unit in which water is applied to the emission stream [water cabinet]; 2) a particulate filter; and 3) a unit containing activated carbon blocks on removable trays [carbon cabinet]. As of June 23, 2022, the following emissions streams are currently routed to the activated carbon unit: NBR storage tanks, NBR mixing tanks, NBR dipping tanks (on the production line), all vulcanization ovens, and all drying ovens. Failure to install all proposed control equipment as specified in a permit application is a violation of Specific Requirements 20 and 23 of Minor Source Air Permit No. 2620-00145-00, LAC 33:III.905, LAC 33:III.537, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

- B. The Respondent failed to monitor for VOC breakthrough daily. According to correspondence dated September 9, 2022, the Respondent stated an activated carbon unit was installed on June 23, 2022. The sampling ports on the activated carbon unit were installed on August 3, 2022. The Respondent provided a log which indicated that VOC monitoring of the carbon cabinets inlet and exit concentration began on August 4, 2022. Monitoring was conducted on the following dates: August 4, 2022, August 7, 2022, August 10, 2022, August 11, 2022, and August 12, 2022. The VOC monitoring log indicated that all inlet stream and exit stream readings were 0.0. At the time of the inspection, the activated carbon unit, VOC control unit, was hard piped with no ports to conduct the monitoring. Each failure to monitor VOC breakthrough daily is a violation of Specific Requirement 8 of Minor Source Air Permit No. 2620-00145-00, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

IV.

On August 27, 2022, the Department sent an information request via email to the Respondent requesting information related to operations, permitting, and compliance. On September 9, 2022, the Respondent submitted a response to the information request. According to the response, the Respondent has or will conduct a review of operations, permitting, and compliance.

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, Hazardous Waste Regulations, Solid Waste Regulations, Water Quality Regulations, and all applicable permits. This shall include, but not be limited to, correcting all of the violations described in the "Findings of Fact" portion.

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a report containing each permit emission limit, max lb./hr. and or tons per year (tpy), exceedance based on the failure to install control equipment or reported excess emissions as cited in Paragraph II.B-D and Paragraph III.A of the **FINDINGS OF FACT** portion of this action. The report shall include the date of occurrence, emission point number, name of the pollutant, the permitted emission limit as authorized in Minor Source Air Permit No. 2620-00145-00, amount of pollutant, and duration of the exceedance from January 1, 2022 through date of receipt of this **COMPLIANCE ORDER**.

III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a report on the status on the installation of a flow rate monitoring device as related to the violation cited in Paragraph II.F. of the **FINDINGS OF FACT** portion of this action.

IV.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the date(s) of installation and commencement of operation for sources referenced in Paragraph II.J of the **FINDINGS OF FACT** portion.

V.

To submit to the Air Permits Division of the Office of Environmental Services on or before January 6, 2023, a complete air permit modification application. The application shall reflect the actual operation of the facility. A copy of the application shall be submitted to the Air Enforcement Division.

VI.

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

VII.

To protect water quality, the Respondent is required to comply with the interim effluent limitations and monitoring requirements set forth in Attachment 1 until modification, revocation and/or reissuance of LPDES permit LA0127544 is issued by the Department or until the Respondent is otherwise notified in writing by the Department.

VIII.

To submit to the Water Permits Division of the Office of Environmental Services on or before January 6, 2023, a completed LPDES permit modification application. A copy of the permit application should also be sent to the Enforcement Division. The completed LPDES permit modification application shall reflect the current and future production operations of the facility, which shall include, but not be limited to actual wastewater treatment infrastructure and capabilities. In addition, if the Respondent demonstrates a need to discharge storm water from additional outfalls to waters of the state, the LPDES must address all outfalls at the facility for the Department's consideration of proper coverage and permitting of any discharge of pollutants from the facility to waters of the state. The Respondent shall not discharge pollutants to waters of the state prior to obtaining permit coverage or other authorization from the Department.

IX.

To perform, within seven (7) days after receipt of this **COMPLIANCE ORDER**, a proper hazardous waste determination on spent/discarded scrubbing media described in Paragraph II.W.ii in the **FINDINGS OF FACT** portion of this action. The Respondent shall submit the results of the waste determination to the Enforcement Division within seven (7) days of completion.

X.

To immediately, upon receipt of this **COMPLIANCE ORDER**, implement procedures to ensure that containers storing solid waste are managed in a manner to keep out water and prevent leakage.

XI.

To excavate and dispose, within thirty (30) days of receipt of this **COMPLIANCE ORDER**, any visibly contaminated soils resulting from operations/activities at the Respondent's facility and submit documentation of proper disposal to the Enforcement Division within fifteen (15) days of completion.

XII.

The Respondent shall submit to the Waste Permits Division, within one-hundred and twenty (120) days of receipt of this **COMPLIANCE ORDER**, five (5) copies of a Solid Waste Permit Application for a Type I Surface Impoundment to obtain authorization for the operation of the currently unpermitted solid

waste surface impoundments specified in Paragraph II.V.iii in the **FINDINGS OF FACT PARAGRAPH** portion of this action. As an alternative to permitting the solid waste impoundments, the respondent may elect closure in accordance with the Louisiana Solid Waste Regulations. In the event the Respondent elects to close the unpermitted solid waste surface impoundments, the closure shall be conducted in full compliance with Louisiana Solid Waste Regulations. If the Respondent elects to close the surface impoundments, the Respondent shall comply with the compliance schedule contained in the table below.

MILESTONE	COMPLETION DATE
The Respondent shall submit a Closure Plan that addresses the closure of the Phase 1- Facultative Lagoons.	Within thirty (30) days of the Respondent's receipt of this Compliance Order
The Respondent shall implement the Department-approved Closure Plan.	Within fifteen (15) days of the date of the Department's approval of the Closure Plan
The Respondent shall complete implementation of the Department-approved Closure Plan.	Within 180 days of the Department's approval of the Closure Plan.
The Respondent shall submit a Phase 1- Facultative Lagoons Closure Report.	Within forty-five (45) days of completion of closure activities specified in the Closure Plan

In the event the Respondent anticipates that completion of the milestone is not possible by the prescribed date, the Respondent shall submit written notice to the Enforcement Division seven (7) calendar days prior to the deadline. The written notice shall include a narrative describing: 1) the circumstances impacting completion of the milestone; 2) measures implemented by the Respondent to ensure completion of the milestone within the shortest time possible; and 3) a new proposed milestone completion date.

XIII.

To begin, within thirty (30) days of receipt of this **COMPLIANCE ORDER**, operating the Phase 1- Facultative Lagoons in accordance with the Interim Operational Plan included as Attachment 2 of this **COMPLIANCE ORDER**.

XIV.

Until such time that the Respondent obtains a Type I Solid Waste Permit or closes the Phase 1- Facultative Lagoons in accordance with the Louisiana Solid Waste regulations, the Respondent shall submit to the Office of Environmental Services a Certification of Compliance annually by October 1st of each year covering the period of July 1st to June 30th immediately preceding the October 1st submittal date, in accordance with LAC 33:VII.525.

XV.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, an Interim Measures Plan that proposes additional engineering and operational controls or modifications that will mitigate potential environmental impacts from the Respondent's operations until such time that the Respondent obtains and complies with the requisite Air, Water, and Solid Waste Permits. The Interim Measure Plan shall consider supplemental activities during the Respondent's term of noncompliance including but not limited to: 1) reduction of waste and/or pollutant inputs into the Phase 1- Facultative Lagoons; 2) the potential for recycling of process wastewaters for re-use in production operations; 3) the use of frac tanks for the storage of process wastewater; 4) additional monitoring and reporting of the composition of process wastewater upstream of and at the point source discharge; 5) air emission reductions through the use of additional air pollution control devices; 6) alternate methods of treatment and/or disposal of process wastewaters; and 7) upgrades to the Phase 1- Facultative Lagoons that may provide greater protection against the release of pollutants into the environment.

XVI.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violation(s) and actions taken or to be taken to achieve compliance with the Order Portion of this **COMPLIANCE ORDER**. This report and all other reports or information 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: Antoinette Cobb
Re: Enforcement Tracking No. MM-CN-22-00581
Agency Interest No. 228471

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

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

II.

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

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. MM-CN-22-00581
Agency Interest No. 228471

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 Antoinette Cobb at (225) 219-3072 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.

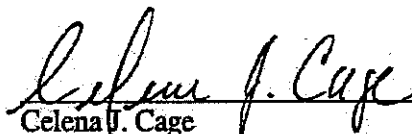
IV.

The Department assesses civil penalties based on LAC 33:1Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement amount, but the Department is under no obligation to enter into settlement negotiations. The decision to proceed with a settlement is at the discretion of the Department. The settlement offer amount may be entered on the attached "**CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE**" form. The Respondent may submit the settlement offer within one hundred and eighty (180) days of receipt of this **NOTICE OF POTENTIAL PENALTY** portion but no later than ninety (90) days of achieving compliance with the **COMPLIANCE ORDER** portion. The Respondent must include a justification of the offer. **DO NOT** submit payment of the offer amount with the form. The Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.

V.


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

Baton Rouge, Louisiana, this 29th day of November, 2022.


Celena J. Cage
Assistant Secretary
Office of Environmental Compliance

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

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

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE ENFORCEMENT DIVISION POST OFFICE BOX 4312 BATON ROUGE, LOUISIANA 70821-4312				CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE			
Enforcement Tracking No.	MM-CN-22-00581	Contact Name	Antoinette Cobb				
Agency Interest (AI) No.	228471	Contact Phone No.	(225) 219-3072				
Alternate ID Nos.	2560-00145, LA0127544, LAG542400, and LAR000102535						
Respondent:	SAFESOURCE DIRECT, L.L.C.		Facility Name:	Nitrile Glove Plant			
	c/o CT Corporation System		Physical Location:	142 Lake Talon Road			
	Agent for Service of Process						
	3867 Plaza Tower Drive		City, State, Zip:	Broussard, LA 70518			
	Baton Rouge, LA 70816		Parish:	St. Martin			
STATEMENT OF COMPLIANCE							
STATEMENT OF COMPLIANCE			Date Completed	Copy Attached?			
A written report was submitted in accordance with Paragraph XVI of the "Order" portion of the COMPLIANCE ORDER.							
All necessary documents were submitted to the Department within 7 or 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) II, III, IV, IX, XI, and XV of the "Order" portion of the COMPLIANCE ORDER.							
All necessary documents were submitted to the Department within 120 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) XII of the "Order" portion of the COMPLIANCE ORDER.							
All necessary documents were submitted to the Department within 90 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) XII 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:							
(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 CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (MM-CN-22-00581), 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 CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (MM-CN-22-00581), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$_____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. The Respondent may submit the settlement offer within one hundred and eighty (180) days of receipt of this NOTICE OF POTENTIAL PENALTY portion but no later than ninety (90) days of achieving compliance with the COMPLIANCE ORDER portion. <ul style="list-style-type: none"> • Monetary component = \$_____ • Beneficial Environmental Project (BEP) component (optional)= \$_____ • DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted. 						
<input type="checkbox"/>	The Respondent has reviewed the violations noted in CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (MM-CN-22-00581) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.						

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

Respondent's Signature	Respondent's Printed Name	Respondent's Title
Respondent's Physical Address	Respondent's Phone #	Date

MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:

Louisiana Department of Environmental Quality
 Office of Environmental Compliance
 Enforcement Division
 P.O. Box 4312
 Baton Rouge, LA 70821
 Attn: Antoinette Cobb

ATTACHMENT 1 - ENFORCEMENT TRACKING NO. MM-CN-22-00581**SAFESOURCE DIRECT, LLC****Nitrile Glove Plant****Agency Interest No. 228471 - LPDES Permit LA0127544****Page 1 of 6**

Effective upon receipt of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. MM-CN-22-00581**, and based on a total of four (4) active production lines, and a 4-line incremental phased approach, the Respondent shall comply with the following interim effluent limitations for flow, as well as three (3) specific technology (production based) parameters, which include Biochemical Oxygen Demand [5-day (BOD₅)], Total Suspended Solids (TSS) and Oil & Grease (see Tables 1A-1D below for additional details for interim effluent limitations for a total of 16 lines):

Table 1A - Technology (Production Based) Interim Effluent Limitations for 1-4 Production Lines***Outfall 001 - the continuous discharge of process wastewater and storm water**

Flow	Report (million gallons/day)	Report (million gallons/day)	—	—	Daily	Measure
BOD ₅	46.0	77.71	—	—	twice per month	24-hr composite
TSS	60.58	139.75	—	—	twice per month	24-hr composite
Oil & Grease	15.25	41.48	—	—	twice per month	24-hr composite

*The Respondent shall notify the Office of Environmental Compliance and Office of Environmental Services, in writing, at least 15 days prior to commencement of operation of a new production line. Failure to make timely notification, as required, shall be a violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. MM-CN-22-00581**.

ATTACHMENT 1 - ENFORCEMENT TRACKING NO. MM-CN-22-00581**SAFESOURCE DIRECT, LLC****Nitrile Glove Plant****Agency Interest No. 228471 - LPDES Permit LA0127544****Page 2 of 6****Table 1B - Technology (Production Based) Interim Effluent Limitations for 5-8 Production Lines*****Outfall 001 - the continuous discharge of process wastewater and storm water**

Flow	Report (million gallons/day)	Report (million gallons/day)	---	---	Daily	Measure
BOD ₅	91.91	155.41	---	---	twice per month	24-hr composite
TSS	121.15	279.49	---	---	twice per month	24-hr composite
Oil & Grease	30.49	83.55	---	---	twice per month	24-hr composite

*The Respondent shall notify the Office of Environmental Compliance and Office of Environmental Services, in writing, at least 15 days prior to commencement of operation of a new production line. Failure to make timely notification, as required, shall be a violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. MM-CN-22-00581.**

ATTACHMENT 1 - ENFORCEMENT TRACKING NO. MM-CN-22-00581**SAFESOURCE DIRECT, LLC****Nitrile Glove Plant****Agency Interest No. 228471 - LPDES Permit LA0127544****Page 3 of 6****Table 1C - Technology (Production Based) Interim Effluent Limitations for 9-12 Production Lines*****Outfall 001 - the continuous discharge of process wastewater and storm water**

Table 1C - Technology (Production Based) Interim Effluent Limitations for 9-12 Production Lines*						
Outfall 001 - the continuous discharge of process wastewater and storm water						
Flow	Report (million gallons/day)	Report (million gallons/day)	—	—	Daily	Measure
BOD₅	137.87	233.12	—	—	twice per month	24-hr composite
TSS	181.73	419.24	—	—	twice per month	24-hr composite
Oil & Grease	45.75	125.33	—	—	twice per month	24-hr composite

*The Respondent shall notify the Office of Environmental Compliance and Office of Environmental Services, in writing, at least 15 days prior to commencement of operation of a new production line. Failure to make timely notification, as required, shall be a violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. MM-CN-22-00581.**

ATTACHMENT 1 - ENFORCEMENT TRACKING NO. MM-CN-22-00581**SAFESOURCE DIRECT, LLC****Nitrile Glove Plant****Agency Interest No. 228471 - LPDES Permit LA0127544****Page 4 of 6****Table 1D - Technology (Production Based) Interim Effluent Limitations for 13-16 Production****Lines*****Outfall 001 - the continuous discharge of process wastewater and storm water**

Flow	Report (million gallons/day)	Report (million gallons/day)	—	—	Daily	Measure
BOD ₅	183.82	310.83	—	—	twice per month	24-hr composite
TSS	242.31	558.99	—	—	twice per month	24-hr composite
Oil & Grease	61.0	167.11	—	—	twice per month	24-hr composite

*The Respondent shall notify the Office of Environmental Compliance and Office of Environmental Services, in writing, at least 15 days prior to commencement of operation of a new production line. Failure to make timely notification, as required, shall be a violation of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. MM-CN-22-00581.**

ATTACHMENT 1 - ENFORCEMENT TRACKING NO. MM-CN-22-00581

SAFESOURCE DIRECT, LLC

Nitrile Glove Plant

Agency Interest No. 228471 - LPDES Permit LA0127544

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Within sixty (60) days after receipt of **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. MM-CN-22-00581**, and based on current and proposed increases in production lines, the Respondent shall sample and report sampling results at Outfall 001 from Tables II (Other Toxic Pollutants (Metals and Cyanide) and Total Phenol), III (Organic Toxic Pollutants), IV (Additional Conventional and Nonconventional Pollutants), and V (Toxic Pollutants and Hazardous Substances) in the LPDES Permit Application to Discharge Wastewater From Industrial Facilities (<https://www.deq.louisiana.gov/assets/docs/Permits/IND.doc>). Sampling shall be conducted using approved EPA sampling methods using a 24-hour composite sample. The first sample must be taken within sixty (60) days from the effective date of the order. A second sample must be taken six (6) months (\pm 15 days) after the first sampling event. Parameters with effluent limits included in Tables 1A-1D or LA0127544 do not need to be included with these sampling events, provided the sampling and reporting frequencies of Tables 1A-1D and the LPDES permit, as applicable, are otherwise met. Analytical data shall be provided for all parameters; "believed absent" shall not be used as a response.

Additional Monitoring and Reporting Requirements

During the monitoring and reporting periods associated with the interim effluent limitations contained in Attachment 1, Tables 1A-1D, the Respondent shall fully comply with all other effluent limitations, monitoring and reporting requirements of the current LPDES permits LA0127544 and LAG542400. All other conditions of LPDES permit LA0127544 shall continue unchanged and remain valid until modification, revocation and/or reissuance of the permit.

The Respondent shall comply with the General Criteria for water quality standards listed in LAC 33:IX.1113.B.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge point(s) prior to mixing with other waters.

ATTACHMENT 1 - ENFORCEMENT TRACKING NO. MM-CN-22-00581

SAFESOURCE DIRECT, LLC

Nitrile Glove Plant

Agency Interest No. 228471 - LPDES Permit LA0127544

Page 6 of 6

Laboratory procedures and analyses shall be conducted by a commercial laboratory that has been certified by the Department in accordance with the requirements set forth under LAC 33:LSubpart 3, Chapters 49-55. A list of laboratories that have received accreditation is available on the Department's website located at:

<http://www.deq.louisiana.gov/portal/DIVISIONS/PublicParticipationandPermitSupport/LouisianaLaboratoryAccreditationProgram/AccreditedLaboratories.aspx>. Questions concerning the program may be directed to (225) 219-3247.

Samples and measurements shall be representative of the volume and nature of the discharge and collected and analyzed according to the requirements of LAC 33:IX.2701.J. Monitoring results from all sample analyses shall be submitted through a department-approved electronic document receiving system (NetDMR) in accordance with LAC 33:LCChapter 21.

For parameters listed in Tables 1A-1D, when applicable (based on the number of production lines), the Respondent shall submit monthly NetDMRs, which are due quarterly, by the 28th of January, April, July and October. Note: One DMR per month shall be completed and submitted electronically quarterly.

For all other parameters listed in Tables II, III, IV, and V in the LPDES Permit Application to Discharge Wastewater From Industrial Facilities, the Respondent shall submit quarterly NetDMRs, which are due by the 28th of January, April, July and October. Note: The first quarterly NetDMRs shall be submitted during the first quarterly reporting period that follows the initial (first) sampling event, which must be conducted within sixty (60) days from the effective date of the order.

ATTACHMENT 2

INTERIM OPERATIONAL PLAN

The operation of the **Facultative Phase-1 Lagoons (the facility)** governed by this **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** shall comply with the following interim operational standards:

1. Surface run-on from outside the facility shall be diverted and prevented from entering the facility.
2. Surface-runoff-diversion levees, canals, or devices shall be installed to prevent drainage from the Facultative Phase-1 Lagoons.
3. Adequate freeboard shall be provided to prevent over-topping by wave action.
4. Inspection of the facility shall be conducted daily to ensure the integrity of the levees and to maintain adequate freeboard in the facility. Corrective action shall be initiated, as necessary.
5. Discharges from the facility shall be controlled and shall conform to applicable state and federal laws, including the federal Clean Water Act and Louisiana Water Pollution Control Law.
6. Prior to the removal of any sludge from the facility, authorization for the disposition of the sludge shall be obtained from the administrative authority.
7. If a leak in the facility is determined, the administrative authority shall be notified immediately.
8. No modification(s) shall be made to the facility without the approval of the administrative authority.
9. Access to the facility shall be by all-weather roads that can meet the demands of the facility and are designed to avoid, to the extent practicable, congestion, sharp turns, obstructions, or other hazards conducive to accidents. The surface roadways shall be adequate to withstand the weight of transportation vehicles.
10. Perimeter barriers and other control measures, such as security and signs, shall be provided as follows:
 - a. The facility shall have a perimeter barrier that prevents unauthorized ingress or egress, except by willful entry.
 - b. During operating hours, each facility entry point shall be continuously monitored, manned, or locked.
 - c. During non-operating hours, each facility entry point shall be locked.
11. The facility shall be equipped with a device or method to determine quantity (by wet-weight tonnage); sources; and types of incoming waste. The facility shall also be

ATTACHMENT 2

equipped with a device or method to control entry of the waste and prevent entry of unrecorded or unauthorized deliverables (*i.e.*, hazardous waste and unauthorized or unpermitted solid waste).

12. The facility shall be equipped with a central control and recordkeeping system for tabulating the information required in #11.
13. The placement or depositing of hazardous waste in the facility shall be strictly prohibited and prevented. The administrative authority may exclude any other wastes that present special handling or disposal problems.
14. Sufficient equipment shall be provided and maintained to meet the operational needs of the facility.