

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

SASOL CHEMICALS (USA) LLC

AI # 3271

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

* Settlement Tracking No.
* SA-AE-25-0046
*
* Enforcement Tracking No.
* AE-CN-18-00796
*
*
* Docket No. 2020-2487-DEQ
*

SETTLEMENT AGREEMENT

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

I

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

II

On November 27, 2018, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-18-00796 (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 NINETY-FIVE THOUSAND AND NO/100 DOLLARS (\$95,000.00), of which Sixteen Thousand Thirty-Two and 78/100 Dollars (\$16,032.78) represents the Department's enforcement costs, in settlement of the claims set forth in this Settlement Agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

VI

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

VII

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

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

VIII

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

IX

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

X

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

XI

Payment is to be made within thirty (30) days from notice of the Secretary's signature. If payment is not received within that time, this Settlement Agreement is voidable at the option of the Department. The Respondent shall provide its tax identification number when submitting payment.

Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303 or by Electronic Funds Transfer (EFT) to the Department of Environmental Quality, in accordance with instructions provided to Respondent by the Financial Services Division. Each payment shall be accompanied by a completed Settlement Payment Form attached hereto.

XII

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

XIII

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

SASOL CHEMICALS (USA) 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**
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

November 27, 2018

EXHIBIT

1

CERTIFIED MAIL (7016 0910 0000 2672 5459)
RETURN RECEIPT REQUESTED

SASOL CHEMICALS (USA) LLC
c/o C T Corporation System
Agent for Service of Process
3867 Plaza Tower Drive
Baton Rouge, Louisiana 70816

RE: **CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-18-00796
AGENCY INTEREST NO. 3271**

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 **SASOL CHEMICALS (USA) LLC (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 Dr. Alicia B. Ryan at 225-219-3374 or alicia.ryan@la.gov.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/ABR/abr
Alt ID No. 0520-00003
Attachment

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

IN THE MATTER OF

**SASOL CHEMICALS (USA) LLC
CALCASIEU PARISH
ALT ID NO. 0520-00003**

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

* * * * *
ENFORCEMENT TRACKING NO.
* * * * *
AE-CN-18-00796
* * * * *
AGENCY INTEREST NO.
* * * * *
3271
* * * * *

CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **SASOL CHEMICALS (USA) 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 Lake Charles Chemical Complex (the facility), a multi-product chemical manufacturing facility, located at 2201 Old Spanish Trail in Westlake, Calcasieu Parish, Louisiana. The facility operates or has operated under the authority of the following Prevention of Significant Deterioration (PSD) and Title V Air Permits:

UNIT	PERMIT	ISSUE DATE	PERMIT EXPIRATION DATE
	PSD-LA-291 (M-3)	11/29/2010	N/A
	PSD-LA-291 (M-4)	4/29/2016	N/A
	PSD-LA-644	09/19/2000	N/A
	PSD-LA-778	5/23/2014	Rescinded 8/3/2018
	PSD-LA-814	9/1/2016	N/A
	PSD-LA-814 (M-1)	10/10/2016	N/A
	PSD-LA-779 (M-4)	2/15/2016	N/A

UNIT	PERMIT	ISSUE DATE	PERMIT EXPIRATION DATE
Ethoxylation Unit	PSD-LA-779 (M-5)	12/15/2016	N/A
	2325-V4	11/1/2012	5/22/2014
	2325-V5	5/23/2014	10/5/2015
	2325-V6	10/6/2015	12/21/2015
	2325-V7	12/22/2015	5/23/2019
Alumina Unit	2565-V5	3/4/2011	10/7/2012
	2565-V6	10/8/2012	5/22/2014
	2565-V7	5/23/2014	5/23/2019
	2565-V8	12/15/2016	5/23/2019
Ethylene Unit	2743-V4	5/13/2011	7/10/2012
	2743-V5	7/12/2012	12/8/2013
	2743-V6	12/9/13	4/4/2016
	2743-V7	4/5/2016	12/9/2018
	2743-V8	10/20/2016	12/9/2018
Alcohol Unit	2743-V9	5/3/2017	12/9/2018
	2865-V4	9/27/2011	5/22/2014
	2865-V5	5/23/2014	4/16/2015
	2865-V6	4/17/2015	8/13/2015
	2865-V7	8/14/2015	1/20/16
Linear Alkyl Benzene Unit	2865-V8	1/21/2016	5/23/2019
	2865-V9	1/11/2017	5/23/2019
	2894-V3 AA	9/29/2011	7/12/2012
Activated Sludge Unit	2894-V4	7/13/2012	11/29/2015
	2894-V5	4/29/2016	4/29/2021
Normal Paraffin Unit	2895-V1	12/9/2013	12/9/2018
	2895-V2	11/30/2017	12/9/2018
Comonomer-1 Unit	2896-V5	3/12/2012	8/24/2015
	2896-V6	8/25/2015	2/14/2016
	2896-V7	1/19/2017	1/19/2022
	2896-V8	2/2/2018	1/19/2022
Comonomer-2 Unit	3088-V0	4/25/2011	2/22/2013
	3088-V1	2/22/2013	4/25/2016
	3088-V2	9/1/2016	9/1/2021
	3088-V3	10/20/2016	9/1/2021
Steam Unit	2901-V1	12/9/2013	4/4/2016
	2901-V2	4/5/2016	12/9/2018
	2901-V3	10/20/2016	12/9/2018
Low Density Polyethylene Unit	3113-V0	5/23/2014	8/5/2015
	3113-V1	8/6/2015	5/23/2019
	3113-V2	9/13/2018	5/23/2019
Guerbet Alcohols Unit	3114-V0	5/23/2014	8/5/2015
	3114-V1	8/6/2015	5/23/2019
Ethylene Oxide/Monoethylene Glycol Unit	3115-V0	5/23/2014	5/31/2015
	3115-V1	9/1/2015	5/23/2019
Linear Low Density Polyethylene Unit	3116-V0	5/23/2014	8/5/2015
	3116-V1	8/6/2015	5/23/2019
Ethylene 2 Plant	3117-V0	5/23/2014	5/23/2019
	3118-V0	5/23/2014	12/13/2015
Gas to Liquids Unit	3118-V1	12/14/2015	5/23/2019
	3119-V0	5/23/2014	5/23/2019
Air Separation Unit	3120-V0	5/23/2014	5/23/2019
	3121-V0	5/23/2014	5/23/2019
Hydrogen Production Unit	3122-V0	5/23/2014	5/23/2019
	3123-V0	5/23/2014	5/23/2019

UNIT	PERMIT	ISSUE DATE	PERMIT EXPIRATION DATE
Stationary Engines	3124-V0	10/14/2013	10/14/2018
Construction Fueling Facility	3135-V0	4/8/2015	4/8/2020
Non-Process equipment	3160-V0	9/23/2016	9/23/2021

II.

The Respondent submitted its Title V Annual Compliance Certification Reports. A file review conducted by the Department, on or about October 23, 2018, revealed some of the reports did not include all the information to determine the compliance status of the source as required by LAC 33:III.507.H.5.c as referenced by Part 70 General Condition M.

III.

On or about March 18-20, 2014, May 29, 2018, and July 30, 2018, the Department performed inspections of the Respondent's facility to determine the degree of compliance with the Act and the Air Quality Regulations. A subsequent file review was conducted on October 23, 2018 for the period from January 1, 2013 through June 30, 2018. While the Department's investigation is not yet complete, the Department noted the violations found in paragraphs IV-XV of the Findings of Fact portion of this enforcement action during the course of the inspections and file review.

IV.

The Respondent reported the following unauthorized releases:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	POLLUTANTS RELEASED	QUANTITY REPORTED (unit)	REPORTED CAUSE	REGULATORY OR PERMIT REQUIREMENTS
A.	Unauthorized Discharge Notification Report for T 163123 (4/17/2015) (4/24/2015) (6/18/2015) (7/28/2015)	2325-V5	ETO Unit Flare (ETO-FL-10341, EQTO003); ETO Unit Vapor Combustor Unit (ETO-FL-10342, EQTO004)	4/17/2015 (liquid release lasted less than 45 minutes and flared from 2:00 pm to 4:00 pm)	Ethylene Oxide 1412 Alcohol	ETO Unit Flare Ethylene Oxide 180 lbs; (permit limit 15.33 max lb/hr) 1412 Alcohol 55 lbs ETO Unit Combustor Ethylene Oxide 715 lbs; (permit limit 15.33 max lb/hr) 1412 Alcohol 371 lbs Total Ethylene Oxide 895 lbs; total 1412 Alcohol 426 lbs	Operators were in the process of returning the BUSS reactor pump to service following maintenance. A missed communication between operators resulted in a valve lineup that allowed ethylene oxide to be charged to the reactor prior to charging the Alcohol. An unexpected reaction occurred, resulting in a rapid pressure and temperature rise in the reactor. The BUSS Reactor	LAC 33:II.905 LAC 33:III.501.C.4

REPORT (line)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (mmddyy)	POLLUTANTS RELEASED	QUANTITY REPORTED (lbs)	REPORTED CAUSE	REGULATORY OF PERMIT REQUIREMENTS
						circulation pump gasket suddenly began to leak after the batch of alcohol 1412 was pumped from the pre-treat vessel to the BUSS reactor. The Respondent reported that the ETO Unit operating procedures did not properly stress the importance of the order of operation; the manual 3-inch valves the outside operator had opened were still open and in "bypass" mode; these two valves are part of the safety interlock system that is designed to prevent ethylene oxide from being inadvertently added to the reactor.	
B.	Unauthorized Discharge Notification Report for T-184918 (5/31/2018)	3088-V3	Co-Monomers (Comon-1)	5/24/2018	1-Octene 1-Hexene 1,091 lbs. 1-Octene 120 lbs. 1-Hexene	Operator found 1/2" bleeder valve in the open position on ethylene injection quill. The valve was inadvertently left open after a unit valve was replaced. It was determined that two separate hydrocarbons were released to the atmosphere. According to the unauthorized discharge report, the discharge was preventable. The Respondent failed to use control facilities.	LAC 33:III.305 A
C.	2015 2 nd Semiannual Deviation and Monitoring Report 3/30/2017	3088-V1	UNF-0008 Comon-1 Unit	7/13/2016	Ethylene	6,570 lbs.	A bleeder valve on the reactor side injection line was inadvertently left open during start-up operations.

Each unauthorized release of emissions is a violation of any applicable permit and associated requirement(s) listed above, La. R.S. 30:2057(A)(1) and 30:2057(A)(2), and LAC 33:III.501.C.4 or LAC 33:III.905.

V.

The Respondent reported the following violation of permitted operating parameter:

REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
2015 2nd Semiannual Deviation and Monitoring Report for General Conditions: K.R. and XI (3/31/2016)	2894-V4	EQT 029 LAB-LH-3 Hot Oil Heater H-601	10/30/2015	The flue gas Oxygen content is outside of established range.	Not Reported	Specific Requirement 96 of Title V Permit No. 2894-V4, PSD-LA-291(M3) 40 CFR 63.988(a)(2)

Each failure to operate according to permitted requirements is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

VI.

The Respondent reported the following violations of monitoring requirements:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	MONITORING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	Hazardous Organic NESHAP Periodic Report and Periodic Startup, Shutdown, and Malfunction Report (11/14/2013)	2894-V4	EQT 0045 & EQT 0046	N/A	The Respondent is required to visually inspect the internal floating roof and seal through manholes and roof hatches on fixed roof tanks every 12 months. The annual visual inspections for LAB-T-911 (EQT 0045) and LAB-T-912 (EQT 0046) were due 12/20/2013.	The annual visual inspections for EQT 0045 and EQT 0046 were not conducted until 1/8/2014.	40 CFR 63.120(a)(2)(i); Specific Requirement No. 29 of Title V Permit No. 2894-V4; LAC 33:III.501.C.4
B.	Hazardous Organic NESHAP Periodic Report and Periodic Startup, Shutdown, and Malfunction Report (5/14/2014)	2743-V5	EQT 0392 EQT 0393	9/5/2013 (for each)	Presence of a flame recordkeeping by recorder continuously	Monitoring data for DCS was collected but did not transfer to PIMS, the data historian. The monitoring data transfer error resulted in the loss of PIMS data history. The Respondent reported the event lasted for 19 minutes for ETH-EGF (EQT 0392) and ETH-F501 (EQT 0393)	40 CFR 61.334(c) LAC 33:III.501.C.4
C.	2015 1 st Semiannual Report (9/28/2015)	2565-V7	CRG 0036	1/7/2015	The spray dryer slurry feed sample was not collected and analyzed	The operator mistakenly did not collect the slurry feed sample due to the Nir spray dryer being shutdown. The operator did not realize a sample had to be collected and analyzed	Specific Requirement No. 11 of Title V Permit No. 2565-V7; LAC 33:III.501.C.4

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	MONITORING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
						due to the Drytec Spray Dryer operating	
D.	2016 2 nd Semiannual Deviation and Monitoring Report (3/30/2017)	2565-V7	EQT 0359 EQT 0369	8/31/2016	At least one spray dryer slurry feed stream shall be analyzed for ethanol concentration per day and the analysis be a representative of slurry feed streams	The spray slurry feed sample was not collected and analyzed per Specific requirement. The operator mistakenly did not collect the slurry feed sample due to the Niro spray dryer being shutdown. The operator did not realize a sample had to be collected and analyzed due to the Drytec Spray Dryer operating	Specific Requirement 28 and 58 of Title V Permit No. 2565-V8 LAC 33:III.507.H.I.2

Each failure to monitor as required is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

VII.

The Respondent reported the following emission exceedances:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE (duration)	POLLUTANTS RELEASED (permit limit)	QUANTITY REPORTED (unit)	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	2015 Annual Compliance Certification (3/30/2016)	3088-V1	FUG 0009/COMMON-FE-1 Fugitives		Total VOC (permit limit 18.85 tpy) 2,2,4-trimethylpentane (permit limit 1.67 tpy)	25.417 tpy 2.436 tpy	According to the 2015 Annual Compliance Certification, the exceedance occurred because the plant incorporated more fugitive emission components than were estimated when the permit was issued.	LAC 33:III.501.C.4 Part 70 Condition C
B.	2015 2 nd Semiannual Deviation and Monitoring Report (3/30/2015)	2565-V7	69-552 Niro Alumina Spray Dryer (EQT 0359)	9/11/2015	Butanol (permit limit 66.12 lbs.)	124.45 lbs. in excess of the permit limits	The Alumina Hydrolysis unit experienced a unit upset caused by abnormal operating conditions due to the butanol stripper cyclone being plugged	LAC 33:III.501.C.4

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

VIII.

The Respondent reported the following deviations from fugitive emission requirements:

A.	2015 1 st Semiannual Deviation and Monitoring Report 9/28/2015	2865-V5	FUG-0005 ALC-FE-1 Fugitives	2/6/2015	Each open ended valve or line equipped with a second valve shall be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed	An open-ended line was discovered. On the Track#6 unloading pump, the operator discovered one of the double block and bleed valve had not been closed as required.	40 CFR 63.167(b)
B.	2016 2 nd Semiannual Deviation and Monitoring Report (3/30/2017)	2865-V8	FUG-0005 ALC-FE-1 Fugitives	11/10/2016	Each open ended valve or line equipped with a second valve shall be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed	An open-ended line was discovered on the 810 Product Filter FD-602. The operator discovered one of the double block and bleed valve had not been closed as required. Upon discovery, the operator immediately closed the line.	40 CFR 63.167(b)
C.	2016 2 nd Semiannual Deviation and Monitoring Report (3/27/2017)	2896-V6	NPU pump	11/2/2016	Each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve.	An open ended line (OEL) was found and corrected. The sample port was double blocked; however, there was pressure/liquid in the line between the two block valves.	Specific Requirement No.131 of Title V Permit No. 2896-V6 40 CFR 63.1033(b)
D.	2016 2 nd Semiannual MON Fugitive Emissions Report (1/31/2017)	3088-V1	FUG-0009 COMON-1 FE-1 Fugitive emissions	7/13/2016	Each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve.	Comonomer-1 Unit operator found a bleeder valve on the reactor side injection line was inadvertently left open during startup operations.	40 CFR 63.1033(b)(1)
E.	2014 Annual Compliance Certification (3/31/2015)	3088-V1	FUG 0009	N/A	N/A	The Respondent reported intermittent compliance with 40 CFR 60.480a, LAC 33:NL2122, Specific Requirement Nos. 51-74 of Title V Permit No. 3088-V1, and 40 CFR 63 Subpart UU for COMON-FE-1 Fugitives (FUG 0009) during 2014. (*provide the following information: a description of each deviation; specific dates; duration of event; all applicable regulation and/or permit requirement(s) associated with each non-compliance; permit number; how and when the event was corrected)	40 CFR 60.480a or 40 CFR 63 Subpart LU; LAC 33:NL2122, Specific Requirement Nos. 51-74 of Title V Permit No. 3088-V1
F.	2017 Annual Compliance Certification (3/29/18)	2865-V9	FUG-0005 ALC-FE-1 Fugitives	4/10/2017	The component shall be place on the Days of Repair (DOR) list	A block valve was determined as an LDAR leak; the Respondent missed the fifteen (15) days requirement to place the component on the Days of	40 CFR 63.1024(a) Specific Requirement No. 64 of Title V Permit No. 2865-V9

					within fifteen (15) days.	Repair (DOR) list.	
G.	2017 Annual Compliance Report for Ethylene Unit (3/29/18)	2743-V9	EQT-FUG0008	10/17/2017	Each open-ended valve or line shall be equipped with a cap, blind flange, plug or second valve.	One open ended line was found on 10/17/17.	40 CFR 63.157 Specific Requirement No. 513 of Title V Permit No. 2743-V9
H.	2018 1 st Semiannual MON Fugitive Report (7/30/2018)	3088-V3	Not reported	1/5/2018 1/25/2018 5/24/2018	Each Open-ended valve or line shall be equipped with a cap, blind flange, plug or a second valve.	A bleeder plug was found missing on a bleeder valve. A plug was installed to eliminate the open-ended valve. One open ended valve was discovered. The bleeder valve was blocked in to correct the noncompliance. A bleeder valve was discovered without a plug. The bleeder valve was blocked in to correct the noncompliance.	40 CFR 63.1033(b)
I.	2018 1 st Semiannual MON Fugitive Report (7/30/2018)	2865-V9	Alcohol Unit ALC-RED-0335-001 ALC-RED-0438-001	Not reported	First attempt at repair was not made within the five (5) days requirement	In the alcohol unit, two connectors were repaired on the 6th day after the leak detection.	40 CFR 63.1033(b)
J.	2015 1 st Semiannual Mon Fugitive Emissions Report (7/31/2015)	2865-V5 2865-V6	FUG-0005 ALC-FE-1 Fugitives	Not reported	A first attempt at repair as defined in this subpart shall be made no later than five (5) calendar days after the leak is detected	Two components in LDAR service did not have a first attempt at repair performed.	40 CFR 63.1024(a)
K.	2016 2 nd Semiannual MON Fugitive Emissions Report (1/31/2017)	2865-V8	FUG-0005 ALC-FE-1 Fugitives	Not reported	A first attempt at repair as defined in this subpart shall be made no later than five (5) calendar days after the leak is detected	After startup of the unit, three pieces of equipment were discovered to be leaking, (ALC-RED-1111-000, ALC-RED-0389-000, ALC-RED-1112-000). Since these were considered new leaks at the time, a first attempt at repair should have been performed.	40 CFR 63.1024(a)

Each failure to meet fugitive emission requirements is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, LAC 33:III.2122.C.3. La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

IX.

The Respondent failed to meet the following reporting requirements:

						REASON FOR VIOLATION
A.	2014 Revised Annual Compliance Certification (4/4/2014)	3124-V0	Postmarked or delivered the Stationary Reciprocating Internal Combustion Engines NESHAP	1/31/2014	4/4/2014	40 CFR 63.6650(b)(2) LAC 33:III.501.C.4

REPORT (date)	PERMIT NUMBER	REPORTING REQUIREMENT	DUE DATE	SUBMITTAL DATE	REGULATORY or PERMIT REQUIREMENTS	
		Semianual Compliance Report for the reporting period of 7/1/2013-12/31/2013 no later than 1/31/2014.				
B.	2014 Annual Compliance Certification (3/27/2014)	2868-V2	During an LDEQ inspection conducted 3/18-20/2014, it was discovered a report was required to be submitted within 30 days of an inspection which found holes or tears in the seal or seal fabric, or defects in the internal floating roof system, or other control equipment defects was not submitted to the Department after an inspection of ALC-F8-551 (EQT 0236) was conducted on 6/25/2010. The Respondent reported repairs were made and the tank was put back into service.	Within 30 days of inspection conducted on 6/25/2010	Not submitted	40 CFR 60.115b(a)(4); LAC 33:II:L501.C.4
C.	2014 Annual Compliance Certification (3/31/2015)	Annual Compliance Certification (3/31/2015)	Specific Requirement No. 81 of 3088-V1 requires the Respondent to comply with the Part 70 General Conditions as set forth in LAC 33:II:L535 and the Louisiana General Conditions as set forth in LAC 33:II:L537. The Respondent reported that the Annual Compliance Certification and the Semianual Monitoring Reports, each dated March 27, 2014, did not indicate "intermittent" compliance with the LDAR requirements. The Respondent reported missed monitoring events for some fugitive components that were in VOC service.	3/31/2014	3/31/2014	Specific Requirement No. 81 of Title V Permit No. 3088-V1
D.	2017 Annual Compliance Certification 3/19/2018	3088-V3	The Respondent failed to make notifications of any process changes of the WAX PL-Wax Product Loading in the semianual Miscellaneous Organic NESHAP (MON) Notification of Compliance Status (NOCS) Report submitted on 8/31/2017. The Respondent is required to submit information of the group status in the NOCS report including any process	N/A	N/A	40 CFR 63.2520(e) Specific Requirement Nos. 45 and 46 of Title V Permit No. 3088-V3

	REPORT (date)	PERMIT NUMBER	REPORTING REQUIREMENT	DUUE DATE	SUBMITTAL DATE	REGULATORY or PERMIT REQUIREMENTS
			change or changes of any information previously submitted			

Each failure to meet reporting requirements is a violation of applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

X.

The Respondent reported the following recordkeeping violation:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE	RECORD REQUIREMENT	REPORTED CAUSE	SPECIFIC REQUIREMENT or REGULATION
	2015 1 st Semianual MON Fugitive Emissions Report (7/31/2015)	2895-V5 2895-V5	FUG-0005 ALC-FE-1 Fugitives	N/A	For each leak detected, the information specified in paragraphs (f)(1)-(f)(5) of 40 CFR 63.1024(f) shall be recorded and maintained pursuant to the referring subpart	During an internal review of components designated as delay repair, six components in LDAR service were found to have incomplete recordkeeping.	40 CFR 63.1024(f)

The failure to maintain the required records is a violation of the permit numbers listed above. LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and (2).

XI.

The Respondent reported the following permit deviations:

	REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	DATE	POLLUTANTS RELEASED (permit limit)	DESCRIPTION	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	Miscellaneous Organic NESHAP Periodic Report, Periodic Startup, Shutdown, and Malfunction Report, and 40 CFR 61 Periodic Report (8/28/2013)	2896-V5	EQT 0106	Inspection 1/11/2013	N/A	During the inspection, the fabric VOC seal around the sample well/roof was not present on T16-5 (EQT 0106). According to the 8/28/2013 report, a fabric seal was installed on 2/14/2013.	N/A	40 CFR 61 Subpart FF 2896-V5 LAC 33:III.501.C.4
B.	Hazardous Organic NESHAP Periodic Report	2743-V5	GRP 046 (includes EQT 0404; EQT 0405; EQT 0406)	N/A	N/A	40 CFR 61.343(c) requires fixed roof tanks to be visually inspected/determination	N/A	40 CFR 61.343(c); Specific Requirement No. 615 of Title V

REPORT (date)	PERMIT NUMBER OF UNIT	EMISSION POINT	DATE	POLLUTANTS RELEASED (permit limit)	DESCRIPTION	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS	
and Periodic Startup, Shutdown, and Malfunction Report (11/14/2013)					once initially and once every quarter thereafter. According to the report three (3) tanks were not inspected during the monitoring period of dates 3/19/13-9/18/13.		Permit No. 2743-V3; LAC 33:III.501.C.4	
C.	2013 Annual Compliance Certification (3/27/2014)	2894-V4	EQT 0045 & EQT 0046	N/A	N/A	The Respondent is required to visually inspect the internal floating roof and seal through manholes and roof hatches on fixed roof tanks every 12 months. The annual visual inspections for LAB-T-911 (EQT 0045) and LAB-T-912 (EQT 0046) were due 12/20/2013. The annual visual inspections for EQT 0045 and EQT 0046 were not conducted until 1/8/2014.	N/A	40 CFR 63.120(a)(2)(i); Specific Requirement No. 29 of Title V Permit No. 2894-V4; LAC 33:III.501.C.4
D.	Revised 2013 Annual Compliance Certification (4/4/2014)	3124-V0	ENG-L-653	N/A	N/A	To conduct initial performance test for ENG-L-653 by 10/30/2013. The initial performance test was conducted 12/17/2013.	N/A	LAC 33:III.501.C.4 40 CFR 63.6612(a)
E.	Hazardous Organic NESHAP Periodic Report and Periodic Startup, Shutdown, and Malfunction Report for September 18, 2017 through March 18, 2018 (5/17/2018)	2894-V5	EQT0046/CRG0018/GRP0023	Inspected 9/6/2017	N/A	During the initial inspection, it was discovered that the guide pole gasket did not cover 90% of the opening. It was repaired on 9/18/2017.	N/A	LAC 33:III.2103 C; Specific Requirement No. 40 of Title V Permit No. 2894-V5; LAC 33:III.501.C.4
F.	2015 2nd Semiannual Deviation Report for General Conditions K and R (3/31/2016)	2901-V1	STM-BLRS-CAP	N/A	2,2,4,TMP (no previous limits)	The permit did not contain authorization for emissions of 2,2,4 Trimethylpentane(TMP). The emissions of TMP were 0.08 tpy. The Respondent requested a permit revision to authorize 2,2,4,TMP from the STM-BLRS-CAP and obtained a variance to authorize the emissions. The Respondent obtained a variance on or about December 28, 2015, to emit 2,2,4 TMP, until the changes were incorporated into the	N/A	LAC 33:III.501.C.4

REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	DATE	POLLUTANTS RELEASED (permit unit)	DESCRIPTION	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS	
					permit. A permit application was submitted January 21, 2016.			
G.	2018 1 st Semiannual Monitoring and Deviation Report (9/31/2018)	2865-V9	EQT 0234 (*provide all associated emission points)	(*provide start and end date)	Butanol (*provide any other pollutants related to this event)	The Respondent reported in May of 2018 that emissions were underreported due to an incorrect calculation methodology and subsequently conducted a non-permitted activity by discharging butanol from a tower to ALC-MELT BIN (EQT 0234). (*provide a detail description of this event)	Incorrect calculation methodology	LAC 33:III.501.C.4 (*provide all applicable regulations)
H.	2015 1 st Semiannual Monitoring and Deviation Report (9/27/2016)	2743-V7	EQT 0391	6/2/2016	Propylene	South bank of propylene exchanger was leaking propylene into the cooling water system.	The propylene was released to the atmosphere through CT-201 Cooling Tower as the water circulated through the cooling tower. The cause of the leak is believed to have been the result of a low pH event in the cooling tower. The amount released was correlated to be the amount of propylene added into the closed-loop propylene system. Corrective actions were taken, production rates were reduced and the leaking of exchanger (s) was isolated. The tubes were plugged.	LAC 33:III.505
I.	2016 1 st Semiannual Monitoring and Deviation Report (9/27/2016)	2743-V7	EQT 0391	6/19/2015	Propylene	Propylene exchanger was leaking propylene into the cooling water system.	The leak was confirmed when the exchangers were removed from services. The propylene was released to the atmosphere through CT-201 Cooling Tower as the water circulated through the cooling tower. The cause of the leak is believed to have been the result of a low pH event in the cooling tower. The amount	LAC 33:III.505

	REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	DATE	POLLUTANTS RELEASED (permit limit)	DESCRIPTION	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
							released was correlated to be the amount of propylene added into the closed-loop propylene. The leak was confirmed when the exchangers were removed from services. system. Corrective actions were taken, production rates were reduced and the leaking of exchanger (s) was isolated. The tubes were plugged.	
J.	Hazardous Organic NESHPAP Periodic Report and Periodic SSM Report for September 18, 2017 through March 15, 2018 (5/17/18); Generic MACT Periodic Report, Periodic SSM, and 40 CFR 63 Subpart SS Report for September 9, 2017 through March 9, 2018 (5/9/2018)	2743-V8	EQT 0393	3/28/2017	N/A	The pilot flame for the Ethylene Unit Elevated Flare (EQT 0393) was out from 8:47 AM to 8:58 AM (11 seconds). The Respondent reported there were no excess emissions as there were no streams to the flare during this time period.	Not reported	LAC 33:II.501.C.4
K.	Hazardous Organic NESHPAP Periodic Report and Periodic SSM Report for September 18, 2017 through March 18, 2018 (5/17/18); Generic MACT Periodic Report, Periodic SSM, and 40 CFR 63 Subpart SS Report for September 9, 2017 through	2743-V9	EQT 0393	12/3/2017	N/A	The pilot flame for the Ethylene Unit Elevated Flare (EQT 0393) was out from 15:25 to 15:47 (23 seconds). The Respondent reported there were no excess emissions as there were no streams to the flare during this time period.	No reported	LAC 33:II.501.C.4

REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	DATE	POLLUTANTS RELEASED (permit limit)	DESCRIPTION	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS	
March 9, 2018 (5/9/2018)								
L.	2016 1st Semiannual Deviation and Monitoring Report (9/27/2016)	2743-V6	EQT 0392	2/8/2016	N/A	Design and operate with no visible emissions except for periods not to exceed a total of five (5) minutes during any two (2) consecutive hours.	The GB-501 Propylene Compressor tripped as a result of a false high vibration indication. Propylene was then diverted to the ETH- EGF flare causing a smoking event. Visible smoke emissions were observed intermittently for a total of nine (9) minutes 52 seconds	Specific Requirement No. 151 of Title V Permit No. 2743-V6
M.	Subpart DDDD Boiler MACT 1st Semiannual 2018 (7/31/2018)	2865-V9	EQT 0120 ALC BA-802	4/2/18- 4/18/18	N/A	30-Day Rolling Average of O2 left below the measured level during the CO performance test for 17 days	Not Reported	40 CFR63.7500(a)(1); 40 CFR63.7505(a); Specific Requirement Nos. 421 and 424 of Title V Permit No. 2865- V9
N.	NESHAP Polyether Polyols Production Periodic Report (6/28/2018)	2325-V7	ETO-FL-10342	1/17/2018 4:15 am- 2:45 pm 1/17/2018 4:25 pm- 6:43 pm 1/17/2018 7:00pm - 1/18/2018 1:46pm- pm 3/29/2018 2:30pm - 8:22pm 4/26/2018 1:13pm- 2:37 pm	N/A	Pilot Flame outage Event	Not Reported	40 CFR63.1437(c)
O.	Total Annual Benzene (TAB) Report; Benzene NESHAP Waste Operations (6/28/2018)	2743-V8	EQT 0393, ETH-P501	3/21/17 10:44 am- 3/22/17 12:35am 3/22/17 4:12am- 4:42am 3/22/17 5:00pm- 5:06pm	N/A	Flame outage on the Elevated Flare	Not Reported	Specific Requirement No. 200 of Title V Permit No. 2743-V8 40CFR63.11(b)(5);
P.	Total Annual Benzene (TAB) Report; Benzene NESHAP Waste	2743-V9	EQT 0441, W7-901		N/A	Process waste water in the Ethylene Unit was not routed through benzene stripper.	Not Reported	40 CFR61.348(a); Specific Requirement No. 446 of Title V Permit No. 2743-V9

	REPORT (date)	PERMIT NUMBER or LINT	EMISSION POINT	DATE	POLLUTANTS RELEASED (permit limit)	DESCRIPTION	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
	Operations (6/28/2018)							
Q.	2017 Annual Compliance Report, Normal Paraffin Unit (3/29/2018)	2896-V7	EQT 0115	4/18/17	N/A	During an internal audit, a slit fabric seal on the tank gauge of T96 (EQT 0115) was found to be missing.	Not Reported	40 CFR 60.112(b); Specific Requirement No. 47 of Title V Permit No. 2896-V7
R.	2017 Annual Compliance Report, Normal Paraffin Unit (3/29/2018)	2896-V7	UNFO01	5/3/17	N/A	An operational procedure was changed without following the Management Change of Process. The start-up approval checklist was not complete prior to procedure change	Not Reported	40 CFR 68 Specific Requirement No. 210 of Title V Permit No. 2896-V7
S.	2017 Annual Compliance Report, Normal Paraffin Unit (3/29/2018)	2896-V7	FUG 004	12/31/17	Hydrogen Sulfide (0.01 tpy)	The actual annual emission of Hydrogen Sulfide of 0.015 tpy, exceeded the permit limit of 0.01 tpy	This occurred because the plant incorporated more fugitive emission components than were estimated when the permit was issued.	Specific Requirement No. 137 of Title V Permit No. 2896-V7
T.	2017 Annual Compliance Report for ETO Unit (3/29/2018)	2325-V7	EQT 484	7/19/2017	N/A	Sasol missed a PM inspection on an RV. The inspection was conducted on 7/25/17	Not Reported	40 CFR 68; Specific Requirement No. 98 of Title V Permit No. 2325-V7
U.	2017 Annual Compliance Report for ETO Unit (3/29/2018)	2325-V7	EQT 1103	7/29/17 and 7/31/17	*Provide the information of what was the emissions amount.	Three rail cars were loaded and shipped. The contents were ETO products with ethylene oxide concentrations that exceeded max lb/hr permit limit for loading	Not Reported	Specific Requirement No. 94 of Title V Permit No. 2325-V7
V.	2017 Annual Compliance Report for, Ethylene Unit (3/29/2018)	2743-V8 2743-V9	EQT 393, ETH-F-501	8/18/17 17 min.	N/A	Opacity was greater than 20% on the flare.	Not Reported	Specific Requirement Nos. 261 and 264 of Title V Permit No. 2743-V9
				12/18/17 12 min.				
				3/9/17 13 min.				
			EQT 392, ETH-EGF	6/30/17 22 min.		Opacity was greater than 20% on the flare.	Not Reported	Specific Requirement Nos. 172 and 175 of Title V Permit No. 2743-V9
W.	2017 Annual Compliance Certificate (3/27/2018)	2894-V5	EQT 0046	N/A	N/A	The Guidepole gasket did not cover 90% of opening on the T-912 Benzene Storage Tank (EQT 0046). The guidepole material cover was replaced on 9/18/2017.	N/A	40 CFR 63.119(b)(5)(vii); Specific Requirement No. 25 of Title V Permit No. 2894-V5; LAC 33-III.M01.C.4

REPORT (date)	PERMIT NUMBER OF UNIT	EMISSION POINT	DATE	POLLUTANTS RELEASED (permit info)	DESCRIPTION	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
X. 2014 1 st Semiannual Monitoring and Deviation Report (9/25/2014)	3124-V0	CRG 0064 (includes EQT 1270, EQT 1275, EQT 1273)	N/A	N/A	The Respondent reported the annual oil and filter change was not performed for 3 generators during the January-June 2014 monitoring period. The oil and filter changes were performed on August 12 and 14, 2014.	N/A	Specific Requirement 70 of Title V Permit No. 3124-V0; LAC 33:III.501.C.4
Y. 2015 1 st Semiannual Deviation and Monitoring Report (9/15/2016)	2894-V4	EQT 027 LAB-LH-1 PACOL Charge Heater H-201	4/5/2016 15 min.	Not submitted	Shall operate with no visible emissions	PACOL Charge Heater H-201 experienced a smoking event due to a leaking tube containing C10-13 Normal Paraffin and Hydrogen. During this time period, small faint puffs of smoke were observed approximately 1-2 minutes and then dissipated.	LAC 33:III.509 Specific Requirement No. 63 of Title V Permit No. 2894-V4 BACT for PM10 PSD-LA-291(M4)
Z. 2015 1 st Semiannual MCN Fugitive Emissions Report (9/27/2016)	2865-V3	EQT 133 ALC-F-801 elevated Flare	Not submitted	Not submitted	Design and operate with no visible emissions except for periods not exceed a total of five (5) minutes during any two (2) consecutive hrs.	During shutdown activities for a turnaround, the Ethylene compressor GB-301 overpressured and caused the relief valve to route directly to the elevated flare F-801. This event caused the flare to experience a smoking event which lasted for a total of seven (7) minutes	LAC 33:III.1311.C 40 CFR 63.11(b)(4) Specific Requirement No. 87 of Title V Permit No. 2865-V3
AA. MON report dated 2/27/15 for NPU, 2896-V5, Alcohol 2865-V5 and 3088-V1	2865-V5	ALC units DC401A DC401C	Not submitted	Not submitted	Closed vent systems shall be operated at all the time. Seven bypasses of vent system for DC401A and DC401C in the Alcohol Unit occurred during the reporting period.	Not submitted	40 CFR 63.933(a)(2)

Each deviation from a permit requirement(s) is a violation of any applicable permit and associated requirement(s) listed above, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

XII.

According to the Air Permit No. 3088-V1 issued on February 22, 2013, vents D12-125 Process Vessel (EQT 0592), D12-122 Process Vessel (EQT0593), D12-120 Process Vessel (EQT 0594), and D12-550 Process Vessel (EQT 0559) and D12-955 Flare Drum (EQT 0588) will be routed to either the ground flare or the elevated flare in the ethylene permit for control. However, as built, these vents are not routed to the flares due to safety reason that were not apparent during the initial permitting. This was reported in the 2015 Title V Annual Compliance Report for Comonomer-1 Unit dated March 30, 2016. The failure to operate the process vessel/vents as permitted is a violation of Specific Requirement No. 36 of Title V Permit No. 3088-V1, LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(2). The Respondent obtained a variance on or about December 28, 2015, to emit VOC emission from the emission point until the changes were incorporated into the permit issued on September 1, 2016.

XIII.

On or about March 18-20, 2014, the Department conducted a compliance audit to determine the Respondent's degree of compliance with the Chemical Accident Prevention Provisions (CAPP) requirements set forth in 40 CFR Part 68. While the Department's investigation is not yet complete, the following violations were discovered during the course of the audit:

- A. The Respondent's process safety information failed to include maximum intended inventory for ethylene. At the time of inspection, the facility did not have calculations for the maximum intended inventory of ethylene. This is a violation of 40 CFR.68.65(a)(1)(iii), which language has been incorporated by reference in LAC 33:III.5901.A; and La. R.S. 30:2057(A)(2). Following the inspection, the Respondent recalculated the inventory, which did include the ethylene maximum inventory.
- B. The Respondent failed to ensure the frequency of inspections and tests of process equipment is consistent with applicable manufacturers' recommendations and good engineering practices. Each failure to ensure that ultrasonic thickness (UT) measurements are performed on fixed equipment, vessels DA 102, DA 302, and pipe 4-XO-D71-2812-P-BBA in accordance with API 570 and 510 frequencies, as well as monthly vibration inspections for the pumps P7410 and P418, is a violation of 40

CFR.68.73(d)(3) which language has been incorporated by reference in LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2)..

- C. The Respondent failed to promptly determine and document an appropriate response to each finding in the 2013 compliance audit. This is a violation of 40 CFR.68.79(d), which language has been incorporated by reference in LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2). At the time of the audit on or about March 18-20, 2014, the action items from the 2013 compliance audit had not yet been assigned to the specific people in charge of completing and closing out each item. Although the audit was over one (1) year old, the Respondent had only addressed three of the thirty-one previous findings.
- D. The Respondent failed to periodically evaluate whether each contract employee is trained in the safe work practices to safely perform the job. The inspector noted that, the Respondent did not have any documentation of periodic evaluations of contractors to make sure they are safely performing the job. Because there was no documentation of safe work practices that were provided by the contractor as required by 40 CFR68.87(C)(3), then the Respondent failed to evaluate that the contractor was fulfilling their obligations as required by 40 CFR68.87(C). Failure to periodically evaluate and document that each contract employee is properly trained in the safe work practices is a violation of LAC 33:III.5901.A, which incorporates by reference 40 CFR68.87(b)(5), and La. R.S. 30:2057(A)(2).

XIV.

The Department received the Respondent's Request for Title V Air Permit Renewal and Prevention of Significant Deterioration Permit for Title V Permit No. 3088-V1 dated October 23, 2015. According to the application, Title V Permit No. 3088-V0 was issued on April 25, 2011 for the construction and operation of the Comonomer-1 (COMON-1) Unit. It was also reported the unit commenced charging the reactors for the first production during the shakedown period in January 2014. The initial permit application stated the potential to emit (PTE) for volatile organic compounds (VOCs) was less than the Prevention of Significant Deterioration (PSD) major modification threshold of 40 tons

per year. The Respondent reported the initial estimate was based on preliminary engineering design and existing AP-42 factors for flares. The Respondent reported that revised calculations of the PTE for VOCs indicated the estimated emissions to be in excess of the PSD significant level of 40 tons per year. The Respondent submitted a retroactive PSD application on October 23, 2015. PSD Permit No. PSD-LA-814 was issued on September 1, 2016 and Title V Permit No. 3088-V2 was issued on September 1, 2016, which incorporates provisions of PSD Permit No. PSD-LA-814. The failure to obtain a PSD permit prior to the construction of any project that would trigger PSD is a violation of LAC 33:III.509 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

XV.

The Department conducted an investigation from July 30, 2017 to September 19, 2018 of the incident reported on July 30, 2017 (Incident # 179181). While the Department's investigation is not yet complete, the following violations were discovered during the course of the investigation:

- A. On July 30, 2017, the Respondent reported a fire event that occurred within the facility's Alcohol Unit. The reported causes of the incident were: 1) the failure to implement a redesign of metallurgy diaphragms on level transmitters in high hydrogen service as recommended by the vendor; 2) a ferrule was not properly compressed around the tubing. The tubing was installed at an angle, the ferrule only gripped one side of the tube, and the tubing was not at the proper depth in the fitting; and 3) a hydro-test was needed but was not noted on the Pre-Startup Safety Review (PSSR). Instead, "not applicable" was incorrectly assigned on the PSSR documentation. The failure to identify hazards that may result from accidental releases of such substances using appropriate hazard assessment techniques, to design and maintain a safe facility, and to minimize the off-site consequences of accidental releases of such substances that do occur is a violation of LAC 33:III.5907.A, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
- B. The July 30, 2017 fire event was not reported to SPOC within one (1) hour. The incident occurred at 7:18 pm and the incident report was received at 9:27 pm. The Respondent claimed that the incident was not an emergency. However, given the nature and cause of the incident and the fact that an

injury occurred, the incident could reasonably be expected to endanger public safety and/or adversely impact the environment, therefore causing an emergency condition. The Respondent failed to fulfill the notification requirements for the unauthorized discharge that caused the emergency condition. The failure to report the incident within one (1) hour is a violation of LAC 33:III.3915.A.1, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

COMPLIANCE ORDER

Based on the foregoing, the Respondent is hereby ordered:

I.

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

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes required information as denoted by an asterisk (*) in paragraphs VIII and XI of the Findings of Fact and the following table:

	REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	INCIDENT DATE	OPERATING PARAMETER/ DESCRIPTION	POLLUTANTS INVOLVED (permit limit)	QUANTITY REPORTED	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
A.	Hazardous Organic NESHAP Periodic Report and Periodic Startup, Shutdown, and Malfunction Report (11/14/2013)	2394-V4	T93-801 T89-911 T93-912 T93-911 (*need EQT No. for each tank)	N/A	These tanks were included in TABLE 4: Summary of IFR Inspections with Failures. None of these tanks were inspected from 3/19/2013- 9/18/13. (*provide applicable regulations these tanks are subject to regarding inspections & if these tanks are in compliance with these requirements)	N/A	N/A	N/A	LAC 33:III.501.C.4
B.	Unauthorized Discharge Report for Incident T175081 (1/07/2017)	2865-V9	N/A	1/07/17 (8 hours and 10 minutes)	The tubing clip that secured the half (1/2)" tubing to the tubing tray had become loose due to the vibration over time. The tubing then began to rub	Pentane	1,332 lbs	The source of the release was from damaged stainless steel tubing on an instrumentation line containing	(* What are the maintenance/ monitoring requirements associated with the tubing; when was

	REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	INCIDENT DATE	OPERATING PARAMETER/ DESCRIPTION	POLLUTANTS INVOLVED (permit limit)	QUANTITY REPORTED	REPORTED CAUSE	REGULATORY OR PERMIT REQUIREMENTS
					against the tubing clip and eventually the wall thickness of the tubing became thin enough that it ruptured. The release occurred due to unanticipated failure of stainless steel tubing.			Pentane.	mairtenance/ monitoring last conducted; when was damage to the tubing first observed?)
C.	Annual Criteria Pollutants Report: January 1, 2017- Decemeber 31, 2017 (4/ 25/ 2018)	3088-V3	N/A	N/A	Annual Criteria Pollutants Report: January 1, 2017- Decemeber 31, 2017 (* provide a copy of this report and if previously submitted the date and any proof of submission) was referenced in the Semiannual Monitoring and Deviation Report for Title V Permit No. 3088-V3 dated 9/24/2018	N/A	N/A	N/A	N/A
D.	40 CFR 61 Subpart FF, Quarterly Benzene NESMAP Waste Operations Report for January 1, 2018 through March 31, 2018 (4/27/2018)	2894-V5	N/A	N/A	40 CFR 61 Subpart FF, Quarterly Benzene NESMAP Waste Operations Report for January 1, 2018 through March 31, 2018 (* provide a copy of this report and if previously submitted the date and any proof of submission) was referenced in the Semiannual Monitoring and Deviation Report for Title V Permit No.2894-V5 dated 9/24/12018	N/A	N/A	N/A	N/A
E.	40 CFR 63 Subpart FFFF, Update to the Notification of Compliance Status (5/4/2018)	2865-V9	N/A	N/A	40 CFR 63 Subpart FFFF, Update to the Notification of Compliance Status (* provide a copy of this report and if previously submitted the date and any proof of submission) was referenced in the Semiannual	N/A	N/A	N/A	N/A

	REPORT (date)	PERMIT NUMBER or UNIT	EMISSION POINT	INCIDENT DATE	OPERATING PARAMETER/ DESCRIPTION	POLLUTANTS INVOLVED (permit limit)	QUANTITY REPORTED	REPORTED CAUSE	REGULATORY OR PERMIT REQUIREMENTS
					Monitoring and Deviation Report for Title V Permit No. 2865-V9 dated 9/31/2018				
F.	Generic MACT Periodic Report, Periodic SSM, and 40 CFR 63 Subpart SS Report for September 9, 2017 through March 9, 2018 (5/9/2018)	2743-V8	GRP 046; EQT 404	11/2/16	During the inspection of T7-914-North Wastewater Tank (EQT 404; GRP 046) conducted on 11/2/2016, damage of the primary seal and seal damage to fabric on guide poles was found. The repair date is listed as 9/16/2017 by replacement of primary seal and gasket on guide poles. (*provide the date the first effort at repairs was conducted and detailed information so compliance can be determined)	N/A	N/A	N/A	40 CFR 61.343(d); 40 CFR 63.133(h); Specific Requirement Nos. 588 & 603 of Title V Permit 2743-V8; LAC 33:III.501.C.4
G.	Hazardous-Organic NESHAP Periodic Report and Periodic SSM Report for September 18, 2017 through March 18, 2018 (5/17/18); Generic MACT Periodic Report, Periodic SSM, and 40 CFR 63 Subpart SS Report for September 9, 2017 through March 9, 2018 (5/9/2018)	2743-V8	GRP 046; EQT 405	11/2/16	During the inspection of T7-915-South Wastewater Tank (EQT 405I/GRP 046) conducted on 10/12/2016, damaged primary seal in areas around the shell and wiper pole was breached. The latest report was dated 5/17/2018 and the event was reported as ongoing for the date of repair. (*provide the date the first effort at repairs was conducted and detailed information so compliance can be determined)	N/A	N/A	N/A	40 CFR 61.343(d); 40 CFR 63.133(h); Specific Requirement Nos. 588 & 603 of Title V Permit 2743-V8; LAC 33:III.501.C.4

III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes:

1. The details of the fugitive components related to paragraph XIV of the findings of fact:
 - a) The dates those components were added to the Comononer-1 Unit and a list of components and type of service (such as light liquid, gas/vapor etc).
 - b) The dates those components were first put in services.
 - c) The date those components were first monitored for fugitive emissions and the frequency of monitoring afterwards.
 - d) The regulations under which the LDAR Program is implemented on those components.
2. The details of the sources that are routed to the flares (EQT 392 and EQT 393) in the Ethylene Unit (paragraph XIV):
 - a) The dates those sources were constructed.
 - b) The dates those sources were first routed to the flares.
 - c) Emissions associated with those streams that were sent to the flares.
 - d) The details of any test(s) conducted on the flares (EQT 392 and EQT 393) and/ or any physical change made to those flares after the additional sources routed from Comononer-1 Unit. Also include any notifications submitted to the Department regarding the changes.

IV.

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: Alicia B. Ryan
Re: Enforcement Tracking No. AE-CN-18-00796
Agency Interest No. 3271

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-18-00796
Agency Interest No. 3271

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Division of Administrative Law (DAL) Procedural Rules. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from

contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

NOTICE OF POTENTIAL PENALTY

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Dr. Alicia B. Ryan at 225-219-7433 or alicia.ryan@la.gov within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross

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

IV.

The Department assesses civil penalties based on LAC 33:1.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 27th day of November, 2018.



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: Dr. Alicia B. Ryan

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-18-00796	Contact Name	Alicia B. Ryan
Agency Interest (AI) No.	3271	Contact Phone No.	225-219-3374
Alternate ID No.	0520-00003		
Respondent:	SASOL CHEMICALS (USA) LLC c/o CT Corporation System Agent for Service of Process 3867 Plaza Tower Drive Baton Rouge, LA 70816	Facility Name: Physical Location: City, State, Zip: Parish:	Lake Charles Chemical Complex 2201 Old Spanish Trail Westlake, LA 70669 Calcasieu

STATEMENT OF COMPLIANCE

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph (s) II, III, and IV 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 and III 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) IV of the "Order" portion of the COMPLIANCE ORDER.		
All items in the "Findings of Fact" portion of the COMPLIANCE ORDER were addressed and the facility is being operated to meet and maintain the requirements of the "Order" portion of the COMPLIANCE ORDER. Final compliance was achieved as of:		

SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:I.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-18-00796), 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-18-00796), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$_____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> • Monetary component = \$_____ • Beneficial Environmental Project (BEP) component (optional) = \$_____ • <i>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.</i> The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-CN-18-00796) 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,

<i>are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.</i>		
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: Alicia B. Ryan		