STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:	*	**Settlement Tracking No.**
	*	**SA-AE-14-0044**
CYTEC INDUSTRIES INC.	*	
	*	**Enforcement Tracking No.**
AI # 1357	*	**AE-CN-10-01559**
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	
ENVIRONMENTAL QUALITY ACT	*	**Docket No. 2012-16583-EQ**
LA. R.S. 30:2001, ET SEQ.	*	

SETTLEMENT

The following Settlement is hereby agreed to between Cytec Industries Inc. ("Respondent") and the Department of Environmental Quality ("DEQ" or "the Department"), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. ("the Act").

I

Respondent is a corporation that owns and/or operates a chemical manufacturing plant located in Westwego, Jefferson Parish, Louisiana ("the Facility").

II

On August 10, 2011, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty (CONOPP), Enforcement No. AE-CN-10-01559, which was based upon the following findings of fact:

"The Respondent owns and/or operates Fortier Manufacturing Complex (facility) a chemical manufacturing plant. The facility is located at 10800 River Road in Westwego, Jefferson Parish, Louisiana. The facility operates under the following Title V Permits: Permit No. 2306-V2 issued on June 18, 2010, Permit No. 594-V2 issued on February 3, 2010, Permit No. 1981-V2 issued on

June 10, 2010, Permit No. 2195-V3 issued on December 18, 2008, and Permit No. 2236-V1 issued on January 6, 2010.

On or about August 19, 2009, April 22, 2010, and January 26, 2011, file reviews were performed to determine the degree of compliance with the Act and the Air Quality Regulations. While the investigation by the Department is not yet complete, the following violations were noted during the course of the file reviews:

A. According to the 2003 Title V Third Quarter Air Permit Report dated November 14, 2003, the Respondent did not comply with their 30-day average of NOx emissions requirement. The Respondent exceeded the 0.67 lbs/MMBTU limit from August 17-21, 2003. The exceedance is a violation of Title V Permit No. 2195-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

B. According to the 2003 Fourth Quarter Air Permit Report dated March 24, 2004, the Respondent had a flange on Rohm III Esterifier develop a pinhole leak due to corrosion on November 8, 2003. The leak lasted fifty-one (51) hours, released approximately 17.5 pounds (lbs) of methanol and fifty-nine (59) lbs of methyl methacrylate. This is a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

C. According to the 2003 Fourth Quarter Air Permit Report dated March 24, 2004, the Respondent's Methyl Methacrylate (MMA) Tank Farm Scrubber was out of compliance for approximately one (1) hour on November 20, 2003. The noncompliance was due to a valve misalignment that released 3.3 lbs of methyl methacrylate above the allowable lbs/hour of methyl methacrylate to the atmosphere. This is a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

D. According to the 2003 Fourth Quarter Air Permit Report dated March 24, 2004, the Rohm II Waste Acid Pit cover began leaking due to higher than normal pressure in the sump on December 11, 2003. The leak lasted approximately ten (10) hours releasing approximately 7.5 lbs of methanol and 0.32 lbs of methyl methacrylate. The high pressure was due to a partial blockage of a vent line because of polymer build up. This is a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

E. According to the 2003 Second Semiannual Monitoring Report dated March 25, 2004, a car seal was found missing for Rohm IV Crude Seal Pot (Source Point 77-88) on November 13, 2003. Failure to have a car seal properly installed is a violation of 40 CFR 60.703(b)(2)(ii), which language has been adopted as a Louisiana Regulation in LAC 33:III.3003. This is also a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, and La. R.S .30:2057(A)(2).

F. According to the 2004 First Quarter Report dated June 14, 2004, the MMA Tank Farm Scrubber vapor transmitter indicator did not function properly on February 14, 2004. It was determined that the transmitter probe was plugged. The indicator did not work properly for approximately forty (40) hours. This is a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, LAC 33:III.905, and La. R.S. 30:2057(A)(2).

G. According to the 2004 First Quarter Report dated June 29, 2004, the Respondent had a pump seal fail on March 5, 2004. The failure was due to a mechanical failure. The Respondent stated that the fugitive emission maximum lb/hr limit was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

H. According to the 2004 Second Quarter Report dated September 22, 2004, the Respondent discovered a drain valve open on April 8, 2004. The Respondent stated that the drain was not checked and had been open for approximately fifteen (15) minutes. The Respondent stated that the fugitive emissions maximum allowable lb/hr limit was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

I. According to the 2004 Second Quarter Report dated September 22, 2004, the Respondent's tank overflowed through the emergency overflow for approximately five (5) minutes on April 20, 2004. The normal overflow line was plugged. The Respondent stated that the point source emissions maximum allowable lb/hr was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

J. According to the 2004 Second Quarter Report dated September 22, 2004, the Respondent had a tube failure in the ammonia preheater on April 28, 2004. The leak lasted for approximately twenty (20) minutes. The Respondent stated that the point source emissions maximum allowable lb/hr was exceeded. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S.

30:2057(A)(1) and 30:2057(A)(2).

K. According to the 2004 Second Quarter Report dated September 22, 2004, the Respondent had a pump leak for about fifteen (15) minutes due to a mechanical failure on May 12, 2004. The Respondent stated that the leak exceeded the fugitive emissions maximum allowable lb/hr limit. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

L. According to the 2004 Second Quarter Report dated September 22, 2004, the Respondent had a pump seal failure on a pump for about five (5) minutes on June 11, 2004. The Respondent stated that the pump was not running, but that the fugitive emissions maximum lb/hr limit was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

M. According to the First Semiannual Monitoring Report dated September 23, 2004, the Respondent discovered a car seal missing for the Rohm II Vent Condenser (Source Point 1-98) on February 4, 2004. The seal was replaced on February 18, 2004. The deviation lasted fourteen (14) days. Failure to have a car seal properly installed is a violation of 40 CFR 60.703(b)(2)(ii), which language has been adopted as a Louisiana Regulation in LAC 33:III.3003. This is also a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, and La. R.S.30:2057(A)(2).

N. According to the First Semiannual Monitoring Report dated September 23, 2004, the Respondent discovered a car seal missing for the Rohm II Vent Condenser (Source Point 1-98) on March 19, 2004. The seal was replaced on April 26, 2004. The deviation lasted thirty-seven (37) days. Failure to have a car seal properly installed is a violation of 40 CFR 60.703(b)(2)(ii), which language has been adopted as a Louisiana Regulation in LAC 33:III.3003. This is also a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, and La. R.S.30:2057(A)(2).

O. According to the First Semiannual Monitoring Report dated September 23, 2004, the vapor transmitter for the MMA Tank Farm Scrubber (Source Point 54-92) failed to record data properly during periods of low vapor flow for approximately ninety-three (93) hours. This is a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, and La. R.S.30:2057(A)(2).

P. According to the Second Quarter Deviation Report dated September 23, 2004, on April 26, 2004, it was discovered that records of missing car seal entries were not being kept. Failure to keep records is a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, and La.

R.S.30:2057(A)(2).

Q. According to the Second Quarter Deviation Report dated September 23, 2004, on June 17, 2004, there was a power failure that closed the water valve to the MMA Tank Farm Scrubber. This caused an exceedance for the VOC and MMA maximum lb/hr limits. This also caused the scrubbers to be below the required 95% efficiency for (1) hour. This is a violation of Title V Permit No. 1982-V2, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S.30:2057(A)(1) and 30:2057(A)(2).

R. According to the Third Quarter Deviation Report dated December 15, 2004, the Respondent had a pump seal failure that lasted five (5) minutes on July 6, 2004. The fugitive emissions maximum lb/hr limit was exceeded. Each exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

S. According to the Third Quarter Deviation Report dated December 15, 2004, the Respondent had a flange leak that lasted twenty (20) minutes on July 19, 2004. The fugitive emissions maximum lb/hr limit was exceeded. Each exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

T. According to the Third Quarter Deviation Report dated December 15, 2004, the Respondent had a weld leak that lasted twenty-two (22) hours on August 16, 2004. The fugitive emissions maximum lb/hr limit was exceeded. Each exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

U. According to the Third Quarter Deviation Report dated December 15, 2004, the Respondent had a flange leak that lasted ten (10) minutes on August 27, 2004. The fugitive emissions maximum lb/hr limit was exceeded. Each exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

V. According to the Third Quarter Deviation Report dated December 15, 2004, the Respondent had a pinhole leak that lasted twenty (20) minutes on September 12, 2004. The fugitive emissions maximum lb/hr limit was exceeded. The leak was caused by internal corrosion of pipe. Each exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

W. According to the Third Quarter Deviation Report dated December 15, 2004, the Respondent had a flange leak that lasted fifteen (15) minutes on September 17, 2004. The fugitive emissions maximum lb/hr limit was exceeded. The leak was caused by thermal cycling. Each exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

X. According to the Third Quarter Deviation Report dated December 15, 2004, the Respondent had a drain valve open that lasted two (2) minutes on September 19, 2004. The fugitive emissions maximum lb/hr limit was exceeded. Each exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

Y. According to the Third Quarter Deviation Report dated December 28, 2004, the Respondent lost water flow to the MMA Plant Scrubber on August 31, 2004 for approximately five (5) minutes. The water flow was below 9 gpm for about one (1) hour. This is a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

Z. According to the Third Quarter Deviation Report dated December 28, 2004, the Respondent experienced a loss water flow to the MMA Tank Farm Scrubber for fifteen (15) minutes, and the Scrubber went below 95% efficiency for one (1) hour. This is a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

AA. According to the Fourth Quarter Deviation Report dated March 23, 2005, the Respondent failed to record the bag house opacity for the following dates: October 20, 2004, October 25, 2004, November 3, 2004, November 15, 2004, November 22-26, 2004, December 4-5, 2004, December 12, 2004, and December 17-19, 2004. Each failure to record the bag house opacity is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

BB. According to the Fourth Quarter Deviation Report dated March 23, 2005, the T-103 B (Crystallizer Mother Liquor Vessel) tank overflowed on November 2, 2004. This caused an exceedance in the fugitive permit limit for ammonia. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057 (A)(1) and 30:2057(A)(2).

CC. According to the Fourth Quarter Deviation Report dated March 23, 2005, the Respondent had an ammonia release through an open bleeder valve on November 24, 2004. This is a violation of Title V Permit No.

1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

DD. According to the 2004 Second Semiannual Monitoring Report dated March 23, 2005, the Respondent failed to conduct monthly car seal inspections for nine (9) Emission sources (Emission Sources 13-79, 75-88, 2-98, 76-88, 1-98, 77-88, 3-98, 79-88, 80-88) for three (3) months (July, October, December). Each failure to perform monthly inspection is a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

EE. According to the 2004 Second Semiannual Monitoring Report dated March 23, 2005, the Respondents' Tank Farm Scrubber server failed and did not collect water flow data for forty-five (45) minutes on December 10, 2004. Failure to record water flow is a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

FF. According to the 2004 Fourth Quarter Deviation Report dated March 23, 2005, the Rohm IV "B" Waste Acid Still Rupture disk leaked through and exceeded the maximum VOC lb/hr limit. This is a violation of Title V Permit No.1982-V2, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

GG. According to the 2004 Fourth Quarter Deviation Report dated March 23, 2005, the Rohm III Extraction Column Flange leaked through and exceeded the maximum VOC lb/hr limit. This is a violation of Title V Permit No.1982-V2, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

HH. According to the 2004 Fourth Quarter Deviation Report dated March 23, 2005, the Respondent exceeded the annual ethylbenzene permit limit for Emission Source 66-93 Paint Yard Operation. The Respondent estimated their annual emissions to be 0.46 tons per year for 2004 which exceeded the permitted 0.44 tons per year. This is a violation of Title V Permit No. 2236-V0, LAC 33:III.501.C.4, La. R.S.30:2057(A)(1) and 30:2057(A)(2).

II. According to the 2004 Fourth Quarter Deviation Report dated March 23, 2005, the Respondent exceeded the gasoline vapors permit limit for Emission Source 2-82 Gasoline Storage Tank. The Respondent estimated their annual emissions to be 0.90 tons per year for 2004 which exceeded the permitted 0.68 tons per year. This is a violation of Title V Permit No. 2236-V0, LAC 33:III.501.C.4, La. R.S.30:2057(A)(1) and 30:2057(A)(2).

JJ. According to the 2005 First Quarter Deviation Report dated June 16, 2005, the Respondent exceeded the carbon monoxide maximum hourly limit on the Absorber Vent Stack (4-71) for one (1) hour on February 10, 2005. This is a violation of Title V Permit No. 2195-V0, LAC 33:III.501.C.4, La. R.S.30:2057(A)(1) and 30:2057(A)(2).

KK. According to the 2005 First Quarter Deviation Report dated June 28, 2005, the Respondent failed to keep electronic data for the MMA Tank Farm Scrubber for twelve (12) hours and forty-five (45) minutes on February 2, 2005. This is a violation of Title V Permit No. 1982-V2, LAC 33:III.501.C.4, La .R.S.30:2057(A)(1) and 30:2057(A)(2).

LL. According to the 2005 First Quarter Deviation Report dated June 29, 2005, the Respondent discovered on February 19, 2005, that a drain valve was left open during startup due to operator error. The valve was left open for approximately twenty (20) minutes before it was closed. During this time, the two (2) lb/hr maximum ammonia was exceeded. The failure to follow startup procedures and each exceedance of a permit limit are violations of Title V Permit No. 1981-V0, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

MM. According to the 2005 First Quarter Deviation Report dated June 29, 2005, the Respondent had a gasket failure on February 19, 2005. The failure lasted for approximately one (1) hour, and during this time, the two (2) lb/hr maximum ammonia was exceeded. Each exceedance is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

NN. According to the 2005 First Quarter Deviation Report dated June 29, 2005, the Respondent had a valve leak on March 28, 2005, which lasted for approximately 25.7 hours. During this time, the 0.1 lb/hr maximum Cl_2 limit was exceeded. Each exceedence is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

OO. According to the 2005 First Semiannual Monitoring Report dated September 28, 2005, the Respondent failed to perform and record the results of the visual inspection of nine (9) emission points on April 25, 2005. Each failure to inspect and failure to record the results is a violation of Permit No. 1981-V0 LAC 33:III.501.C.4, and La. R.S 30:2057(A)(2).

PP. According to the 2005 Second Quarter Deviation Report dated

September 28, 2005, the Respondent sent excess ammonia to the flare for approximately ninety (90) minutes on April 22, 2005. This was caused by a plugged line. The point source emissions maximum lb/hr limit for ammonia was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

QQ. According to the 2005 Second Quarter Deviation Report dated September 28, 2005, the Respondent exceeded the fugitive emissions maximum allowable lb/hr once on April 27, 2005, and May 29, 2005, and twice on June 8, 2005. The causes of the exceedances ranged from plugged control valve, packing failure, and pump failure. Each exceedance is a violation of Title V Permit No. 1981-V0, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

RR. According to the 2005 Second Quarter Deviation Report dated September 28, 2005, the Respondent had a compressor trip on June 8, 2005. During the approximately ten (10) minutes that the trip lasted, the point source emissions maximum allowable lb/hr was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

SS. According to the 2005 Second Quarter Deviation Report dated September 29, 2005, the Respondent had a flange leak on May 4, 2005, that lasted approximately forty-five (45) minutes. During this time, approximately 172 lbs of SO_3 and 0.12 lbs of SO_2 were released to the air. This is a violation of Title V Permit No. 594-V0, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

TT. According to the 2005 Third Quarter Deviation Report dated December 13, 2005, the Respondent sent excess ammonia to the flare on September 20, 2005. The point source emission limit maximum allowable lb/hr was exceeded. The release was due to a control valve mechanical failure. Each exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

UU. According to the 2006 First Quarter Deviation Report dated June 20, 2006, the Respondent had a release of chlorine on January 26, 2006. While the Respondent was removing a rupture disc from the chlorine expansion pots, approximately three (3) lbs of chlorine was released to the air. This is a violation of Title V Permit No. 2306-V1, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

VV. According to the 2006 First Quarter Deviation Report dated June 20, 2006, a pinhole leak developed in a weld connection due to corrosion. On January 1, 2006, the leak lasted approximately thirty (30) minutes and exceeded the fugitive emission maximum allowable lb/hr limit for ammonia. Failure to maintain equipment is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, LAC 33:III.905, La. R.S.30:2057(A)(1) and 30:2057(A)(2).

WW. According to the 2006 First Quarter Deviation Report dated June 20, 2006, the Respondent had an electrical feeder failure on January 14, 2006, which resulted in sending excess ammonia to the flare. The ammonia point source maximum allowable limit was exceeded. The cause of the failure of the feeder was internal failure of an oil switch. The incident lasted approximately two (2) hours and ten (10) minutes. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S.30:2057(A)(1) and 30:2057(A)(2).

XX. According to the 2006 First Quarter Deviation Report dated June 20, 2006, the Respondent had a pump seal failure on January 18, 2006, that lasted approximately thirty (30) minutes. The failure resulted in the exceedance of the fugitive emission maximum allowable lb/hr limit for ammonia. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S.30:2057(A)(1) and 30:2057(A)(2).

YY. According to the 2006 First Quarter Deviation Report dated June 20, 2006, the Respondent had process plugging on January 21, 2006, which resulted in sending excess ammonia to the flare. The ammonia point source maximum allowable limit was exceeded. The incident lasted approximately thirty (30) minutes. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S.30:2057(A)(1) and 30:2057(A)(2).

ZZ. According to the 2006 First Quarter Deviation Report dated June 20, 2006, the Respondent had process plugging on January 25, 2006, which resulted in sending excess ammonia to the flare. The point source maximum allowable limit for ammonia was exceeded. The incident lasted approximately thirty (30) minutes. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S.30:2057(A)(1) and 30:2057(A)(2).

AAA. According to the 2006 First Quarter Deviation Report dated June 20, 2006, a pinhole leak developed in a weld connection due to mechanical failure of a weld. On January 27, 2006, the leak lasted approximately

five (5) hours and ten (10) minutes. During this incident the fugitive emission maximum allowable lb/hr limit for ammonia was exceeded. Failure to maintain equipment is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, LAC 33:III.905, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

BBB. According to the 2006 First Quarter Deviation Report dated June 20, 2006, the Respondent states that a water injection tube failed on a pump and caused a release on January 28, 2006. The incident lasted approximately fifteen (15) minutes and the fugitive emission maximum allowable lb/hr limit for ammonia was exceeded. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

CCC. According to the 2006 First Quarter Deviation Report dated June 20, 2006, the Respondent states that a pump bowl gasket failed and caused a release on February 9, 2006. The incident lasted approximately fifteen (15) minutes and the fugitive emission maximum allowable lb/hr limit for ammonia was exceeded. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

DDD. According to the 2006 Second Quarter Deviation Report dated September 21, 2006, the Respondent had a head gasket leak on April 3, 2006. The leak lasted approximately three (3) hours and thirty (30) minutes and exceeded the fugitive emissions maximum allowable lb/hr limit for ammonia. The leak was due to thermal cycling. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

EEE. According to the 2006 Second Quarter Deviation Report dated September 21, 2006, the Respondent sent excess ammonia to the flare on April 11, 2006, due to plugged equipment. This lasted approximately thirty (30) minutes. The point source emission maximum lb/hr limit was exceeded. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

FFF. According to the 2006 Second Quarter Deviation Report dated September 21, 2006, the Respondent had a backflow of process stream to deck. This was caused by a pump tripping while the back up was out of service for maintenance. This backflow lasted approximately thirty (30) minutes and exceeded the fugitive emissions maximum allowable lb/hr limit for ammonia. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and

30:2057(A)(2).

GGG. According to the 2006 Second Quarter Deviation Report dated September 21, 2006, the Respondent discovered some leaking vent piping on June 5, 2006. The leak was caused by a weld fracture caused by vibration. The leaking lasted approximately thirty (30) minutes and exceeded the fugitive emissions maximum allowable lb/hr limit for ammonia. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

HHH. According to the 2006 Third Quarter Deviation Report dated December 18, 2006, the Respondent exceeded the methyl isobutyl ketone (MIBK) emission limit for painting operations. The exceedance was 133 lbs. This was because the wrong thinner was used. This occurred for the entire third quarter of the year. Exceeding a permit limit is a violation of Title V Permit No. 2236-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

III. According to the 2006 Third Quarter Deviation Report dated December 18, 2006, the Respondent had excess emissions resulting from an unexpected exothermic reaction that occurred on August 19, 2006. The reaction occurred in Crude Tank #3 releasing 2235 lbs of hydrocyanic acid and 4300 lbs of acrylonitrile to the atmosphere. The incident lasted approximately six (6) hours. Excess emissions are a violation of Title V Permit No. 2195-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

JJJ. According to the 2006 Third Quarter Deviation Report dated December 18, 2006, the Respondent discovered a pump leaking on August 10, 2006. The leak was caused by normal wear and tear to the packing. The leaking continued for approximately fifteen (15) minutes and exceeded the fugitive emissions maximum allowable lb/hr limit for ammonia. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

KKK. According to the 2006 Third Quarter Deviation Report dated December 18, 2006, the Respondent had a check valve failure on August 20, 2006. The failure was caused by the usage of the wrong O-ring and resulted in a leak. The leak continued for approximately fifteen (15) minutes and exceeded the fugitive emissions maximum allowable lb/hr limit for ammonia. Exceeding a permit limit is a violation of Title V Permit No.1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

LLL. According to the 2006 Third Quarter Deviation Report dated December 18, 2006, the Respondent discovered a pump leaking on September 18, 2006. The leak was caused by normal wear and tear to the packing. The leaking lasted approximately fifteen (15) minutes and exceeded the fugitive emissions maximum allowable lb/hr limit for ammonia. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

MMM. According to the 2006 Third Quarter Deviation Report dated December 18, 2006, the Respondent discovered a pump seal leak on September 27, 2006. The leak was caused by normal wear and tear. The leak continued for approximately fifteen (15) minutes and exceeded the fugitive emissions maximum allowable lb/hr limit for ammonia. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

NNN. According to the 2006 Third Quarter Deviation Report dated December 18, 2006, the Respondent discovered a pump seal leak on September 28, 2006. The leak was caused by normal wear and tear. The leaking lasted approximately fifteen (15) minutes and exceeded the fugitive emissions maximum allowable lb/hr limit for ammonia. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

OOO. According to the 2006 Third Quarter Deviation Report dated December 18, 2006, the Respondent's sulfuric acid plant stack exceeded emissions limits during a startup on August 27, 2006. Exceeding a permit limit is a violation of Title V Permit No. 594-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

PPP. According to the 2006 Third Quarter Deviation Report dated December 18, 2006, the Respondent's acid plant surpassed the sulfur dioxide emissions limits on September 23, 2006. Exceeding a permit limit is a violation of Title V Permit No. 594-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

QQQ. According to the 2006 Fourth Quarter Deviation Report dated March 26, 2007, the Respondent had a discharge valve leak on October 2, 2006, when it mechanically failed. The incident lasted approximately thirty (30) minutes. During the incident, the fugitive emissions maximum allowable limit for ammonia was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

RRR. According to the 2006 Fourth Quarter Deviation Report dated March

26, 2007, the Respondent lost the central flare on October 5, 2006. The Respondent indicated that the loss of the central flare was likely caused from sending a non-combustible gas to the flare that extinguished the flame. The event lasted approximately seventeen (17) hours. The Respondent has installed an alarm to prevent this in the future. Excess ammonia was sent to the flare. During the release the Point Source emissions maximum allowable lb/hr was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, LAC 33:III.905, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

SSS. According to the 2006 Fourth Quarter Deviation Report dated March 26, 2007, the Respondent had a weld failure on October 11, 2006. This was caused by a mechanical failure and caused a release that lasted approximately thirty (30) minutes. During this time the fugitive emissions maximum allowable limit for ammonia was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

TTT. According to the 2006 Fourth Quarter Deviation Report dated March 26, 2007, the Respondent discovered a tube leak on the North Peroni Pump on October 30, 2006. The leak was caused by mechanical failure of the tubing and lasted approximately thirty (30) minutes. During this time the fugitive emissions maximum allowable limit for ammonia was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

UUU. According to the 2006 Fourth Quarter Deviation Report dated March 26, 2007, the Respondent discovered a seal leak on December 13, 2006. The leak was caused by normal wear and tear and lasted approximately thirty (30) minutes. During this time the fugitive emissions maximum allowable limit for ammonia was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

VVV. According to the 2006 Fourth Quarter Deviation Report dated March 26, 2007, the Respondent discovered a tube leak on South Carbamate Pump on December 19, 2006. The leak was caused by mechanical failure of the tubing and lasted approximately thirty (30) minutes. During this time the fugitive emissions maximum allowable limit for ammonia was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

WWW. According to the 2006 Fourth Quarter Deviation Report dated March 26, 2007, the Respondent discovered a valve failure on December 28, 2006. The valve failed due to mechanical issues. This failure caused a

leak that lasted approximately eighty (80) minutes. During this time the fugitive emissions maximum allowable limit for ammonia was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

XXX. According to the 2007 Second Quarter Deviation Report dated September 26, 2007, the Respondent had a pipe stub failure on June 19, 2007, that caused an exceedance in the fugitive emissions maximum allowable limit for ammonia. The cause was discovered to be from an unsupported pipe. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

YYY. According to the 2007 First Quarter Deviation Report dated May 23, 2007, flexible tubing on P-221 YA (South Carbamate Pump) blew out due to a mechanical failure on February 4, 2007. The event lasted approximately fifteen (15) minutes and exceeded the fugitive emissions maximum allowable limit for ammonia. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

ZZZ. According to the 2007 First Quarter Deviation Report dated May 23, 2007, the Respondent had a leak on the P-105 (Quench Pump) bowl on February 22, 2007. The event was caused by mechanical failure and lasted thirty (30) minutes. During the event, the fugitive emissions maximum allowable limit for ammonia was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

AAAA. According to the 2007 First Quarter Deviation Report dated May 23, 2007, the Respondent discovered on March 31, 2007, that a drain was left open on E-103 W Exchanger during a start up. The drain was closed upon discovery. The event lasted approximately fifteen (15) minutes. During the event, the fugitive emissions maximum allowable limit for ammonia was exceeded. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, LAC 33:III.905, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

BBBB. According to the 2007 Third Quarter Deviation Report dated December 12, 2007, which referenced a follow up report dated August 31, 2007, the glass vapor seal in the storage tank fire protection system for T-737 West acrylonitrile storage tank cracked while transferring acrylonitrile into the tank on August 27, 2007. Due to the crack in the seal, approximately 146 lbs of acrylonitrile was released to the atmosphere over two (2) hours. This is a violation of Title V Permit No. 2195-V1,

LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

CCCC. According to the 2007 Third Quarter Deviation Report dated December 17, 2007, the Respondent failed to perform the bag house opacity check for August 3, 2007. Failure to perform opacity checks is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

DDDD. According to the 2007 Third Quarter Deviation Report dated December 17, 2007, the Respondent's Surge Tank Seal leg overpressured on August 2, 2007. This incident caused an exceedance in the fugitive emissions maximum allowable limit for ammonia. Exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).

EEEE. According to the 2007 Third Quarter Deviation Report dated December 17, 2007, the Respondent had a leaking plug on a PSV which resulted in exceeding the fugitive emissions maximum allowable limit for ammonia. Exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).

FFFF. According to the 2007 Third Quarter Deviation Report dated December 21, 2007, the Respondent stated that the emissions from diesel tank ID 48-79 exceeded permit limits. This is a violation of Title V Permit No. 2236-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

GGGG. According to the 2007 Fourth Quarter Deviation Report dated March 18, 2008, the Respondent overflowed a dike area on October 5, 2007. During this incident, the fugitive emissions maximum allowable limit for ammonia was exceeded. Exceeding a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

HHHH. According to the 2007 Fourth Quarter Deviation Report dated March 18, 2008, the Respondent experienced a release while removing PSV on October 30, 2007. The release occurred because of failure to follow the proper procedure. The release lasted approximately thirty (30) minutes which resulted in exceeding the fugitive emissions maximum allowable limit for Freon. Each exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

IIII. According to the 2007 Fourth Quarter Deviation Report dated March 18, 2008, the Respondent experienced a release while due to a compressor failure on December 17, 2007. The release lasted

approximately thirty (30) minutes. The Respondent stated that the fugitive emissions maximum allowable limit for Freon was exceeded. Exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

JJJJ. According to the 2007 Second Semiannual Monitoring Report dated March 25, 2008, the Respondent failed to complete all pentannual reviews within five (5) years. All reviews were due by July 1, 2007, and were completed by August 30, 2007. Each failure to complete reviews in a timely fashion is a violation of Title V Permit No. 2195-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

KKKK. According to the 2007 Fourth Quarter Deviation Report dated March 25, 2008, the Respondent exceeded the yearly emission limit for EQT 124/48-79 Diesel Storage Tank. The Volatile Organic Compounds (VOC) emissions from the diesel tank were calculated to be 0.0025 tons per year (tpy), and the permit limit is <0.002 tpy. This is a difference of approximately one (1) lb/year. Each exceedance of a permit limit is a violation of Title V Permit No. 2236-V1, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

LLLL. According to the 2007 Annual Compliance Certification Report dated March 26, 2008, the Respondent's AMEL Unit lost suction valve to K1101 Ammonia Compressor creating a plant upset that resulted in a release of approximately 78.4 lbs of ammonia from the flare. This occurred on February 13, 2007. This release exceeded the hourly maximum limit of 26.40 lbs of ammonia for Emission Point 1-75. Each exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

MMMM. According to the 2007 Annual Compliance Certification Report dated March 26, 2008, the Respondent experienced a release on May 14, 2007. A network communication problem was being investigated when the distributed control system (DCS) went down. This resulted in the Urea Safety Intermented System tripping. Upon start up, there was a release of ammonia that was above the hourly maximum permit limit of 26.40 lbs/hr for Emission Point 1-75. Each exceedance of a permit limit is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

NNNN. According to the 2007 Annual Compliance Certification Report dated March 26, 2008, the Respondent failed to perform daily visual inspections. See table below for Emission Point and the amount of days.

Emission Point	Amount of days without an inspection
Emission Point 9-87	26
Emission Point 10-87	35
Emission Point 15-70	34
Emission Point 12-70	40
Emission Point 8-87	36
Emission Point 7-87	37
Emission Point 20-70	34
Emission Point 56-87	28
Emission Point 19-70	40

Each failure to perform an inspection is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).

OOOO. According to the 2007 Fourth Quarter Deviation Report dated March 31, 2008, the Respondent had a release of sulfur dioxide out of the Main Stack on October 24, 2007. This was due to an instrument malfunction during a startup. This is a violation of Title V Permit No. 594-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

PPPP. According to the 2008 First Quarter Deviation Report dated June 10, 2008, there was a piston leak on a pump in which the fugitive emissions maximum allowable limit was exceeded for ammonia on January 15, 2008. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

QQQQ. According to the 2008 First Quarter Deviation Report dated June 10, 2008, the Respondent had a PSV discharge flange leak that resulted in the exceedance of the fugitive emissions maximum allowable limit for ammonia on March 3, 2008. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

RRRR. According to the 2008 First Quarter Deviation Report dated June 10, 2008, the Respondent had a thermowell flange leak which resulted in the exceedance of the fugitive emissions maximum allowable limit for ammonia on March 5, 2008. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

SSSS. According to the 2008 First Quarter Deviation Report dated June 10, 2008, the Respondent had a cracked weld on a pump suction line which

resulted in the exceedance of the fugitive emissions maximum allowable limit for ammonia on March 11, 2008. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

TTTT. According to the 2008 First Quarter Deviation Report dated June 10, 2008, the Respondent had a pump piston blow out which resulted in the exceedance of the fugitive emissions maximum allowable limit for ammonia on March 11, 2008. This is a violation of Title V Permit No. 1981-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

UUUU. According to the 2008 Third Quarter Deviation Report dated December 22, 2008, the Respondent failed to record semiannual inspections of filter elements for the Blasting Booth (Emission Point 48-88). Inspections were not recorded for the 2006, 2007, and 2008 calendar years. This is a violation of General Condition R.3 of Title V Permit No. 2236-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). An administrative amendment request dated April 2008 was submitted to the Department and was granted on April 16, 2009.

VVVV. According to the 2008 Third Quarter Deviation Report dated December 23, 2008, during a third party audit, the Respondent discovered that they had exceeded permit limits for the 2007 year from the MET Tank Vent Group Scrubber Emission Point No. 2-77. The current permit limit is 0.02 tpy of ammonia, and the Respondent emitted 0.081 tpy. The Respondent also exceeded the ammonia emission limits for the first quarter of 2008. Each exceedance of a permit limit is a violation of Title V Permit No. 2306-V1, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

WWWW. According to 2008 Third Quarter Deviation Report dated December 23, 2008, during a third party audit, it was discovered that the Respondent has failed to keep records of daily visual opacity checks conducted on Emission Point No. 37-88, Startup Heater Stack for the following dates:

March 16, 2005	February 13, 2007
May 5, 2005	February 15, 2007
May 8, 2005	February 21, 2007
June 13, 2005	May 4, 2007
June 21, 2005	May 15, 2007
August 2, 2005	October 24, 2007
August 21, 2005	November 6, 2007

August 28, 2005	November 10, 2007
October 5, 2005	December 5, 2007
November 17, 2005	January 28, 2008
December 20, 2005	February 6, 2008
February 2, 2006	March 27, 2008
March 10, 2006	April 30, 2008
March 27, 2006	May 3, 2008
April 16, 2006	June 3, 2008
April 27, 2006	July 9, 2008
May 19, 2006	July 23, 2008
July 27, 2006	August 30, 2008
August 23, 2006	October 8, 2008
December 14, 2006	October 16, 2008
January 13, 2007	

Each failure to keep records is a violation of General Condition R. 3 of Title V Permit No. 594-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). Also each failure to report in a timely fashion is a violation of Title V Permit No. 594-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

XXXX. According to the 2008 Third Quarter Deviation Report dated December 23, 2008, during a third party audit, it was discovered that the Respondent exceeded the annual SO_2 permit limit for the 2007 year from Air Preheater Stack (X-41) Emission Point No. 1-95. The current permit limit is 0.22 tpy, and the Respondent emitted 2.48 tpy. The Respondent discovered the exceedance by using AP-42 factors. Each exceedance is a violation of Title V Permit No. 594-V1, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent submitted a request for an administrative amendment dated January 5, 2009. The Department modified the permit on February 3, 2010.

YYYY. According to the 2008 Third Quarter Deviation Report dated December 23, 2008, the Respondent failed to maintain a heat content of 200 BTU/scf for the Melamine Flare (FS-1; 1-72) for the following dates:

August 15, 2007	July 12, 2008
August 16, 2007	August 17, 2008
July 7, 2008	September 12, 2008
July 9, 2008	September 17, 2008
July 11, 2008	September 28, 2008

Each failure to maintain the heat content to the flare is a violation of General Condition R. 3 of Title V Permit No. 1981-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

ZZZZ. According to the 2008 Third Quarter Deviation Report dated December 23, 2008, the Respondent failed to conduct inspections of filter elements for Emission Points 12-70, 15-70, 19-70, 8-87, 10-87, 20-70, 56-87, 7-87 and 9-87 every six (6) months as required. Each failure to conduct inspections in a timely fashion is a violation of Title V Permit No. 1981-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

AAAAA. According to the 2008 Third Quarter Deviation Report dated December 23, 2008, a third party audit discovered that Respondent failed to monitor for the presence of a flame by visual inspection for the Melamine Flare (1-72) or the Melamine Effluent Stripper (1-75) from June 4, 2008 until November 19, 2008. Each failure to visually inspect is a violation of Title V Permit No. 1981-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

BBBBB. According to the 2008 Third Quarter Deviation Report dated December 23, 2008, a third party audit discovered that the Respondent failed to record opacity checks for the Melamine Flare (1-72), Melamine Effluent Stripper (1-75) and the Salt Furnace (6-87). The Respondent reported and/or maintains that the opacity checks were completed; however, no records were kept to demonstrate this. Each failure to keep records is a violation of Title V Permit No. 1981-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

CCCCC. According to the 2008 Third Quarter Deviation Report dated December 23, 2008, a third party audit discovered that the Respondent exceeded the 2007 ammonia permit emission limit for three (3) tanks Emission Points 25-87, 30-87, and 31-87. Each exceedance of a permit limit is a violation of Title V Permit No. 1982-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

DDDDD. According to the 2008 Third Quarter Deviation Report dated December 23, 2008, a third party audit discovered that the Respondent failed to include particulate matter being emitted from the combustion of natural gas in the Melamine Flare (1-72) and Melamine Effluent Stripper Flare (1-75) in the 2002 permit application and was currently operating without this emission being permitted. These emissions were calculated using the EPA's AP-42 factors for natural gas combustion of the pilot flame and were found to be 0.24 tpy for each emission point. Each unauthorized emission is a violation of LAC 33:III.501.C.1, LAC

33:III.501.C.2, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Department renewed/modified Title V Permit No. 1981-V2 on June 10, 2010, to include these emissions.

EEEEE. According to the 2008 Fourth Quarter Deviation Report and the 2008 Annual Compliance Certification both dated March 23, 2009, the Respondent exceeded permit limits for Emission Point 37-92 T500. The Respondent exceeded the permitted MMA limit of 0.003 tpy by emitting 0.013 tpy of MMA. Also, the Respondent exceeded the permitted VOC limit of 0.01 tpy by emitting 0.015 tpy of VOC. Each exceedance of a permit limit is a violation of Title V Permit No. 2195-V3, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

FFFFF. According to the 2008 Fourth Quarter Deviation Report dated March 25, 2009, the Respondent used the EPA's AP-42 emission factors to quantify their particulate matter emissions. The emissions were found to be 0.006 tpy from Emission Point 1-71 Flare Stack-Ammonia Storage 25KII. These emissions had not been previously permitted. Failure to have emissions permitted is a violation of LAC 33:III.501.C.1, LAC 33:III.501.C.2, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Department renewed/modified Title V Permit No. 2306-V2 on April 30, 2010, to include these emissions.

GGGGG. According to the 2008 Fourth Quarter Deviation Report dated March 25, 2009, the Respondent used LDAR monitoring data to quantify their methanol emissions. The emissions were found to be 0.03 tpy from Emission Point FUG004 89-94 Fugitive Emissions. These emissions had not been previously permitted. Failure to have emissions permitted is a violation of LAC 33:III.501.C.1, LAC 33:III.501.C.2, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Department renewed/modified Title V Permit No. 2306-V2 on April 30, 2010, to include these emissions.

HHHHH. According to the 2008 Fourth Quarter Deviation Report dated March 25, 2009, the Respondent exceeded the MMA permit limit of 0.001 tpy for EQT118 2-77 MET Tank Vent Scrubber Group. The actual emissions were 0.0077 tpy. Each exceedance of a permit limit is a violation of Title V Permit No. 2306-V1, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

IIIII. According to the 2008 Fourth Quarter Deviation Report dated March 25, 2009, the Respondent failed to have emissions of n-butyl alcohol from 66-93 Paint Yard Operations to be permitted. The amount of emissions was calculated to be 0.23 tpy. Failure to have emissions

permitted is a violation of General Condition R.3. and General Condition XI.C. of Title V Permit No. 2236-V1, LAC 33:III.501.C.1, LAC 33:III.501.C.2, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Department issued an administrative amendment to Title V Permit No. 2236-V1 on January 6, 2010, to include these emissions.

JJJJJ. According to the 2008 Fourth Quarter Deviation Report dated March 30, 2009, the Respondent exceeded the annual permit limit for sulfur dioxide from 1-95 Air Preheater X-41. The Respondent used EPA's AP-42 emission factors for combustion of landfill gas suggestion which calculated the emissions to be 1.91 tpy versus the permit limit of 0.22 tpy. The exceedance of a permit limit is a violation of Title V Permit No. 594-V1, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent submitted a request for an administrative amendment dated January 5, 2009. The permit was modified on February 3, 2010.

KKKKK. According to the 2008 Fourth Quarter Deviation Report dated March 30, 2009, the Respondent failed to maintain the heat content for the Melamine Flare (1-72) for the following dates and time:

Date	Time
October 8, 2008	10 minutes
October 14, 2008	1 hour and 50 minutes
November 25, 2008	7 hours and 50 minutes
December 5, 2008	10 minutes
December 7, 2008	3 hours and 40 minutes
December 7-8, 2008	24 hours and 40 minutes
December 9, 2008	20 minutes
December 10, 2008	30 minutes
December 11, 2008	2 hours and 50 minutes
December 20, 2008	1 hour and 30 minutes

Each failure to maintain heat content is a violation of Title V Permit No. 1981-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

LLLLL. According to the 2008 Fourth Quarter Deviation Report dated March 30, 2009, the Respondent failed to keep records of visual inspections of flame presence for the Melamine Flare (FS-1) and the Melamine Effluent Stripper Flare (VH-3). The failure to keep records lasted from June 4, 2008 until November 13, 2008. Each failure to keep records is a violation of Specific Conditions 36 and 49 of Title V Permit No. 1981-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

MMMMM. According to the 2008 Fourth Quarter Deviation Report dated March 30, 2009, the Respondent exceeded their ammonia emissions for Emission Point 25-87 Crystallizer Ammonia Water Tank. The Respondent used data from EPA's Tank 4 program quantifying their ammonia emissions to be 0.036 tpy which exceeds the permitted value of 0.03 tpy. Each exceedance is a violation of General Condition R.3 and General Condition XI.C of Title V Permit No. 1981-V1, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

NNNNN. According to the 2008 Fourth Quarter Deviation Report dated March 30, 2009, the Respondent exceeded their ammonia emissions for Emission Point 30-87 Crystallizer Drain Tank. The Respondent used data from EPA's Tank 4 program quantifying their ammonia emissions to be 0.157 tpy which exceeds the permitted value of 0.13 tpy. Each exceedance is a violation of General Condition R.3 and General Condition XI.C of Title V Permit No. 1981-V1, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Department renewed/modified Title V Permit No. 1981-V2 on June 10, 2010, to increase the emission limits.

OOOOO. According to the 2008 Fourth Quarter Deviation Report dated March 30, 2009, the Respondent exceeded their ammonia emissions for Emission Point 31-87 Crystallizer Mother Liquor Tank. The Respondent used data from EPA's Tank 4 program quantifying their ammonia emissions to be 0.098 tpy which exceeds the permitted value of 0.09 tpy. Each exceedance is a violation of General Condition R.3. and General Condition XI.C. of Title V Permit No. 1981-V1, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Department renewed/modified Title V Permit No. 1981-V2 on June 10, 2010, to include these emissions.

PPPPP. According to the 2008 Fourth Quarter Deviation Report dated March 30, 2009, the Respondent used data from EPA's Tank 4 program quantifying their particulate matter emissions to be 0.29 tpy from Emission Point 50-87 Cooling Tower 5A. These emissions had not been previously permitted. Failure to have emissions permitted is a violation of LAC 33:III.501.C.1, LAC 33:III.501.C.2, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Department renewed/modified Title V Permit No. 1981-V2 on June 10, 2010, to include these emissions.

QQQQQ. According to the 2008 Fourth Quarter Deviation Report dated March 30, 2009, the Respondent used data from EPA's Tank 4 program quantifying their particulate matter emissions to be 0.29 tpy from Emission Point 51-87 Cooling Tower 5B. These emissions had not

been previously permitted. Failure to have emissions permitted is a violation of LAC 33:III.501.C.1, LAC 33:III.501.C.2, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Department renewed/modified Title V Permit No. 1981-V2 on June 10, 2010, to include these emissions.

RRRRR. According to the 2008 Second Semiannual Monitoring Report dated March 23, 2009, the Respondent reported that the natural gas flow rate was not maintained above 4500 scfm for the Emission Point EQT 0135 3-71 AN Flare for twenty-nine (29) hours on September 21-22, 2008. The report states that the natural gas was restricted because of back pressure caused by water accumulation in the steam ring line. The normal flame temperature confirmed that there was adequate fuel to maintain destruction efficiency during this excursion. This is a violation of Title V Permit No. 2195-V3, LAC33:III.501.C.4, LAC 33:III.905, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

SSSSS. According to the 2009 Annual Compliance Certification dated March 29, 2010, the Respondent failed to capture at least 90% of the daily zero and span calibration data available for the month of February for Emission Source 1-79 AOG A. February's data capture was only 81% because data was excluded due to the zero and or span calibrations exceeded tolerances. The analyzer's sample cell and one of the PC boards failed. Failing to capture at least 90% of the data for daily zero and span calibrations is a violation of Title V Permit No. 2195-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

TTTTT. According to the 2009 Second Semiannual Report dated March 26, 2010, the Respondent discovered in an internal audit that during July there were several lines not capped as required with the air toxics plan. Each uncapped line is a violation of Title V Permit No. 1981-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

UUUUU. According to the 2009 Second Semiannual Report dated March 29, 2010, the Respondent exceeded the VOC fugitive emissions permitted limit for Emission Point 50-92 Fugitive Emissions. The Respondent stated, "The exceedance of the permit limit is expectedly due to equipment placed on delay of repair and over-all increased fugitive monitoring values were below the 500 parts per million (ppm) leak definition." Exceeding a permit limit is a violation of Title V Permit No. 2195-V3, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

VVVVV. According to the 2009 Second Semiannual Report dated March 31, 2010, the Respondent failed to keep records of opacity checks. See

Table below for Emissions Points and timeframe:

Emission Point	Time
Emission Point EQT102 Boiler Stack No. 1	38 days
Emission Point EQT104 Boiler Stack No. 4	11 days
Emission Point EQT107 Baghouse Lime Storage Silo	54 days

Based on the Respondent's investigation, the reason for missing data is due to malfunctions associated with uploading of the handheld device to the server and human error related to the use of the hand held. Each failure to keep records is a violation of Title V Permit No. 2306-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

WWWWW. According to the 2009 Second Semiannual Report dated March 31, 2010, the Respondent's current Title V Permit does not include particulate matter emissions for Ammonia Flare 1-71 EQT 116. A permit application was submitted on March 16, 2009, to include the particulate matter emissions. Failure to have emissions permitted is a violation of LAC 33:III.501.C.2, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

XXXXX. According to the 2009 Second Semiannual Report dated March 31, 2010, the Respondent's current Title V Permit does not include methanol for Emission Point FUG004 89-94 Fugitive Emissions. A permit application was submitted on March 16, 2009, to include the methanol emissions Failure to have emissions permitted is a violation of LAC 33:III.501.C.2, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

YYYYY. According to the 2009 Second Semiannual Report dated March 31, 2010, the Respondent exceeded the methanol limit for the Emission Point EQT118 2-77 MET Tank Vent Group Scrubber. The Respondent exceeded the 0.1 tpy limit by 0.005 tpy. Each exceedance of a permit limit is a violation of Title V Permit No. 2306-V1, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

ZZZZZ. According to the 2009 Second Semiannual Report dated March 29, 2010, the Respondent failed to keep the Emission Point EQT051- 1-76 Sulfuric Acid Plant Stack's oxygen level within range for 120 hours. Failing to operate within permitted operating conditions is a violation of Title V Permit No. 594-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

AAAAAA. According to the 2009 Second Semiannual Report dated March 29,

2010, the Respondent exceeded the annual permitted hexane limit for the Acid Plant Air Preheater EQT 074. Each exceedance of a permit limit is a violation of Title V Permit No. 594-V1, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

BBBBBB. According to a letter dated December 6, 2010 and information provided in a meeting on December 1, 2010, the Respondent did not submit the appropriate information in the Prevention of Significant Deterioration (PSD) application. The initial PSD application was submitted on or about February 24, 1994. The Respondent based the calculation on permit to permit instead of actual to allowable. This erroneous calculation was carried over in subsequent PSD Permit applications and modifications. This is a violation of LAC 33:III.509.R, and La. R.S. 30:2057(A)(2)."

III

In response to the CONOPP, 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-NINE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($99,500.00), of which Four Thousand Three Hundred Eighty-Nine and 07/100 Dollars ($4,389.07) represents the Department's enforcement costs, in settlement of the claims set forth in this 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 permit record(s), the

CONOPP and this Settlement 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 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 agreement in any action by the Department to enforce this agreement.

VIII

This settlement 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, the Department considered the factors for issuing civil penalties set forth in La. R. S. 30:2025(E) of the Act.

IX

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Jefferson Parish, Louisiana. The advertisement, in form, wording, and size approved by the Department, announced the availability of this settlement 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 is executed on behalf of the Department, more than forty-five (45) days have

elapsed since publication of the notice.

X

Payment is to be made within ten (10) days from notice of the Secretary's signature. If payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit A).

XI

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

XII

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.

CYTEC INDUSTRIES INC.

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
Peggy M. Hatch, Secretary

BY: _____

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

_____
NOTARY PUBLIC (ID # _____)

_____
(stamped or printed)

Approved: Peggy M. Hatch
Peggy M. Hatch, Secretary