STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:	*	**Settlement Tracking No.**
	*	**SA-AE-13-0002**
SASOL NORTH AMERICA INC.	*	
	*	**Enforcement Tracking No.**
AI # 3271	*	**AE-CN-07-0099**
	*	**AE-CN-07-0134**
PROCEEDINGS UNDER THE LOUISIANA	*	
ENVIRONMENTAL QUALITY ACT	*	
LA. R.S. 30:2001, ET SEQ.	*	

SETTLEMENT

The following Settlement is hereby agreed to between Sasol North America 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

The Respondent owns and/or operates the Lake Charles Chemical Complex, a chemical production facility located at 2201 Old Spanish Trail in Westlake, Calcasieu Parish, Louisiana ("the Facility").

II

On May 22, 2008, the Department issued to Respondent a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. AE-CN-07-0099, which was based upon the following findings of fact:

On or about May 1, 2008, a file review was performed to determine the degree of compliance with the Act and the Air Quality Regulations.

The following violations were noted during the course of the file review:

A. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2894-V0 for the period encompassing July through September 2006, dated December 22, 2006, "the supplier of a process additive reported the sulfur content in the additive is 54 wt%, nearly twice the amount used in preparing the Title V permit application.... The corrections to the calculations show the annual emissions limit of 2.39 tons per year was exceeded in January of 2006 with calculated emissions of 2.922 tons per year. The actual SO2 emissions have continued to exceed the annual limit for each consecutive month since that time with the highest calculated SO_2 emissions being 4.629 tons per year in November of 2006. Using the corrected basis, the max hourly permit limit of 0.66 lb/hr was also exceeded in the months of April and December of 2005 and January, February, March, April, September, October and November of 2006." Each exceedance of a permitted emission limit is a violation of Part 70 General Condition C of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

B. As mentioned in Paragraph IV above, the Respondent believes that LAB-T-911 and LAB-T-912 were modified to their current seal configuration on or about November 6, 1997 and December 17, 1997, respectively. The Respondent failed to obtain written authorization from the Department prior to modifying these two tanks. For each tank, this is a violation of General Condition I of Air Permit No. 0520-00049-04, LAC 33:III.501.C.1, LAC 33:III.501.C.2, LAC 33:III.501.C.4, LAC 33:III.5109.A, LAC 33:III.5111.A, and La. R.S. 30:2057(A)(2).

C. According to a letter from the Respondent dated December 5, 2007, "During the recent inspection of LAB-T-912, it also became apparent that there were numerous small holes (believed to be screw or bolt holes) in the floating roof from the old liquid-mounted seal that were not plugged." According to an email received from the Respondent on or about April 28, 2008, there were approximately 140 of these holes. For each hole, this is a violation of 40 CFR 63.119(b)(5)(i) and 40 CFR 63.119(b)(5)(ii) which languages have been adopted as Louisiana regulations in LAC 33:III.5122. It is also a violation of Specific Requirement No. 165 of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The December 5, 2007 letter further states that, "Sasol plugged the holes prior to placing the tank back into service."

D. On or about April 17, 2008, the Department received a timeline of events involving the seals on tanks LAB-T-911 and LAB-T-912 from the Respondent. According to this timeline, LAB-T-911 and LAB-T-912 were both inspected in 2002 and 2007. 40 CFR 63.120(a)(2)(i) requires that the internal floating roof and seal on these tanks be visually inspected through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill, or at least once every 12 months after the compliance date specified in 40 CFR 63.100. The Respondent failed to perform the abovementioned annual inspections from 1998 through 2001 and from 2003 through 2006. For LAB-T-911, each missed inspection is a

violation of 40 CFR 63.120(a)(2)(i) which language has been adopted as a Louisiana regulation in LAC 33:III.5122. Since March 15, 2005, it is also a violation of Specific Requirement No. 147 of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). For LAB-T-912, each missed inspection is a violation of 40 CFR 63.120(a)(2)(i) which language has been adopted as a Louisiana regulation in LAC 33:III.5122. Since March 15, 2005, it is also a violation of Specific Requirement No. 168 of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

E. According to an email received from the Respondent on or about April 30, 2008, Emission Point No. LAB-T-912 emitted 0.844 tons of VOC in 2002. This is an exceedance of the annual emission limit of 0.77 tons of VOC as set forth in Air Permit No. 0520-00049-05. This exceedance is a violation of LAC 33:III.501.C.4, La R.S. 30:2057(A)(1) and 30:2057(A)(2).

On February 9, 2009, the Department issued to Respondent a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. AE-CN-07-0134, which was based upon the following findings of fact:

On or about March 19 through March 23, 2007, an inspection of the Respondent's facility was performed to determine the degree of compliance with the Act and the Air Quality Regulations.

The following violations were noted during the course of the inspection:

A. At the time of the inspection, the facility did not have records of monitoring conducted in accordance with 40 CFR 61.354(d) for the North Wastewater Tank (Emission Point No. ETH-T7-914) on the following dates: March 19, 2004; March 20, 2004; March 21, 2004; April 22, 2004; April 28, 2004; April 29, 2004; May 16, 2004; May 17, 2004; May 18, 2004; May 19, 2004; June 5, 2004; June 6, 2004; September 1, 2004; and September 2, 2004. For each day that monitoring was not conducted in accordance with 40 CFR 61.354(d), it is a violation of 40 CFR 61.354(d) which language has been adopted as a Louisiana regulation in LAC 33:III.5116; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4, LAC 33:III.5109.A, and La. R.S. 30:2057(A)(2). For each day that records were not kept in accordance with 40 CFR 61.356(j)(10), it is a violation of 40 CFR 61.356(j)(10) which language has been adopted as a Louisiana regulation in LAC 33:III.5116; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4, LAC 33:III.5109.A, and La. R.S. 30:2057(A)(2).

B. During the course of the inspection, one (1) open ended line (OEL) was found in the Ethylene Unit. This is a violation of 40 CFR 63.1033(b)(1) which language has been adopted as a Louisiana regulation in LAC 33:III.5122; Part 70 General Condition S of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; and La. R.S. 30:2057(A)(2). This violation was corrected during the course of the inspection.

C. On or about February 1, 2007, at approximately 07:05, a fire occurred in the Normal Paraffin Unit (NPU) of the Respondent's facility. According to the written report for this incident dated February 7, 2007, the Respondent issued a Community Awareness and Emergency Response (CAER) notification. The Respondent, however, did not report this emergency incident to the DPS 24-Hour Louisiana Emergency Hazardous Materials Hotline within one (1) hour after learning of the release. This is a violation of LAC 33:I.3915.A and La. R.S. 30:2057(A)(2).

D. As a result of the NPU fire mentioned in paragraph C above, an investigation was performed by the Respondent to determine the root causes of the incident and develop recommendations for corrective action. According to the investigation report, dated May 9, 2007, "The paraffin unit fire was caused by the failure of the 6 inch kerosene line between the heater H-101 and the Hydrotreater Reactor R-102. The line failed because of internal corrosion (primarily sulfur corrosion) that reduced the thickness of the line to below the point where the line could contain the process at operating conditions." The report further states that, "The piping that failed was constructed of schedule 40 but should have been constructed of schedule 80 per the piping specification." The failure to use the appropriate piping is a violation of LAC 33:III.905 and La. R.S. 30:2057(A)(2).

E. State Only Specific Condition No. 1 of Title V Permit Nos. 2325-V1 and 2325-V2 required the Respondent to demonstrate compliance with the Alcohol Tank Farm Cap (ETO-TF-1) emission limit by recording the product stored and throughput in the alcohol storage tanks (Emission Points ETO-FB-1, ETO-FB-2, ETO-FB-4, ETO-FB-5, ETO-FB-7, ETO-FB-19, ETO-FB-20, ETO-FB-21, ETO-T-1002, and ETO-T-1003). This specific condition also required the Respondent to submit a report to the Department showing products stored, throughput, and the calculated volatile organic compound (VOC) emissions, by March 31 for the preceding calendar year, for ETO-TF-1. The Respondent failed to submit the abovementioned report for calendar years 2004 and 2005. The failure to submit the report for calendar year 2004 is a violation of State Only Specific Condition No. 1 of Title V Permit Nos. 2325-V1 and 2325-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The failure to submit the report for calendar year 2005 is a violation of State Only Specific Condition No. 1 of Title V Permit No. 2325-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

F. State Only Specific Condition No. 2 of Title V Permit Nos. 2325-V1 and 2325-V2 required the Respondent to demonstrate compliance with the Ethoxylate Tank Farm Cap (ETO-TF-2) emission limit by recording the product stored and throughput in the ethoxylate storage tanks (Emission Points ETO-FB-8, ETO-FB-9, ETO-FB-10, ETO-FB-12, ETO-FB-13, ETO-FB-14, ETO-FB-15, ETO-FB-16, ETO-FB-17, ETO-FB-18, ETO-T-1004, ETO-T-1005, ETO-T-1006, ETO-T-1007, ETO-T-1010, and ETO-T-1011). This specific condition also required the Respondent to submit a report to the Department showing products stored, throughput, and the calculated VOC emissions, by March 31 for the preceding calendar year, for ETO-TF-2. The Respondent failed to submit the abovementioned report for calendar years 2004 and 2005. The failure to submit the report for calendar year 2004 is a violation of State Only Specific Condition No. 2 of Title V Permit Nos. 2325-V1 and 2325-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The failure to submit the report for calendar year 2005 is a violation of State Only Specific Condition No. 2 of Title V Permit No. 2325-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

G. State Only Specific Condition No. 3 of Title V Permit Nos. 2325-V1 and 2325-V2 required the Respondent to demonstrate compliance with the ETO Loading Operation Cap (ETO-LRC) emission limit by recording each type of product and its throughput through the loading facilities (Emission Points ETO-LR-3, ETO-LR-5-106, ETO-LR-5-107, ETO-LR-6, and ETO-LR-8). This specific condition also required the Respondent to submit a report to the Department showing each type of product, its throughput, and calculated emissions by March 31 for the preceding calendar year for ETO-LRC. The Respondent failed to submit the abovementioned report for calendar years 2004 and 2005. The failure to submit the report for calendar year 2004 is a violation of State Only Specific Condition No. 3 of Title V Permit Nos. 2325-V1 and 2325-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The failure to submit the report for calendar year 2005 is a violation of State Only Specific Condition No. 3 of Title V Permit No. 2325-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

On or about April 14 through April 17, 2008 and May 22, 2008, an inspection and subsequent file review of the Respondent's facility was performed to determine the degree of compliance with the Act and the Air Quality Regulations.

The following violations were noted during the course of the inspection and file review:

A. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2894-V0 for the period encompassing January through June 2007, dated September 30, 2007, "40 CFR 61.345(a)(1)(i) and

61.342(f)(2) state that waste shipments subject to Benzene Waste Operations shall be monitored for leaks prior to leaving the generators site and must also be accompanied by a notification stating the waste contains benzene. Sasol can not demonstrate that these requirements were followed for a KOH tank truck shipped on February 28th, and a KOH tank truck shipped on March 1, 2007, which were waste shipments regulated by 40 CFR 61." For each waste shipment, this is a violation of 40 CFR 61.345(a)(1)(i) and 40 CFR 61.342(f)(2) which languages have been adopted as a Louisiana regulation in LAC 33:III.5116. It is also a violation of LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).

B. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2894-V0 for the period encompassing July through September 2007, dated December 27, 2007, "40 CFR 61.345(a)(1)(i) and 61.342(f)(2) state that waste shipments subject to Benzene Waste Operations shall be monitored for leaks prior to leaving the generators site and must also be accompanied by a notification stating the waste contains benzene. Sasol can not demonstrate that these requirements were followed for a KOH tank truck shipped on July 28, 2007, which was a waste shipment regulated by 40 CFR 61. This incident constitutes a deviation from the Title V Permit for the LAB Unit." This is a violation of 40 CFR 61.345(a)(1)(i) and 40 CFR 61.342(f)(2) which languages have been adopted as a Louisiana regulation in LAC 33:III.5116. It is also a violation of LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).

C. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2894-V0 for the period encompassing July through September 2007, dated December 27, 2007, "On September 15, 2007, it was discovered that the carbon canister on a frac tank being utilized during the clean-out of tank T-912, a tank containing Benzene, did not have monitoring records for September 13 and September 14, 2007 after the frac tank was put in service on September 10, 2007 by the contractor performing the clean-out." For each day, this is a violation of 40 CFR 61.354(d) which language has been adopted as a Louisiana regulation in LAC 33:III.5116. This is also a violation of LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).

D. Facility Specific Requirement No. 1 of Title V Permit No. 2901-V0 for the Utility Steam Boiler Cap (EQT23), requires the Respondent to submit a report to the Department, by March 31, showing the total heat input to and calculated emissions from Boilers 1, 2, and 3 (EQT20, EQT21, EQT22) for the proceeding calendar year. The Respondent failed to submit this report for calendar year 2005 and submitted this report for calendar years 2006 and 2007 under cover letter dated July 21, 2008. For each year the Respondent failed to submit this report in accordance with Facility Specific Requirement No. 1 (EQT23) of Title V Permit No. 2901-V0, it is a violation of Facility Specific Requirement No. 1 (EQT23) of Title V Permit No. 2901-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

E. Specific Requirement No. 415 of Title V Permit No. 2894-V0 requires the Respondent to submit a report to the Department, by March 31, showing VOC emissions from the tanks in the Feedstock Storage Tank Farm (GRP021) for the proceeding calendar year. The Respondent failed to submit this report for calendar years 2005, 2006, and 2007. For each year the Respondent failed to submit this report, it is a violation of Specific Requirement No. 415 of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

F. Specific Requirement No. 416 of Title V Permit No. 2894-V0 requires the Respondent to submit a report to the Department, by March 31, showing VOC emissions from the tanks in the LAB Storage Tank Farm (GRP022) for the proceeding calendar year. The Respondent failed to submit this report for calendar years 2005, 2006, and 2007. For each year the Respondent failed to submit this report, it is a violation of Specific Requirement No. 416 of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

G. Specific Requirement No. 417 of Title V Permit No. 2894-V0 requires the Respondent to submit a report to the Department, by March 31, showing VOC emissions from the tanks in the Benzene/Offspec Benzene Tank Farm (GRP023) for the proceeding calendar year. The Respondent failed to submit this report for calendar years 2005, 2006, and 2007. For each year the Respondent failed to submit this report, it is a violation of Specific Requirement No. 417 of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

H. Specific Requirement No. 112 of Title V Permit No. 2896-V0 required the Respondent to submit a report to the Department, by March 31, showing the LPA/MR solvent throughput for the tanks in the LPR/MR Solvent Tank Farm Cap (GRP025) for the proceeding calendar year. The Respondent failed to submit this report for calendar year 2006. This is a violation of Specific Requirement No. 112 of Title V Permit No. 2896-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

I. Specific Requirement No. 116 of Title V Permit No. 2896-V0 required the Respondent to submit a report to the Department, by March 31, showing the normal paraffin throughput for the tanks in the Normal Paraffin Tank Farm Cap (GRP026) for the proceeding calendar year. The Respondent failed to submit this report for calendar year 2006. This is a violation of Specific Requirement No. 116 of Title V Permit No. 2896-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

J. Specific Requirement No. 123 of Title V Permit No. 2896-V1 requires the Respondent to submit a report to the Department, by March 31, showing the LPA/MR solvent throughput for the tanks in the LPA/MR Solvent Tank Farm Cap (GRP0025) for the proceeding calendar year. The Respondent failed to submit this report for calendar year 2007. This is a

violation of Specific Requirement No. 123 of Title V Permit No. 2896-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

K. Specific Requirement No. 127 of Title V Permit No. 2896-V1 requires the Respondent to submit a report to the Department, by March 31, showing the normal paraffin throughput for the tanks in the Normal Paraffin Tank Farm Cap (GRP026) for the proceeding calendar year. The Respondent failed to submit this report for calendar year 2007. This is a violation of Specific Requirement No. 127 of Title V Permit No. 2896-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

L. Based upon a review of the Annual Compliance Certifications that were submitted for Title V Permit Nos. 2325-V0, 2325-V1, 2325-V2, 2565-V0, 2565-V1, 2565-V2, 2565-V3, 2565-V4, 2742-V0, 2743-V0, 2743-V1, 2865-V0, 2865-V1, 2894-V0, 2894-V1, 2896-V0, and 2901-V0, it was noted that the Respondent does not fully comply with the requirements of Part 70 General Condition M. Specifically, the Respondent does not include the identification of each term or condition of the permit that is the basis of the certification; the compliance status; whether compliance was continuous or intermittent; or the method(s) used for determining the compliance status of the source. For each Annual Compliance Certification that has been submitted, this is a violation of Part 70 General Condition M of the Title V Permit for which compliance was being certified, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

M. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2894-V0 for the period encompassing July through December 2006, dated March 30, 2007, "40 CFR 61.345(a)(1)(i) and 61.355(h) state that EPA method 21 will be followed when monitoring for leaks from Benzene Waste Operations regulated waste shipments prior to leaving the generators site. Although leak check monitoring was completed, it could not be demonstrated that the Method 21 equipment calibration requirements were strictly followed for each (60) ASO and KOH tank trucks containing benzene waste regulated 40 CFR 61..." It is a violation of Part 70 General Condition I of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2) for each tank truck containing benzene waste for which the calibration requirements of Method 21 cannot be demonstrated that they were strictly followed.

On or about July 28, 2008, a file review of the Respondent's facility was performed to determine the degree of compliance with the Act and the Air Quality Regulations.

The following violations were noted during the course of the file review:

A. According to the Quarterly Report for Benzene NESHAP (National Emission Standards for Hazardous Air Pollutants) Waste Operations dated October 18, 2002, the monthly stripper sample required by 40 CFR

61.354(a)(1) was not completed for June 2002. This is a violation of 40 CFR 61.354(a)(1) which language has been adopted as a Louisiana regulation in LAC 33:III.5116; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; and La. R.S. 30:2057(A)(2).

B. According to the Hazardous Organic NESHAP (HON) Periodic Report for the period encompassing March 19, 2002, through September 18, 2002, dated November 15, 2002, the Ethylene Unit HON design steam stripper overhead temperature dropped below 95° C on April 7, 2002, April 8, 2002, and May 6, 2002, for 125 minutes, 94 minutes, and 15 hours, respectively. The facility's Startup, Shutdown, and Malfunction (SSM) plan requires the stripper effluent to be recirculated to the feed tank when the overhead temperature on the stripper drops below 95° C. During the three (3) abovementioned periods, the SSM plan was not implemented as the stripper was allowed to operate below 95° C. Each time the Respondent failed to implement the SSM plan is a violation of 40 CFR 63.6(e) which language has been adopted as a Louisiana regulation in LAC 33:III.5122; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.905; and La. R.S. 30:2057(A)(2).

C. According to the HON Periodic Report for the period encompassing March 19, 2002, through September 18, 2002, dated November 15, 2002, the Respondent bypassed its HON design steam stripper on May 7, 2002. The report further states that, "The bypass was the result of failing to follow proper operating procedures for valve alignment during startup of the stripper. Once the bypass was discovered, the unit implemented the HON SSM plan." The failure to follow proper operating procedures during startup is a violation of 40 CFR 63.6(e) which language has been adopted as a Louisiana regulation in LAC 33:III.5122; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.905; and La. R.S. 30:2057(A)(2).

D. According to the Quarterly Fugitives Emissions Leak Report for the period encompassing October through December 2002, dated January 20, 2003, and correspondence dated July 24, 2008, the Respondent missed 103 weekly visual monitoring events of a pump (ALU-19331) in heavy liquid service. For each missed monitoring event prior to April 19, 2002, it is a violation of Part 70 Specific Condition No. 3 of Title V Permit No. 2565-V1, LAC 33:III.2121.C.1.c, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). For each missed monitoring event on or after April 19, 2002, it is a violation of Part 70 Specific Condition No. 4 of Title V Permit No. 2565-V2, LAC 33:III.2121.C.1.c, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

E. State Only Specific Condition No. 1 of Title V Permit Nos. 2565-V1 and 2565-V2 required the Respondent to analyze the slurry feed streams of the Drytec Spray Dryer (Emission Point ALU-XGB-2) for ethyl alcohol content three (3) times per day. According to the Part 70 Annual

Compliance Certification for Title V Permit Nos. 2565-V1 and 2565-V2 for the period encompassing January through December 2002, dated March 28, 2003, the Respondent's, "Alumina unit began processing some products which require the Drytec Spray Dryer (ALU-XGB-2) to operate in a batch mode instead of the normal continuous operation...The current state only specific conditions for sampling the alumina slurry for compliance with LAC 33:III.5109.A and LAC 33:III.2115 do not address the sampling requirements for a batch operation. Therefore, Sasol performed a detailed review of the sampling that occurred for each batch that was processed." The results are shown in the table below:

Batch Number	Date Batch Began	Sampling Performed
1	1/21/2002	One sample during reactor filling
2	2/7/2002	Slurry was sampled while in transport truck prior to feed to reactor
3	5/9/2002	No samples taken
4	6/25/2002	Sampled feed to spray dryer from reactor
5	6/26/2002	One sample during reactor filling
6	8/21/2002	One sample during reactor filling
7	8/23/2002	One sample during reactor filling
8	9/3/2002	One sample during reactor filling
9	9/5/2002	One sample during reactor filling
10	9/22/2002	Sample taken from continuous operation just prior to starting batch
11	9/23/2002	One sample during reactor filling
12	9/25/2002	One sample during reactor filling
13	9/27/2002	One sampled feed to spray dryer from reactor
14	9/27/2002	Sampled feed to spray dryer from reactor
15	9/29/2002	No samples taken
16	9/30/2002	Sample taken from continuous operation just prior to starting batch
17	10/1/2002	One sample during reactor filling

Each day prior to April 19, 2002, that the spray dryer slurry feed streams were not analyzed for ethyl alcohol content three (3) times is a violation of State Only Specific Condition No. 1 of Title V Permit No. 2565-V1, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2). Each day on or after April 19, 2002, that the spray dryer slurry feed streams were not analyzed for ethyl alcohol content three (3) times is a violation of State Only Specific Condition No. 1 of Title V Permit No. 2565-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). Title V Permit No. 2565-V3, which was issued July 10, 2006, addressed this deviation.

F. On or about May 2, 2003, the Department received the NESHAP, 40 CFR 63 Subpart PPP Notification of Compliance Status for the Respondent's Ethoxylation Unit. This notification was due within 150 days after June 1, 2002. The failure to timely submit this notification is a violation of 40 CFR 63.1439(e)(5) which language has been adopted as a Louisiana

regulation in LAC 33:III.5122. This is also a violation of La. R.S. 30:2057(A)(2).

G. According to the Quarterly Report for Emission Limitation Exceedances, dated June 23, 2003, "On March 16, 2003, the maximum hourly permitted emission rate and flowrate for the ETO Unit Elevated Flare (Point Source ETO-FL-10341) was exceeded. This exceedance was due to an error in the calculation basis for the permit application. Additionally, an error was identified in the emissions calculations basis for the elevated flare maximum hourly emissions factor and subsequent permit limit for nitrogen oxides (NOx)." The failure to operate according to all terms and conditions of Title V Permit No. 2325-V0 is a violation of LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2). The excess flow rate is a violation of 40 CFR 60.18(c)(3) which language has been adopted as a Louisiana regulation in LAC 33:III.3003; 40 CFR 63.11(b)(6) which language has been adopted as a Louisiana regulation in LAC 33:III.5122; LAC 33:III.5109.A; LAC 33:III.501.C.4; and La. R.S. 30:2057(A)(2). Title V Permit No. 2325-V1, which was issued August 8, 2003, addressed this deviation.

H. According to the Semi-Annual Fugitives Emissions Report dated July 15, 2003, there were 154 components that were inappropriately tagged as being subject to New Source Performance Standards (NSPS), 40 CFR 60 Subpart VV. These components were retagged to reflect the applicability of HON, 40 CFR 63 Subpart H. Each component that was inappropriately tagged is a violation of 40 CFR 63.162(c) which language has been adopted as a Louisiana regulation in LAC 33:III.5122. This is also a violation of La. R.S. 30:2057(A)(2).

I. By letter dated February 17, 2004, the Respondent amended its Ethylene Unit Part 70 Semiannual Deviation and Monitoring Report for the periods encompassing: September 27, 2001, through December 31, 2001; January 1, 2002, through June 30, 2002; July 1, 2002, through December 31, 2002; and January 1, 2003, through June 30, 2003. According to this letter, there were three (3) OELs identified in NSPS, 40 CFR 60 Subpart VV light liquid service during the period encompassing September 27, 2001, through December 31, 2001. Each OEL is a violation of 40 CFR 60.482-6(a) which language has been adopted as a Louisiana regulation in LAC 33:III.3003. It is also a violation of the Part 70 Specific Condition of Title V Permit No. 2743-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

J. By letter dated February 17, 2004, the Respondent amended its Ethylene Unit Part 70 Semiannual Deviation and Monitoring Report for the periods encompassing: September 27, 2001, through December 31, 2001; January 1, 2002, through June 30, 2002; July 1, 2002, through December 31, 2002; and January 1, 2003, through June 30, 2003. According to this letter, there was one (1) OEL identified in LAC 33:III.2121 heavy liquid service during the period encompassing September 27, 2001, through

December 31, 2001. This is a violation of LAC 33:III.2121.B.2 and La. R.S. 30:2057(A)(2).

K. By letter dated February 17, 2004, the Respondent amended its Ethylene Unit Part 70 Semiannual Deviation and Monitoring Report for the periods encompassing: September 27, 2001, through December 31, 2001; January 1, 2002, through June 30, 2002; July 1, 2002, through December 31, 2002; and January 1, 2003, through June 30, 2003. According to this letter, there were seven (7) OELs identified in NSPS, 40 CFR 60 Subpart VV light liquid service during the period encompassing January 1, 2002, through June 30, 2002. Each OEL is a violation of 40 CFR 60.482-6(a) which language has been adopted as a Louisiana regulation in LAC 33:III.3003. It is also a violation of the Part 70 Specific Condition of Title V Permit No. 2743-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

L. By letter dated February 17, 2004, the Respondent amended its Ethylene Unit Part 70 Semiannual Deviation and Monitoring Report for the periods encompassing: September 27, 2001, through December 31, 2001; January 1, 2002, through June 30, 2002; July 1, 2002, through December 31, 2002; and January 1, 2003, through June 30, 2003. According to this letter, there were thirteen (13) OELs identified in NSPS, 40 CFR 60 Subpart VV light liquid service during the period encompassing July 1, 2002, through December 31, 2002. Each OEL is a violation of 40 CFR 60.482-6(a) which language has been adopted as a Louisiana regulation in LAC 33:III.3003. It is also a violation of the Part 70 Specific Condition of Title V Permit No. 2743-V1, LAC 3:III.501.C.4, and La. R.S. 30:2057(A)(2).

M. By letter dated February 17, 2004, the Respondent amended its Ethylene Unit Part 70 Semiannual Deviation and Monitoring Report for the periods encompassing: September 27, 2001, through December 31, 2001; January 1, 2002, through June 30, 2002; July 1, 2002, through December 31, 2002; and January 1, 2003, through June 30, 2003. According to this letter, there were two (2) OELs identified in HON, 40 CFR 63 Subpart H light liquid service during the period encompassing July 1, 2002, through December 31, 2002. Each OEL is a violation of 40 CFR 63.167(a) which language has been adopted as a Louisiana regulation in LAC 33:III.5122. It is also a violation of La. R.S. 30:2057(A)(2).

N. By letter dated February 17, 2004, the Respondent amended its Ethylene Unit Part 70 Semiannual Deviation and Monitoring Report for the periods encompassing: September 27, 2001, through December 31, 2001; January 1, 2002, through June 30, 2002; July 1, 2002, through December 31, 2002; and January 1, 2003, through June 30, 2003. According to this letter, there were three (3) OELs identified in NSPS, 40 CFR 60 Subpart VV light liquid service during the period encompassing January 1, 2003, through June 30, 2003. Each OEL is a violation of 40 CFR 60.482-6(a) which language has been adopted as a

Louisiana regulation in LAC 33:III.3003. It is also a violation of the Part 70 Specific Condition of Title V Permit No. 2743-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

O. By letter dated February 17, 2004, the Respondent amended its Ethylene Unit Part 70 Semiannual Deviation and Monitoring Report for the periods encompassing: September 27, 2001, through December 31, 2001; January 1, 2002, through June 30, 2002; July 1, 2002, through December 31, 2002; and January 1, 2003, through June 30, 2003. According to this letter, there were four (4) OELs identified in HON, 40 CFR 63 Subpart H light liquid service during the period encompassing January 1, 2003, through June 30, 2003. Each OEL is a violation of 40 CFR 63.167(a) which language has been adopted as a Louisiana regulation in LAC 33:III.5122. It is also a violation of La. R.S. 30:2057(A)(2).

P. By letter dated April 27, 2004, the Respondent amended its Ethoxylation Unit Part 70 Annual Compliance Certification for the period encompassing January 1, 2003, through December 31, 2003. According to this letter, "the ethylene oxide permitted emission rate for the Ethoxylation (ETO) Unit fugitive emissions (Emission Point ETO-FE-1) was exceeded for calendar year 2003. The permitted emission rate for ethylene oxide fugitive emissions is 0.001 tons/year and the actual emission rate for 2003 was 0.170 tons/year." The exceedance of the permitted annual emission rate for ethylene oxide is a violation of Part 70 General Condition C of Title V Permit Nos. 2325-V0 and 2325-V1, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and La. R.S. 30:2057(A)(2). Title V Permit No. 2325-V2, which was issued August 17, 2004, increased the permitted emission rate for Emission Point ETO-FE-1 to 0.174 tons of ethylene oxide per year.

Q. On or about June 29, 2004, the Department received the Respondent's NESHAP for Polyether Polyols Production Periodic Report for the period encompassing October 28, 2003, through April 24, 2004, dated June 25, 2004. According to this report, between March 21 and March 22, 2004, the pilot flame on the elevated flare (Emission Point ETO-FL-10341) was absent for 41 minutes during which process gases were being vented to it. The failure to operate the elevated flare at all times when emissions may be vented to it is a violation of 40 CFR 60.18(e) which language has been adopted as a Louisiana regulation in LAC 33:III.3003; 40 CFR 63.11(b)(3) which language has been adopted as a Louisiana regulation in LAC 33:III.5122; the Part 70 Specific Condition of Title V Permit No. 2325-V1; LAC 33:III.501.C.4; LAC 33:III.905; and La. R.S. 30:2057(A)(2).

R. On or about July 9, 2004, the Department received a letter from the Respondent, dated July 7, 2004, which amended its HON Periodic Report for the period encompassing September 19, 2003, through March 18, 2004. According to this letter, "On March 16, 2004, LAB Unit

Group 1 wastewater bypassed the HON treatment device and was allowed to go to the on-site Non-HON wastewater treatment plant, and so was not treated in accordance with 40 CFR 63.132(a)(2)(ii). Approximately 60,000 gallons of untreated wastewater bypassed the design steam stripper. Upon discovery of the wastewater bypass the line to the on-site treatment plant was immediately blocked in.... No reportable quantities or permit limitations were exceeded. This was not considered a startup, shutdown, or malfunction event." This is a violation of 40 CFR 63.132(a)(2)(ii) which language has been adopted as a Louisiana regulation in LAC 33:III.5122. This is also a violation of the Part 70 Specific Condition of Title V Permit No. 2743-V1, LAC 33:III.501.C.4, LAC 33:III.905 and La. R.S. 30:2057(A)(2).

S. According to the Quarterly Fugitives Emissions Leak Report required by LAC 33:III.2122, dated July 30, 2004, there were two (2) leaking components, ALC-225-0071 and NPU-1216, that were not repaired within fifteen (15) days because, "Parts/Equipment on order." Each component that was not repaired within fifteen (15) days is a violation of LAC 33:III.2121.B.3 and La. R.S. 30:2057(A)(2).

T. According to the Quarterly Report for Benzene NESHAP Waste Operations dated July 30, 2004, the analysis of the monthly benzene waste operations sample collected from the benzene stripper bottoms in the Ethylene Unit on June 25, 2004, was conducted seven (7) days beyond the holding time for unpreserved samples. The failure to analyze the monthly sample in accordance with the procedures specified in 40 CFR 61.355(c)(3) is a violation of 40 CFR 61.354(a)(1) which language has been adopted as a Louisiana regulation in LAC 33:III.5116; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.5109.A; and La. R.S. 30:2057(A)(2).

U. According to the Part 70 Semiannual Deviation and Monitoring Report for Title V Permit No. 2743-V1 for the period encompassing January through June 2004, dated September 30, 2004, an internal floating roof inspection of the HAD/Oil Tank (Emission Source ETH-T7-913) was conducted on or about April 22, 2004, and several deficiencies were noted. The report states that, "No report of findings to the Administrator was provided within 30 days of the inspection as required by 40 CFR 60.115b(a)(4)." This is a violation of 40 CFR 60.115b(a)(4) which language has been adopted as a Louisiana regulation in LAC 33:III.3003. This is also a violation of the Part 70 Specific Condition of Title V Permit No. 2743-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The report further states that, "no 30 day notice prior to filling was provided to the Administrator as required by 40 CFR 60.113b(a)(5)." This is a violation of 40 CFR 60.113b(a)(5) which language has been adopted as a Louisiana regulation in LAC 33:III.3003. This is also a violation of the Part 70 Specific Condition of Title V Permit No. 2743-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

V. According to the Part 70 Semiannual Deviation and Monitoring Report for Title V Permit No. 2743-V1 for the period encompassing January through June 2004, dated September 30, 2004, on March 11 through 16, 2004, and May 25 through 27, 2004, "The required inspections were completed as required by 40 CFR 61.343-347, however, no records of corrective action were maintained as required by 40 CFR 61.356." Each failure to maintain records of corrective actions is a violation of 40 CFR 61.356(g) which language has been adopted as a Louisiana regulation in LAC 33:III.5116; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

W. According to the Part 70 Semiannual Deviation and Monitoring Report for Title V Permit No. 2743-V1 for the period encompassing January through June 2004, dated September 30, 2004, one (1) and three (3) OELs were discovered during the quarterly visual inspections on or about March 11 through 16, 2004, and May 25 through 27, 2004, respectively. Each OEL is a violation of 40 CFR 63.167(a) which language has been adopted as a Louisiana regulation in LAC 33:III.5122, and La. R.S. 30:2057(A)(2).

X. According to the Quarterly Fugitives Emissions Leak Report required by LAC 33:III.2122, dated October 29, 2004, there was one (1) leaking component, NPU-1655, that was not repaired within fifteen (15) days because, "Parts/Equipment on order." This is a violation of LAC 33:III.2122.C.3 and La. R.S. 30:2057(A)(2).

Y. According to the Quarterly Report for Benzene NESHAP Waste Operations dated January 31, 2005, "The DCS records indicated that no pilot was lit on the flare [LAB-LF-1] for a combined total of 59.3 minutes on November 27, 2004. The six flame indicators were indicating no flame present for intermittent periods of time from 5:59 to 11:10 AM." The failure to operate LAB-LF-1 with a flame present at all times is a violation of Specific Condition Nos. 9 and 10 of Air Permit No. 0520-00049-05, LAC 33:III.5109.A, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(2), and 40 CFR 63.11(b)(5) which language has been adopted as a Louisiana regulation in LAC 33:III.5122. The report further states that, "The total amount of benzene released for the 24-hour period on November 27, 2004 was 15.35 lbs." Air Permit No. 0520-00049-05 permitted the Respondent to emit a maximum of 0.306 pounds of benzene per hour (7.34 lbs/day) from LAB-LF-1. The excess benzene emission is a violation of General Condition I of Air Permit No. 0520-00049-05, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and La. R.S. 30:2057(A)(2).

Z. According to the Quarterly Fugitives Emissions Leak Report required by LAC 33:III.2122, dated January 31, 2005, the Respondent failed to visually monitor two (2) pump seals in the Alumina Unit during the week encompassing December 19 through December 25, 2004. For each pump, this is a violation of Part 70 Specific Condition No. 4 of Title V Permit

No. 2565-V2, LAC 33:III.501.C.4, LAC 33:III.2121.C.1.c, and La. R.S. 30:2057(A)(2).

AA. According to the Quarterly Fugitives Emissions Leak Report required by LAC 33:III.2122, dated January 31, 2005, the Respondent failed to visually monitor one (1) pump seal in the ETO Unit during the week encompassing December 12 through December 18, 2004. This is a violation of Title V Permit No. 2325-V2, LAC 33:III.501.C.4, LAC 33:III.2121.C.1.c, and La. R.S. 30:2057(A)(2).

BB. According to the Quarterly Fugitives Emissions Leak Report required by LAC 33:III.2122, dated January 31, 2005, "Pump P72-428 (LAB 400-4569) was identified leaking on 11/16/2004 by operations during a weekly visual inspection. The pump was monitored by Method 21 on December 13, 2004." The failure to monitor this pump, within five (5) days of observing it leaking, using the method specified in 40 CFR 60, Appendix A (Method 21) is a violation of LAC 33:III.2122.C.1.d and La. R.S. 30:2057(A)(2).

CC. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing October through December 2004, dated March 31, 2005, "The initial air monitoring of 16 rolloff boxes and 11 drums of benzene containing waste, once the containers were filled, was not performed during the years of 2002-2004 as required by 40 CFR 61.345(a)(1)(i)." It is a violation of 40 CFR 61.345(a)(1)(i), which language has been adopted as a Louisiana regulation in LAC 33:III.5116, for each missed monitoring event for each container used to handle, transfer, or store benzene containing waste. It is also a violation of the Part 70 Specific Condition of Title V Permit No. 2743-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

DD. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing October through December 2004, dated March 31, 2005, six (6) and one (1) OELs were discovered during the quarterly visual inspections on or about August 26 through 31, 2004, and November 29, 2004, respectively. Each OEL is a violation of 40 CFR 63.167(a) which language has been adopted as a Louisiana regulation in LAC 33:III.5122, and La. R.S. 30:2057(A)(2).

EE. According to the Quarterly Report for Emission Limitation Exceedances, dated March 31, 2005, "the annual emissions limits for point sources ALC-TF-6 and ALC-DC-401B were exceeded." On or about July 24, 2008, email correspondence from a representative of the Respondent clarified that, "The Annual Emission Limit for Total VOC in tons per year was exceeded for point source ALC-TF-6. A calculation error identified indicated an incorrect cell reference when summing the emissions for the storage vessels within the Tank Farm 6 Cap. The annual emission limit exceedance reported for point source ALC-DC-401B was a result of a deficient EIQ submitted under the Part 70 Initial Title V

Application. Emission rates for the following HAP/TAP pollutants were not included: acetaldehyde, ethylbenzene, methanol, toluene, and xylene (mixed isomers)." Each unpermitted pollutant is a violation of LAC 33:III.501.C.2, La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Department issued an administrative amendment on April 18, 2005, which addressed these violations.

FF. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2325-V2, dated March 31, 2005, "An open ended line in VOC service was discovered during the Quarterly Visual Inspection conducted for PPP on August 26, 2004." This is a violation of Title V Permit No. 2325-V2, LAC 33:III.501.C.4, LAC 33:III.2121.B.2, and La. R.S. 30:2057(A)(2).

GG. Part 70 Specific Condition No. 2 of Title V Permit No. 2565-V2 states that, "Permittee shall demonstrate compliance with permitted particulate matter emission limits for Emission Points ALU-FD-1 through 5, ALU-FD-558, ALU-FD-8, ALU-FD-XX1, ALU-GB-552, ALU-XFD-3 and 4, and ALU-XGB-2 by visually inspecting the filter vents on a daily basis. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2565-V2, dated March 31, 2005, "no record of a daily inspection was produced for the Calciner and Drytec Units as required by this specific condition," on November 25 and November 28, 2004. Each missed inspection is a violation of Part 70 Specific Condition No. 2 of Title V Permit No. 2565-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). For each inspection that was conducted for which records were not kept, it is a violation of Part 70 General Condition J of Title V Permit No. 2565-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

HH. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2565-V2, dated March 31, 2005, the Respondent failed to conduct a quarterly and annual inspection of the emission points in the following table, as recommended by the filter element manufacturer, during the 4th Quarter of 2004:

Emission Point	Description
ALU-FD-1	Calciner Feed Silo Baghouse
ALU-FD-2	Calciner Fines Baghouse
ALU-FD-3	Calciner Air Grinder Baghouse
ALU-FD-4	Calciner Blend Silo Baghouse
ALU-FD-5	Calciner Blend Silo Baghouse
ALU-FD-558	Transfer and Fluidized Air Dust Filter
ALU-FD-8	Calciner Supersack Loading Baghouse
ALU-GB-552	Niro Dryer Dust Collector Vent
ALU-XFD-3	Drytec Dryer Alumina Blend Silo Baghouse
ALU-XFD-4	Drytec Dryer Alumina Blend Silo Baghouse
ALU-XGB-2	Drytec Dryer Dust Collector Vent Stack

For each missed inspection, it is a violation of Part 70 Specific Condition No. 2 of Title V Permit No. 2565-V2, LAC 33:III.501.C.4, LAC 33:III.905, and La. R.S. 30:2057(A)(2).

II. State Only Specific Condition No. 1 of Title V Permit No. 2565-V2 required the Respondent to analyze the slurry feed streams of the Drytec Spray Dryer (Emission Point ALU-XGB-2) and the Niro Spray Dryer (Emission Point ALU-GB-552) for ethyl alcohol content three (3) times per day. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2565-V2, dated March 31, 2005, "one of the required samples was not collected as required," on November 17, 2004, November 19, 2004, November 20, 2004, and December 25, 2004. It is a violation of State Only Specific Condition No. 1 of Title V Permit No. 2565-V2, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2) for each day the spray dryer slurry feed streams were not analyzed for ethyl alcohol content three (3) times. Title V Permit No. 2565-V3, which was issued July 10, 2006, addressed this deviation.

JJ. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2565-V2, dated March 31, 2005, the Niro Dryer Dust Collector Vent (Emission Point ALU-GB-552) exceeded 20% opacity for 15 minutes on December 8, 2004. This is a violation of LAC 33:III.1311.C, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

KK. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2565-V2, dated March 31, 2005, and email correspondence received July 24, 2008, the Respondent failed to perform the weekly inspection on eight (8) pumps in VOC service during the week including December 25, 2004. For each missed monitoring event, this is a violation of LAC 33:III.2121.C.1.c, Part 70 Specific Condition No. 4 of Title V Permit No. 2565-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

LL. According to the Quarterly Fugitives Emissions Leak Report required by LAC 33:III.2122, dated April 29, 2005, there was one (1) leaking component, ALC-900-0247, that was not repaired within fifteen (15) days because, "Parts/Equipment on order." This is a violation of Title V Permit No. 2865-V0, LAC 33:III.501.C.4, LAC 33:III.2122.C.3 and La. R.S. 30:2057(A)(2).

MM. According to the Quarterly Report for Benzene NESHAP Waste Operations dated April 29, 2005, "on February 6, 2005, an incident is believed to have occurred which resulted in the flare [LAB-LF-1] having no flame present, other than two of the three pilots flames, for approximately ninety-four minutes." The failure to operate LAB-LF-1 at all times when emissions may be vented to it is a violation of 40 CFR 60.18(e), as required by 40 CFR 61.349(a)(2)(iii), and which language has been adopted as a Louisiana regulation in LAC 33:III.3003. This is also a violation of La. R.S. 30:2057(A)(2). The report further states that, "The total amount of benzene released during this period was 6.84 lbs." Air Permit No. 0520-00049-05 permits the Respondent to emit a maximum of 0.306 pounds of benzene per hour from LAB-LF-1. The excess benzene emission is a violation of LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and La. R.S. 30:2057(A)(2).

NN. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2865-V0 for the period encompassing January through March 2005, dated June 30, 2005, "on March 29, 2005, an open-ended line was discovered. The open ended line was located on a green flexible hose coming off of pump P6-948 which is in VOC service. The end of the green flex hose was not capped as required by LAC 33:III.2122." This is a violation of Title V Permit No. 2865-V0, LAC 33:III.2122.C.2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

OO. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2865-V0 for the period encompassing January through March 2005, dated June 30, 2005, "on February 25, 2005, two 55-gallon carbon canisters used for the loading of Ethanol were found disconnected from any railcar and missing needed plugs." This is a violation of LAC 33:III.905 and La. R.S. 30:2057(A)(2).

PP. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing January through March 2005, dated June 30, 2005, one (1) OEL was discovered during the quarterly visual inspections on February 28, 2005. This OEL is a violation of 40 CFR 63.167(a) which language has been adopted as a Louisiana regulation in LAC 33:III.5122, and La. R.S. 30:2057(A)(2).

QQ. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing January through March 2005, dated June 30, 2005, "On May 26, 2005, it was discovered that smoking events from the Ethylene Unit Elevated Flare (ETH-F-501) and the Ethylene Unit Ground Flare (ETH-EGF) have occurred over the past several years which have deviated from the compliance provisions of the Ethylene Unit Title V Permit (2743-V1)." The "smoking events" are summarized in the following table:

Date	Emission Source	Total Time of Smoking Event
January 26, 2002	ETH-F-501	less than 10 minutes
March 3, 2002	ETH-F-501	99 minutes
March 4, 2002	ETH-F-501	139 minutes
April 3, 2002	ETH-F-501	6 minutes
June 28, 2002	ETH-F-501	39.5 minutes
October 2, 2002	ETH-F-501	11 minutes
October 15, 2002	ETH-EGF	less than 5 hours
October 18, 2002	ETH-F-501	22.5 minutes
November 4, 2003	ETH-EGF	11 minutes
November 29, 2003	ETH-F-501	less than 10 minutes
March 4, 2004	ETH-F-501	19.5 minutes

Each two (2) hour period during which there were visible emissions from ETH-F-501 or ETH-EGF for a total of five (5) minutes or more is a violation of 40 CFR 60.18(c)(1), as required by 40 CFR 61.349(a)(2)(iii), and which language has been adopted as a Louisiana regulation in LAC 33:III.3003; 40 CFR 63.11(b)(4), as required by 40 CFR 63.139(c)(3), and

which language has been adopted as a Louisiana regulation in LAC 33:III.5122; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.905; and La. R.S. 30:2057(A)(2).

RR. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2743-V1 for the period encompassing January through June 2005, dated October 20, 2005, one (1) OEL was discovered during the quarterly visual inspections on May 25, 2005. This OEL is a violation of 40 CFR 63.167(a) which language has been adopted as a Louisiana regulation in LAC 33:III.5122, and La. R.S. 30:2057(A)(2).

SS. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2894-V0 for the period encompassing January 2005 through June 2005, dated October 27, 2005, "During the period of April 10, 2005 through June 23, 2005, twenty-four bleeder plugs and caps were discovered as missing from their respective locations in the LAB Unit. In each case, these missing pieces of equipment were in VOC service and consequently meet the definition of open ended lines under the Title V Program." Each OEL is a violation of 40 CFR 63.167(a), which language has been adopted as a Louisiana regulation in LAC 33:III.5122; Specific Condition No. 1 of Title V Permit No. 2894-V0; Specific Requirement No. 329 of Title V Permit No. 2894-V0; LAC 33:III.501.C.4; LAC 33:III.5109.A; and La. R.S. 30:2057(A)(2).

TT. According to the Quarterly Fugitives Emissions Leak Report for the period encompassing July through September 2005, dated October 28, 2005, flange LAB-400-28744 was identified leaking on January 14, 2005. The report further states that, "A first attempt was performed the same day the leak was identified, and proved to be unsuccessful. It was then determined that a more aggressive repair approach would need to be implemented to repair the component and therefore, placed on the turnaround list. Unfortunately, it was not documented in the 1st Quarter report submitted in March 2005." The failure to report all leaks that were identified, but not repaired within the 15-day limit, is a violation of LAC 33:III.2122.G.4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

UU. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2865-V0 for the period encompassing January 2005 through June 2005, dated October 31, 2005, "On June 6, 2005, three caps were discovered as missing from their respective locations in the Alcohol Unit. In each case, these missing pieces of equipment were in VOC service and consequently meet the definition of open ended lines [OELs] under the Title V Program." Each OEL is a violation of Title V Permit No. 2865-V0, LAC 33:III.2122.C.2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

VV. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing July through September 2005, dated December 21, 2005, there were three (3) missing bleeder plugs

identified during a detailed bleeder plug inspection in July of 2005. The report further states that, "These occurrences constitute open ended lines under the VOC program and have consequently resulted in deviations from the Title V Permit for the Ethylene Unit." Each OEL is a violation of 40 CFR 63.167(a) which language has been adopted as a Louisiana regulation in LAC 33:III.5122, and La. R.S. 30:2057(A)(2).

WW. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing July through September 2005, dated December 21, 2005, "On July 7, 2005 the Ethylene Unit Enclosed Ground Flare (ETH-EGF) smoked for approximately ten minutes." This is a violation of 40 CFR 60.18(c)(1), as required by 40 CFR 61.349(a)(2)(iii), and which language has been adopted as a Louisiana regulation in LAC 33:III.3003; 40 CFR 63.11(b)(4), as required by 40 CFR 63.139(c)(3), and which language has been adopted as a Louisiana regulation in LAC 33:III.5122; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.905; and La. R.S. 30:2057(A)(2).

XX. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing July through September 2005, dated December 21, 2005, "On August 25, 2005, while tuning the coil temperatures for Ethylene Furnace ETH-BA-107, the furnace flame was suppressed slightly causing a small amount of smoke to come out of the vent stack. The event was quickly stopped by adjusting the fuel gas pressures on the furnace from the operating console. Although the smoking is believed to be minimal, LAC 33:III.1101.B prohibits any smoking in excess of 20% opacity from non-flare combustion units. Sasol currently assumes that any identified visible emissions coming from this regulated point source exceeds 20% opacity." This is a violation of Title V Permit No. 2743-V1, LAC 33:III.501.C.4, LAC 33:III.1101.B, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

YY. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing July through September 2005, dated December 21, 2005, "On September 3, 2005, Ethylene Unit operators observed visible smoke being emitted from the Ethylene Furnace ETH-BA-107 vent stack. A tube leak caused the furnace to smoke due to lack of excess air in the affected area. Although the smoking is believed to be minimal, LAC 33:III.1101.B prohibits any smoking in excess of 20% opacity from non-flare combustion units. Sasol currently assumes that any identified visible emissions coming from this regulated point source exceeds 20% opacity." This is a violation of Title V Permit No. 2743-V1, LAC 33:III.501.C.4, LAC 33:III.1101.B, La. R.S 30:2057(A)(1) and 30:2057(A)(2).

ZZ. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing July through September 2005, dated December 21, 2005, "on October 20, 2005, the Ethylene Unit

Elevated Flare (ETH-F-501) smoked for approximately seven minutes.]This was due to gas being transferred from the Enclosed Ground Flare (ETH-EGF) to the elevated flare to reduce the pressure on other process equipment for inspection purposes. The increase in gas flow rate to the elevated flare resulted in visible emissions as it took several minutes to get additional steam to the elevated flare." This is a violation of 40 CFR 60.18(c)(1) as required by 40 CFR 61.349(a)(2)(iii) and which language has been adopted as a Louisiana regulation in LAC 33:III.3003; 40 CFR 63.11(b)(4) as required by 40 CFR 63.139(c)(3) and which language has been adopted as a Louisiana regulation in LAC 33:III.5122; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.5109.A; La. R.S. 30:2057(A)(1); and 30:2057(A)(2).

AAA. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2894-V0 for the period encompassing July through September 2005, dated December 21, 2005, "On June 29, 2005, Pump P-310 in heavy liquid service was identified as leaking by LAB Unit Operations personnel. The pump leak was identified after the weekly pump inspection had occurred. The monitoring contractor was not notified of the leak so monitoring was not completed within the required five days of leak identification as required per LAC 33:III.2122.C.1.d." The failure to monitor this pump, within five (5) days of observing it leaking, using the method specified in 40 CFR 60, Appendix A (Method 21) is a violation of Specific Condition No. 1 of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, LAC 33:III.2122.C.1.d, and La. R.S. 30:2057(A)(2).

BBB. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2894-V0 for the period encompassing July through September 2005, dated December 21, 2005, "On [August] 1, 2005 the environmental fugitive monitoring contractor conducted an open ended line survey following a partial unit outage in the LAB Unit. There was one open ended line discovered on drum D45-902 during this pre-startup evaluation. However, no work was performed on D45-902 during the unit outage." This is a violation of 40 CFR 63.167(a), which language has been adopted as a Louisiana regulation in LAC 33:III.5122, Specific Condition No. 1 of Title V Permit No. 2894-V0, Specific Requirement No. 329 of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, LAC 33:III.5109.A, and La. R.S. 30:2057(A)(2).

CCC. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2894-V0 for the period encompassing July through September 2005, dated December 21, 2005, "Unit personnel identified a visual leak on a flange (Tag# LAB-400-28744) on September 8, 2005. The component was placed on delay of repair in the maintenance work notification system however, the proper paper work was not completed. This resulted in the component not being reported in the Quarterly Fugitive Report as being placed on delay of repair as required per LAC 33:III.2122.G.4." This is a

violation of LAC 33:III.2122.G.4, Specific Condition No. 1 of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

DDD. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2565-V2 for the period encompassing July through September 2005, dated December 21, 2005, "On July 23, 2005, the Alumina Unit operators noticed visible alumina dust emissions coming from the ALU-XGB-2 [Drytec Dryer Dust Collector Vent Stack] point source in the Drytec Unit. Emissions were minimal as the event was limited to a duration of about two hours. Sasol currently assumes that any identified visible emissions coming from this regulated point source exceeds 20% opacity... The unit was immediately shut down upon identification of the problem and the unit was inspected. Several filter bags were found to be missing from their designated locations. The cause of the failure was attributed to poor fastening specifications and poor installation techniques of newly purchased filter bags." This is a violation of Part 70 Specific Condition No. 1 of Title V Permit No. 2565-V2, LAC 33:III.1311.C, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and La. R.S. 30:2057(A)(2).

EEE. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2325-V2 for the period encompassing January through March 2006, dated June 30, 2006, "Operations identified Pump P6-730 in heavy liquid service as leaking on March 9, 2006. However, the leaking pump was not monitored within five days of discovery as required by LAC 33:III.2122.C.1.d." The failure to monitor this pump, within five (5) days of observing it leaking, using the method specified in 40 CFR 60, Appendix A (Method 21) is a violation of LAC 33:III.2122.C.1.d and La. R.S. 30:2057(A)(2).

FFF. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2865-V0 for the period encompassing January through March 2006, dated June 30, 2006, "On February 1, 2006 a heavy liquid fugitive component (flange) on DA-262 was identified as leaking. Even though a repair attempt was performed within five days of discovery, the monitoring within five days of discovery...was not completed. Additionally, the repairs could not be made within fifteen days due to the isolation limitations of the leaking equipment. However, the component was not added to the Delay of Repair (DOR) list as required by LAC 33:III.2122.C and consequently was not reported as such in the Quarterly Fugitive Emissions Report for the 1st quarter of 2006." The failure to monitor this pump, within five (5) days of observing it leaking, using the method specified in 40 CFR 60, Appendix A (Method 21) is a violation of the Part 70 Specific of Title V Permit No. 2865-V0, LAC 33:III.2122.C.1.d and La. R.S. 30:2057(A)(2). The failure to report all leaks that were identified, but not repaired within the 15-day limit, is a violation of the Part 70 Specific of Title V Permit No. 2865-V0, LAC 33:III.2122.G.4, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

GGG. According to the Quarterly Benzene NESHAP Waste Operations Report dated July 30, 2006, "On June 29, 2006 an intermittent smoking event from the Ethylene Unit Ground Flare (ETH-EGF) occurred due to a failed controller on the propylene compressor GB-501. The total duration of the intermittent smoking period lasted for five minutes and fifteen seconds during the period of 2:38 PM to 2:49 PM." This is a violation of 40 CFR 60.18(c)(1), as required by 40 CFR 61.349(a)(2)(iii), and which language has been adopted as a Louisiana regulation in LAC 33:III.3003; 40 CFR 63.11(b)(4), as required by 40 CFR 63.139(c)(3), and which language has been adopted as a Louisiana regulation in LAC 33:III.5122; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.905; and La. R.S. 30:2057(A)(2).

HHH. According to the Quarterly Fugitives Emissions Leak Report required by LAC 33:III.2122, dated July 31, 2004, there were two (2) components, ALC-900-14097 and NPU-0624, that were not repaired within fifteen (15) days because, "Parts/Equipment on order." Each component that was not repaired within fifteen (15) days is a violation of LAC 33:III.2122.C.3 and La. R.S. 30:2057(A)(2).

III. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2896-V0 for the period encompassing April through June 2006, dated September 30, 2006, "A bleeder valve plug on the east side of Tank T9-9 was identified as missing on April 19, 2006 from the fugitive component #NPU-01827." This is a violation of Specific Requirement No. 86 of Title V Permit No. 2896-V0, LAC 33:III.2122.C.2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

JJJ. According to the Quarterly Benzene NESHAP Waste Operations Report dated October 30, 2006, "On July 3, 2006 at 8:30 AM, an intermittent smoking event from the Ethylene Unit Ground Flare (ETH-EGF) occurred due to a failed controller on the propylene compressor GB-501 which caused the compressor to slow down resulting in a surge and unit upset. The total duration of the intermittent smoking period lasted for six minutes during the period of 8:30 AM to 8:36 AM." This is a violation of 40 CFR 60.18(c)(1), as required by 40 CFR 61.349(a)(2)(iii), and which language has been adopted as a Louisiana regulation in LAC 33:III.3003; 40 CFR 63.11(b)(4), as required by 40 CFR 63.139(c)(3), and which language has been adopted as a Louisiana regulation in LAC 33:III.5122; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.905; and La. R.S. 30:2057(A)(2).

KKK. According to the Quarterly Benzene NESHAP Waste Operations Report dated October 30, 2006, "On July 5, 2006 at 12:15 PM, a smoking event from the Ethylene Unit Ground Flare (ETH-EGF) occurred due to the propylene compressor GB-501 venting for twenty minutes and fifty-five seconds. This resulted from taking the south bank of the propylene heat exchangers (EA-501) out of service for maintenance and cleaning. The north bank of the EA-501 exchangers were dirty resulting in diminished

cooling which caused GB-501 to get hot and pressure up while using only one bank of the cooling exchangers. All vents were diverted to the elevated flare (ETH-F-501) to end the smoking event. The total duration of the intermittent smoking period lasted for nineteen minutes during the period of 12:15 PM to 12:34 PM." This is a violation of 40 CFR 60.18(c)(1), as required by 40 CFR 61.349(a)(2)(iii), and which language has been adopted as a Louisiana regulation in LAC 33:III.3003; 40 CFR 63.11(b)(4), as required by 40 CFR 63.139(c)(3), and which language has been adopted as a Louisiana regulation in LAC 33:III.5122; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.905; and La. R.S. 30:2057(A)(2).

LLL. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2865-V1 for the period encompassing July through September 2006, dated December 19, 2006, on July 3, 2006, the Alcohol Unit Elevated Flare F-801 (EQT133) smoked for a total time of ten minutes. This is a violation of Specific Requirement Nos. 35 and 38 of Title V Permit No. 2865-V1, 40 CFR 63.11(b)(4) which language has been adopted as a Louisiana regulation in LAC 33:III.5122, LAC 33:III.501.C.4, LAC 33:III.5109.A, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

MMM. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2894-V0 for the period encompassing July through September 2006, dated December 22, 2006, "In September of 2006 it was discovered that during the week of August 20 – 26, 2006, the weekly inspection of one hundred and six pumps (106) in VOC service within the LAB Unit was not documented as being completed." For each pump that was not checked by visual inspection for indications of liquids dripping from the pump seal, it is a violation of 40 CFR 63.163(b)(3), which language has been adopted as a Louisiana regulation in LAC 33:III.5122; Specific Condition No. 1 of Title V Permit No. 2894-V0; Specific Requirement No. 329 of Title V Permit No. 2894-V0; LAC 33:III.501.C.4, LAC 33:III.5109.A, and La. R.S. 30:2057(A)(2). For each pump that records of the visual inspection were not kept, it is a violation of 40 CFR 63.181(c), which language has been adopted as a Louisiana regulation in LAC 33:III.5122; Specific Condition No. 1 of Title V Permit No. 2894-V0; Specific Requirement No. 329 of Title V Permit No. 2894-V0; LAC 33:III.501.C.4; and La. R.S. 30:2057(A)(2).

NNN. According to the Quarterly Fugitives Emissions Leak Report required by LAC 33:III.2122, January 26, 2007, there was one (1) component, ALC-600-15498, that was not repaired within fifteen (15) days because, "Parts/Equipment on order." This is a violation of Title V Permit No. 2865-V0, LAC 33:III.501.C.4, LAC 33:III.2122.C.3 and La. R.S. 30:2057(A)(2).

OOO. According to the Quarterly Benzene NESHAP Waste Operations Report dated October 30, 2006, "On October 27, 2006 at 9:53 PM, the propylene compressor GB-501 shut down causing a unit upset. Due to the upset, the

elevated flare smoked to atmosphere for fifteen minutes." This is a violation of 40 CFR 60.18(c)(1), as required by 40 CFR 61.349(a)(2)(iii), and which language has been adopted as a Louisiana regulation in LAC 33:III.3003; 40 CFR 63.11(b)(4), as required by 40 CFR 63.139(c)(3), and which language has been adopted as a Louisiana regulation in LAC 33:III.5122; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.905; and La. R.S. 30:2057(A)(2).

PPP. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2565-V3 for the period encompassing July through December 2006, dated March 30, 2007, "In January of 2007, it was discovered that the daily visual inspections of the (4) VPS vents to atmosphere (point sources ALU-VP-S1, ALU-VP-S2, ALU-VP-S3 and ALU-VP-S4) were not being documented. Excluding 103 days (combined) during which one or more of these units were not in service (down), no visual inspections were recorded as completed from [July 10, 2006] through January 16, 2007." For each day that the visual inspection of ALU-VP-S1 was not performed, it is a violation of Specific Requirement No. 107 of Title V Permit No. 2565-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). For each day that there is not a record of a visual inspection of ALU-VP-S1, it is a violation of Specific Requirement No. 108 of Title V Permit No. 2565-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). For each day that the visual inspection of ALU-VP-S2 was not performed, it is a violation of Specific Requirement No. 112 of Title V Permit No. 2565-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). For each day that there is not a record of a visual inspection of ALU-VP-S2, it is a violation of Specific Requirement No. 113 of Title V Permit No. 2565-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). For each day that the visual inspection of ALU-VP-S3 was not performed, it is a violation of Specific Requirement No. 117 of Title V Permit No. 2565-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). For each day that there is not a record of a visual inspection of ALU-VP-S3, it is a violation of Specific Requirement No. 118 of Title V Permit No. 2565-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). For each day that the visual inspection of ALU-VP-S4 was not performed, it is a violation of Specific Requirement No. 107 of Title V Permit No. 2565-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). For each day that there is not a record of a visual inspection of ALU-VP-S4, it is a violation of Specific Requirement No. 123 of Title V Permit No. 2565-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

QQQ. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2743-V1 for the period encompassing July through December 2006, dated March 30, 2007, "On December 19, 2006, a roof hatch on Ethylene Unit Wastewater Tank T7-914 was opened to allow for an in-service observation to be conducted to determine if a suspected piece of equipment was in service. The observation confirmed the presence of a gauging well with holes drilled in its side walls. The purpose of the holes

is to allow the water level and the oil level to be accurately gauged in the tank while in use. This equipment identified in service meets the definition of a slotted guide pole in EPA's clarified NSPS 'no visible gap' interpretation, Federal Register notice dated January 14, 2000 (65 FR 2336). There was no internal float, slotted membrane, or other vapor check mechanism visible, or documented as being in place to control emissions. Also, no documentation of a membrane sleeve external to the gauging well could be found. Tank T7-914 had been utilizing activated carbon as a means of emissions control since calendar year 2000 until September 12, 2005 when it was cleared for entry and inspected. After all repairs were completed, the tank was started back up on January 6, 2006." The report further states that, "Upon the discovery of this equipment in T7-914, Sasol immediately moved forward with conducting an engineering design assessment of the equipment in an effort to specify additional controls [sic] equipment to retrofit the slotted guide pole.... After placing the retrofitting equipment on order, a pole float w/ wiper was installed in the slotted guide pole of T7-914 on January 4, 2007. Therefore, the tank was in service with the slotted guide pole in place [without activated carbon] for 363 days until the retrofitting was complete." This is a violation of 40 CFR 63.119(b)(5)(ii) which language has been adopted as a Louisiana regulation in LAC 33:III.5122; 40 CFR 60.112b(a)(1)(iv) as required by 40 CFR 61.351(a)(1), and which language has been adopted as a Louisiana regulation in LAC 33:III.3003; LAC 33:III.501.C.4; LAC 33:III.905; LAC 33:III.5109.A; the Part 70 Specific Condition of Title V Permit No. 2743-V1; La. R.S. 30:2057(A)(1); and 30:2057(A)(2).

RRR. According to the Part 70 Semiannual Monitoring Report for Title V Permit No. 2865-V1 for the period encompassing July through December 2006, dated March 30, 2007, "On February 28, 2007, as part of a complex wide survey to assess equipment used in conjunction with internal floating roofs, a roof hatch on Alcohol Unit Tank FB-551 (T8-1) was opened to allow for an in-service observation to be conducted. The observation confirmed the presence of a gauging well with holes drilled in its side walls. The purpose of the holes is to allow the water level and the alcohol level to be accurately gauged in the tank while in use. This equipment meets the definition of a slotted guide pole. There was no internal float, slotted membrane or other vapor check mechanism visible, or documented as being in place to control emissions. Also, no documentation of a membrane sleeve external to the gauging well could be found." This is a violation of 40 CFR 60.112b(a)(1)(iv) which language has been adopted as a Louisiana regulation in LAC 33:III.3003; Specific Requirement Nos. 143 and 149 of Title V Permit No. 2865-V1; LAC 33:III.501.C.4; LAC 33:III.2103.C.2; La. R.S. 30:2057(A)(1); and 30:2057(A)(2).

SSS. According to the Quarterly Fugitives Emissions Leak Report for the period encompassing January through March 2007, dated April 26, 2007, "On February 6, 2007, three open ended lines were identified in Section

550 of the Alcohol Unit. These open ended lines were associated with the sampling valves on P8-004/005/006." Each open ended line is a violation of Specific Requirement No. 220 of Title V Permit No. 2865-V1, LAC 33:IIII.2122.C.2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

TTT. According to a letter from the Respondent concerning its Activated Sludge Unit (ASU), dated April 4, 2007, "On March 22, 2007, laboratory results for a sample taken on March 21, 2007 of the water in the Stormwater Diversion Pond (Title V Point Source ID ASU-NL-91/SL-91) indicated that the water contained 166 ppm n-Butanol, 15 ppm ammonia, and 41 ppm other VOCs. Because these concentrations exceed the values assumed in the Title V permit application, Sasol entered these results into EPA's Water 9 program and calculated emissions." The calculated emission rates are summarized in the table below:

	Actual Emissions (lbs/hr)			Emission Limit (max lbs/hr)		
Emission Point	VOC	n-Butanol	ammonia	VOC	n-Butanol	ammonia
ASU-NL-91/SL-91	16.292	12.708	1.500	0.156	0.045	0
ASU-HPSS	16.292	12.708	1.500	0.156	0.045	0
ASU-Holding Pond	26.417	21.250	8.750	7.306	0.013	0

The report further states that, "After reviewing the activities that occurred during March, Sasol has determined that the alcohol and ammonia found in the Stormwater Diversion Ponds originated from wastewater discharges associated with product recovery activities which occurred in the Alcohol and Alumina units. The contaminated wastewater initially flowed from these units to the Holding Pond (ASU-Holding Pond in the Title V Permit) during the period from March 8, 2007 to March 14, 2007. At some point, contaminated water from these units also flowed into the Stormwater Diversion Ponds." Each exceedance of a permitted emission limit is a violation of Part 70 General Condition C of Title V Permit No. 2895-V0, LAC 33:III.501.C.4, LAC 33:III.905, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

UUU. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing January through March 2007, dated June 29, 2007, "On March 24, 2007 at 7:38 AM, LAB Unit Group 1 wastewater bypassed the HON Benzene Stripper (W7-901) and was allowed to be routed directly to the on-site Activated Sludge Unit and was not treated in accordance with 40 CFR 63.132(a)(2)(ii). During the process of putting the benzene stripper forward, the valve on the acid recirculation line was left open. This allowed a small amount of wastewater from T7-914 (Stripper Feed Tank) to bypass the stripper and go directly to T7-915. During this time, T7-915 was going forward to the ASU. Approximately 58,396 gallons of untreated wastewater bypassed the benzene stripper. At approximately 4:40 pm, operations identified the valve that was left open and stopped all flow from T7-915 to the ASU. This ended the event. The resulting concentration of benzene in the tank was 14.37 ppm which resulted in approximately 7 lbs of benzene being sent to the ASU during the event...This was not considered a startup,

shutdown, or malfunction event." This is a violation of the Part 70 Specific Condition of Title V Permit No. 2743-V1, LAC 33:III.501.C.4, LAC 33:III.905, 40 CFR 61.342(c)(1)(i), which language has been adopted as a Louisiana regulation in LAC 33:III.5116; 40 CFR 63.132(a)(2)(ii) which language has been adopted as a Louisiana regulation in LAC 33:III.5122, and La. R.S. 30:2057(A)(2).

VVV. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2901-V0 for the period encompassing January through March 2007, dated June 29, 2007, "On March 6, 2007, a burner tripped on the #2 Utility Steam Boiler B7-902 (EQT21) caused by steam load swing. Before the operator could get the air registers closed on the burner, the boiler had a light smoke out of the stack for a total of four minutes starting at 12:02 PM. The smoke cleared immediately when the air register for the tripped burner was closed... Although Sasol does not believe this smoke exceeded 20% opacity, the incident is being reported in an abundance of caution as Sasol has no certified smoke readers on site." This is a violation of LAC 33:III.1101.B, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

WWW. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2901-V0 for the period encompassing January through March 2007, dated June 29, 2007, "On March 21, 2007, the #2 Utility Steam Boiler B7-902 (EQT21) was smothered due to a sudden increase in demand where the automatic control could not add air as quickly as the demand increased. The boiler stack smoked for 2 minutes starting at 9:20 AM until air could be added to the system... Although Sasol does not believe this smoke exceeded 20% opacity, the incident is being reported in an abundance of caution as Sasol has no certified smoke readers on site." This is a violation of LAC 33:III.1101.B, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

XXX. According to the Quarterly Fugitives Emissions Leak Report for the period encompassing July through September 2007, dated October 30, 2007, "On September 13, 2007 an open ended line was identified in the Linear Alkylbenzene (LAB) Unit. The open ended line was a result of an open 3/4" bleeder valve on the unloading line." This open ended line is a violation of LAC 33:IIII.2122.C.2, Specific Condition No. 1 of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

YYY. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing July through September 2007, dated December 18, 2007, "On September 6, 2007, during a walk-through audit of the Ethylene Unit, a hazardous waste roll-off box containing spent carbon from the clean-out of T7-916, subject to Benzene Waste Operations, was found to be open. The lid to the container was closed immediately. During the previous inspection by operations on September 1, 2007, the lid to the container was found to be closed." The failure to maintain the container lid in a closed, sealed position is a violation of 40

CFR 61.345(a)(1)(ii) which language has been adopted as a Louisiana regulation in LAC 33:III.5116. This is also a violation of Part 70 General Condition C of Title V Permit No. 2743-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

ZZZ. According to the HON Semi-Annual Fugitives Emissions Report for the period encompassing July through December 2007, dated January 31, 2008, "On October 25, 2007, during a unit walkthrough, operations personnel identified three (3) open ended lines on some frac-tanks. The frac-tanks were storing T-911 hydrocarbons, as the tank itself was out of service for an internal inspection." Each open ended line is a violation of 40 CFR 63.167(a), which language has been adopted as a Louisiana regulation in LAC 33:III.5122; Specific Condition No. 1 of Title V Permit No. 2894-V0; Specific Requirement No. 329 of Title V Permit No. 2894-V0; LAC 33:III.501.C.4; LAC 33:III.5109.A; and La. R.S. 30:2057(A)(2).

AAAA. According to the Quarterly Fugitives Emissions Leak Report for the period encompassing October through December 2007, dated January 31, 2008, "...pump P16-56 in heavy liquid service was visually identified leaking. A first attempt was performed on the same day the leak was identified, but monitoring by Method 21 within five days as required under LAC 33:III.2122.C.1.d was not performed." The failure to monitor this pump, within five (5) days of observing it leaking, using the method specified in 40 CFR 60, Appendix A (Method 21) is a violation of Specific Requirement No. 94 of Title V Permit No. 2896-V1, LAC 33:III.501.C.4, LAC 33:III.2122.C.1.d and La. R.S. 30:2057(A)(2).

BBBB. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing October through December 2007, dated March 28, 2008, "On October 27, 2007 at 3:30 pm, during the clean-out of Tank T7-916, the vacuum pump controlling emissions from the shaker filter on the sludge mix tank was shutdown due to tank cleaning issues, thus allowing the chute on the shaker hopper to be open to atmosphere." This is a violation of 40 CFR 61.343(a) which language has been adopted as a Louisiana regulation in LAC 33:III.5116; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.905; LAC 33:III.5109.A; and La. R.S. 30:2057(A)(2).

CCCC. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing October through December 2007, dated March 28, 2008, "On December 1, 2007, it was discovered that the carbon canister on a frac tank being utilized for the collection of waste water from the chemical cleaning of the DOX Unit, a Benzene containing unit, did not have monitoring records for November 29 and November 30, 2007 after the frac tank was placed in service on November 26, 2007 by the contractor performing the clean-out.... Upon discovery that the control device for the tank was not on any monitoring reports in the unit, a new form was started and monitoring of the control device began immediately." This is a violation of 40 CFR 61.354(d) which

language has been adopted as a Louisiana regulation in LAC 33:III.5116; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.905; LAC 33:III.5109.A; and La. R.S. 30:2057(A)(2).

DDDD. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing October through December 2007, dated March 28, 2008, "On December 7, 2007, during start-up of the Ethylene Unit, visible emissions from the elevated flare [ETH-F-501] were evident for a period of 6 minutes." This is a violation of 40 CFR 60.18(c)(1), as required by 40 CFR 61.349(a)(2)(iii), and which language has been adopted as a Louisiana regulation in LAC 33:III.3003; 40 CFR 63.11(b)(4), as required by 40 CFR 63.139(c)(3), and which language has been adopted as a Louisiana regulation in LAC 33:III.5122; the Part 70 Specific Condition of Title V Permit No. 2743-V1; LAC 33:III.501.C.4; LAC 33:III.905; and La. R.S. 30:2057(A)(2).

EEEE. According to the Part 70 Quarterly Deviation Report for Title V Permit No. 2743-V1 for the period encompassing October through December 2007, dated March 28, 2008, "On January 3, 2008, an operator found a frac tank used during the cleaning of the depropanizer and debutanizer towers venting to atmosphere. The frac tank had been connected to carbon beds during the clean-out of the towers by contractor. The carbon beds were apparently disconnected by the contractor on December 28, 2007 after clean-out of the towers was completed." This is a violation of the Part 70 Specific Condition of Title V Permit No. 2743-V1; 40 CFR 61.343(a) which language has been adopted as a Louisiana regulation in LAC 33:III.5116; LAC 33:III.501.C.4; LAC 33:III.905; LAC 33:III.5109.A; and La. R.S. 30:2057(A)(2).

FFFF. According to the Total Annual Benzene (TAB) Report dated April 7, 2008, "On June 8, 2008 [sic] the results of the Monthly HON cooling water samples were 3 ppb, indicating a leak. The source was identified as heat exchanger X-305A. The estimated benzene emissions were 864.8 pounds. This release is exempt from the TAB report as stated in 40 CFR 61.340(c)(1)." However, benzene emissions from non-contact heat exchanger leaks into cooling tower water do not qualify for the exemption cited in the Respondent's report. The failure to submit a complete TAB report is a violation of 40 CFR 61.357(d) which language has been adopted as a Louisiana regulation in LAC 33:III.5116; LAC 33:III.501.C.4; LAC 33:III.5109.A; and La. R.S. 30:2057(A)(2).

GGGG. On or about June 6, 2008, the Department received the Respondent's Part 70 Semiannual Monitoring Report for Title V Permit No. 2895-V0 for the period encompassing July through December 2007, dated June 2, 2008. The failure to submit this report by March 31, 2008, is a violation of Part 70 General Condition K of Title V Permit No. 2895-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

HHHH. On or about June 6, 2008, the Department received the Respondent's Part 70 Annual Compliance Certification for Title V Permit No. 2895-V0 for the period encompassing July through December 2007, dated June 2, 2008. The failure to submit this report by March 31, 2008, is a violation of Part 70 General Condition M of Title V Permit No. 2895-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

IIII. On or about July 28, 2008, the Department received a report, dated July 21, 2008, showing the total fuel fired in and calculated emissions from the Ethylene Furnace Cap (ETH-FURN) for calendar years 2003 through 2007. This report was required to be submitted semiannually by State Only Specific Condition No.1 of Title V Permit No. 2743-V1 and Part 70 General Condition K requires that the submittal dates be September 30 and March 31 for the periods encompassing January through June and July through December, respectively. Each failure to submit these reports in a timely manner is a violation of State Only Specific Condition No. 1 of Title V Permit No. 2743-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

The following violations, although not cited in the foregoing enforcement actions, are included within the scope of the settlement herein.

According to the Quarterly Emission Limitation Exceedance Report dated March 31, 2005, the Respondent reported that Blowdown System Knockout Pot (ALC-FA-561) exceeded the maximum hourly emission limit for ammonia during a power failure on December 9, 2004. This is a violation of LAC 33:III.501.C.4, Air Permit No. 2865-V0, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the Quarterly Deviation Report dated March 31, 2005, the Respondent reported that SGU smoked for 18 hours due to ETH-BA-101 tube rupture on August 22, 2004. This is a violation of LAC 33:III.1101.B, LAC 33:III.501.C.4, Air Permit No. 2743-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the Third Quarter 2005 Fugitive Emissions Report dated October 28, 2005, the Respondent reported that the weekly visual pump inspection for the ETO unit was missed during the week of September 18-24, 2005. This is a violation of LAC 33:III.2122.D.1.c, LAC 33:III.501.C.4, Air Permit No. 2325-V2, and La. R.S. 30:2057(A)(2).

According to the Third Quarter 2005 Fugitive Emissions Report dated October 28, 2005, the Respondent reported that the weekly visual pump inspection for the NPU unit was missed during the week of September 18-24, 2005. This is a violation of LAC 33:III.2122.D.1.c, LAC 33:III.501.C.4, Air Permit No. 2901-V0, and La. R.S. 30:2057(A)(2).

According to correspondence dated October 2, 2009, the Respondent reported that an open ended line was found on LPA Solvent Loading Rack at the NPU unit on September 5, 2005. This is a violation of LAC 33:III.501.C.4, Air Permit No. 2901-V0, and La. R.S. 30:2057(A)(2).

According to the 2006 First Quarter Deviation Report dated June 30, 2006, the Respondent reported that the Ethylene Unit Enclosed Ground Flare (ETH-EGF) smoked for approximately thirty (30) minutes on January 5, 2006. This is a violation of LAC 33:III.501.C.4, Air Permit No. 2743-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2006 First Quarter Deviation Report dated June 30, 2006, the Respondent reported that the Ethylene Unit Enclosed Ground Flare (ETH-EGF) smoked for approximately twelve (12) minutes on January 23, 2006. This is a violation of LAC 33:III.501.C.4, Air Permit No. 2743-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2006 Third Quarter Deviation Report dated December 19, 2006, the Respondent reported that the Alcohol Unit Emission Combustion Unit (EQT 131) smoked for approximately fifty (50) minutes on August 4, 2006. This is a violation of LAC 33:III.501.C.4, Air Permit No. 2865-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2006 Third Quarter Deviation Report dated December 19, 2006, the Respondent reported that the Alcohol Unit Emission Combustion Unit (EQT 131) smoked for approximately sixty (60) minutes on August 8, 2006. This is a violation of LAC 33:III.501.C.4, Air Permit No. 2865-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2006 Third Quarter Deviation Report dated December 19, 2006, the Respondent reported that the Alcohol Unit Emission Combustion Unit (EQT 131) smoked for approximately twenty-four (24) minutes on August 9, 2006. This is a violation of LAC 33:III.501.C.4, Air Permit No. 2865-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2006 Third Quarter Deviation Report dated December 19, 2006, the Respondent reported that the Alcohol Unit Emission Combustion Unit (EQT 131) smoked for approximately twenty-three (23) minutes on September 1, 2006. This is a violation of LAC 33:III.501.C.4, Air Permit No. 2865-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2006 Fourth Quarter Deviation Report dated March 30, 2007, the Respondent reported that the Steam Generation Unit (S.G.U.) smoked for approximately one (1) minute on October 27, 2006. This is a violation of LAC 33:III.1101.B, LAC 33:III.501.C.4, Air Permit No. 2743-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2007 Third Quarter Deviation Report dated December 28, 2007, the Respondent reported that the Alumina Calciner Combustion Vent stack (EQT 360) had visible emissions for thirty (30) minutes on August 13, 2007, due to a crack in the Calciner tube. This is a violation of LAC 33:III.1311.C, LAC 33:III.501.C.4, Air Permit No. 2565-V3, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2007 Third Quarter Deviation Report dated December 28, 2007, the Respondent reported that the Alumina Calciner Combustion Vent stack (EQT 360) had visible emissions for thirty (30) minutes on September 18, 2007 due to a crack in the Calciner tube. This

is a violation of LAC 33:III.1311.C, LAC 33:III.501.C.4, Air Permit No. 2565-V3, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to correspondence dated September 9, 2007, the Respondent reported exceedances of hourly benzene and VOC permit limitations due to a leaking flange following a power failure on August 28, 2007. The Respondent reported that 130 pounds of benzene was released in fifteen (15) minutes. Permitted limitations for benzene and VOC's are 2.29 lbs/hr and 31.57 lbs/hr respectively. This is a violation of LAC 33:III.501.C.4, Air Permit No. 2894-V0, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2008 First Quarter Deviation Report dated June 11, 2008, the Respondent reported that the Ethylene elevated flare smoke for seven (7) minutes on February 7, 2008. This is a violation of LAC 33:III.5109, LAC 33:III.501.C.4, Air Permit No. 2743-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2008 First Quarter Deviation Report dated June 30, 2008, the Respondent reported that on February 12, 2008, an operator observed material bypassing the drain valve of the acid holding pit. Through additional correspondence dated August 24, 2010, the Respondent reported that approximately 469 pounds of butanol and approximately 50 pounds of ammonia were released during the event. This is a violation of LAC 33:III.501.C.4, LAC 33:III.905.A, Air Permit No. 2895-V0, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the Second Half 2007 Title V Semiannual Monitoring Report dated March 24, 2008, the Respondent reported that a contractor used an unapproved spray paint with a VOC content of greater than 3.5 lbs/gallon on October 24, 2007. This is a violation of LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2008 Second Quarter Deviation Report dated September 22, 2008, the Respondent reported that NPU Flare flame was absent for 37 minutes on April 9, 2008, due to windy conditions. This is a violation of LAC 33:III.501.C.4, LAC 33:III.2153.B, LAC 33:III.5109.A, Air Permit No. 2896-V0, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2008 Second Quarter Deviation Report dated September 18, 2008, the Respondent reported that an open ended hose on wet flare drip leg was found on April 15, 2008. Approximately one gallon of light aromatic concentrate was released during the event. This is a violation of LAC 33:III.501.C.4, LAC 33:III.2113.A, LAC 33:III.5109.A, Air Permit No. 2743-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2008 First Quarter Deviation Report dated June 30, 2008, the Respondent reported that Niro Sprayer Dryer baghouse leaked from February 8-13, 2008. This is a violation of LAC 33:III.501.C.4, LAC 33:III.905.A, LAC 33:III.1311.C, Permit No. 2565-V3, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the Quarterly Deviation Report for Title V Permit No. 2894-V0 dated June 24, 2008, "On September 10, 2007 the monitoring contractor found a leak on a 1-1/2" gate valve (Tag# LAB-400-0344) located on top of D-402 (Benzene KOH Treater). The 1st & 2nd attempts

were unsuccessful and it was determined, at that time, repair was not feasible until a shutdown occurred, therefore, this component was placed on the delay of repair list until February 1, 2009. During a recent shutdown, operations discovered this component could have been repaired without a shutdown." The failure to repair LAB-400-0344 within fifteen (15) days after leak detection is a violation of 40 CFR 63.168(f)(1), which language has been adopted as a Louisiana regulation in LAC 33:III.5122; Specific Condition 1 of Title V Permit No. 2894-V0; LAC 33:III.501.C.4; La. R.S. 30:2057(A)(1); and 30:2057(A)(2).

According to the Quarterly Deviation Report for Title V Permit No. 2901-V0 dated September 18, 2008, "On June 4, 2008 a pluggage in the air line to the combustion air flow transmitter is suspected of causing a light smoke observed from the #2 Utility Steam Boiler B7-902 (EQT21) stack at 6:00 am, lasting 2 minutes. Operations immediately adjusted the air flow going to the boiler and the smoking stopped." This is a violation of Part 70 General Condition C of Title V Permit No. 2901-V0, LAC 33:III.1101.B, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the Quarterly Deviation Report for Title V Permit No. 2743-V1 dated September 18, 2008, "On June 13, 2008 a faulty pressure transmitter on the De-ethanizer tower caused a unit upset. The upset resulted in the Ethylene Unit flaring for several hours. The Ethylene Elevated Flare (F-501) had visible smoke for a total of 21.25 minutes in 2 hours and 34 minutes." The failure to operate the flare with no visible emissions, except for periods not to exceed a total of 5 minutes during any two (2) consecutive hours, is a violation of 40 CFR 63.11(b)(4), which language has been adopted as a Louisiana regulation in LAC 33:III.5122; the Part 70 Specific Condition of Title V Permit No. 2741-V1; LAC 33:III.501.C.4; La. R.S. 30:2057(A)(1); and 30:2057(A)(2).

According to the Quarterly Deviation Report for Title V Permit No. 2901-V0 dated September 18, 2008, "On June 13, 2008 an upset in the Ethylene Unit caused the #2 Utility Steam Boiler B7-902 (EQT21) to smoke for two minutes; one minute at 1:49 pm and one minute at 3:58 pm." This is a violation of Part 70 General Condition C of Title V Permit No. 2901-V0, LAC 33:III.1101.B, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the Quarterly Deviation Report for Title V Permit No. 2894-V0 dated June 24, 2008, "On January 7, 2008, an open ended line was identified as being present in [the Linear Alkyl Benzene Unit]. This open ended line is associated with D-408 drain line (alkylate alumina treater drain line) and a blind was immediately installed." This is a violation of Specific Condition 1 of Title V Permit No. 2894-V0, LAC 33:III.501.C.4, LAC 33:III.2122.C.2, and La. R.S. 30:2057(A)(2).

According to the Quarterly Deviation Report for Title V Permit No. 2901-V0 dated September 18, 2008, "On June 25, 2008 a faulty oxygen measurement is believed to have caused a light smoke observed from the #2 Utility Steam Boiler B7-902 (EQT21) stack lasting 1 minute. Maintenance repaired the oxygen monitor which corrected the problem." This is a violation of Part 70 General Condition C of Title V Permit No. 2901-V0, LAC 33:III.1101.B, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the Fourth Quarterly Fugitives Emissions Leak Report dated January 31, 2008, the Respondent reported that compressor cylinders GB-304 and GB-305 were repaired following a partial outage of the Alcohol Unit in July 2007. The failure to report the repairs and removal from the Delay of Repair List is a violation of LAC 33:III.2122.G, LAC 33:III.501.C.4, Air Permit No. 2865-V-1, and La. R.S. 30:2057(A)(2).

By letter dated April 4, 2007, the Respondent submitted the written report for a release that exceeded permitted emission limits in its Activated Sludge Unit from March 8, 2007, through March 18, 2007. The failure to submit a written report within seven (7) days of the initial occurrence of any emission in excess of permit requirements where such emission occurs over a period of seven (7) days or longer is a violation of Part 70 General Condition R.2 and Louisiana General Condition XI.B of Title V Permit No. 2895-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). The permit exceedances resulting from this incident were cited in Paragraph III.TTT of Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-07-0134, which was issued February 9, 2009.

According to a letter from the Respondent dated February 4, 2009, "On February 14, 2008, the Alcohol Unit became aware of cracked welds on the bottom of ALC-FB-503A (n-Butyl Alcohol Storage Tank). The tank dike valve for ALC-FB-503A was car-sealed closed and a sample of the water in the tank dike was taken to the laboratory for analysis. An operator drained water from the tank dike to the Holding Pond on February 18, 2008 prior to the sample results on the water in the tank dike being received." According to the ASU Title V Quarterly Deviation Report dated June 30, 2008, "Once results [of the laboratory analysis] were received, they were entered into EPA's Water 9 program. The calculations indicate that the emissions from the Holding Ponds were 13.6 lbs/hour of Butanol. These emissions are in excess of the permit limit for this source which is 0.058 lbs/hour." This is a violation of Part 70 General Condition C of Title V Permit No. 2895-V0, LAC 33:III.501.C.4, LAC 33:III.905, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

The Respondent failed to submit a report to the Department for the Hot Oil Heater Cap (ALC-HTR-1) showing PM_{10}, NO_x, CO, SO_2, and VOC emissions, by March 31 for the preceding calendar year, for calendar years 2004 through 2007. The Respondent submitted these reports on or about July 30, 2008. Each late report is a violation of LAC 33:III.501.C.4, Air Permit No. 2865-V0, and La. R.S. 30:2057(A)(2).

The Respondent failed to submit a report to the Department for the Butanol Tank Farm (ALC-TF-1), Alcohol Tank Farm (ALC-TF-2), Slop Solvent Tank Farm (ALC-TF-4), LPA Solvent Tank Farm (ALC-TF-5), PLA Solvent Tank Farm (ALC-TF-7) and Olefin Tank Farm (ALC-TF-6). by March 31 for the preceding calendar year, for calendar years 2004 through 2007. The Respondent submitted these reports on or about July 30, 2008. Each late report is a violation of LAC 33:III.501.C.4, Air Permit No. 2865-V0, and La. R.S. 30:2057(A)(2).

According to the Quarterly Deviation Report for Title V Permit No. 2865-V1 dated June 30, 2008, "During the week of January 20-26, 2008, the visual inspection of nine (9) pumps in Section 900 of the Alcohol Unit were not documented as being completed." Each failure to

visually monitor a pump seal is a violation of Specific Requirement 230 of Title V Permit No. 2865-V1, LAC 33:III.2122.D.1.c, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

According to the LAC 33:III.2122 fugitive emission report dated April 30, 2008, "On February 1, 2008 the Alcohol Unit observed a pump leaking. The pump was repaired within the 15 days, but was not monitored within the first 5 days as required under LAC 33:III.2122.C.1.d." The failure to monitor this component, within five (5) days of observing it leaking, using the method specified in 40 CFR 60, Appendix A (Method 21) is a violation of Specific Requirement 219 of Title V Permit No. 2865-V1, LAC 33:III.2122.C.1.d, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

According to records obtained during the course of the inspection, the Respondent performed its daily visible emission determination of the Niro Dryer Dust Collector filter vents (Emission Point ALU-GB-552, EQT0359) before sunrise as indicated in the table below:

Date	Time of Observation	Time of Sunrise[1]
1/25/2007	5:00 a.m.	7:07 a.m.
2/20/2007	5:30 a.m.	6:48 a.m.
3/9/2007	5:30 a.m.	6:30 a.m.
4/6/2007	5:30 a.m.	6:56 a.m.*
5/16/2007	5:30 a.m.	6:19 a.m.*
6/14/2007	5:30 a.m.	6:11 a.m.*
7/9/2007	5:00 a.m.	6:18 a.m.*
8/7/2007	5:30 a.m.	6:35 a.m.*
9/29/2007	5:00 a.m.	7:05 a.m.*
10/11/2007	5:00 a.m.	7:12 a.m.*
11/8/2007	5:00 a.m.	6:32 a.m.
12/16/2007	5:00 a.m.	7:02 a.m.
1/12/2008	6:00 a.m.	7:10 a.m.
2/9/2008	5:00 a.m.	6:58 a.m.
3/8/2008	5:00 a.m.	6:30 a.m.
4/6/2008	5:10 a.m.	6:56 a.m.*
5/15/2008	5:30 a.m.	6:19 a.m.*
6/2/2008	5:30 a.m.	6:11 a.m.*
7/25/2008	5:30 a.m.	6:28 a.m.*
8/24/2008	5:30 a.m.	6:45 a.m.*
9/21/2008	5:30 a.m.	7:01 a.m.*
10/2/2008	5:30 a.m.	7:07 a.m.*
11/16/2008	5:45 a.m.	6:40 a.m.*
12/15/2008	6:15 a.m.	7:02 a.m.*
*Daylight Saving Time		

[1] Sunrise data was obtained from the United States Naval Observatory and is available on their website, http://www.usno.navy.mil

Each day the Respondent failed to monitor visible emissions from Emission Point ALU-GB-552 during daylight is a violation of Specific Requirement 80 of Title V Permit No. 2565-V3, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

According to the 2009 Fourth Quarterly Fugitive Emissions Leak Report dated January 29, 2010, the Respondent reported that a leaking block valve (HVY-425-13165) was identified in the Alcohol Unit on July 6, 2009. Method 21 monitoring was not conducted within five (5) days of discovery. This is a violation of LAC 33:III.2122.C.1.d, LAC 33:III.501.C.4, Air Permit No. 2865-V2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The valve was repaired on July 30, 2009.

According to the 2009 Fourth Quarterly Fugitive Emissions Leak Report dated January 29, 2010, the Respondent reported that a leaking block valve (HVY-425-13165) was identified in the Alcohol Unit. The valve was not repaired within fifteen (15) days of discovery. This is a violation of LAC 33:III.2122.C.3, LAC 33:III.501.C.4, Air Permit No. 2865-V2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The valve was repaired on July 30, 2009.

According to the 2009 Fourth Quarterly Fugitive Emissions Leak Report dated January 29, 2010, the Respondent reported that an open ended line was identified on a utility degasser pump in the Alcohol Unit on November 8, 2009. This is a violation of LAC 33:III.2122.C.2, LAC 33:III.501.C.4, Air Permit No. 2865-V2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2009 Fourth Quarterly Fugitive Emissions Leak Report dated January 29, 2010, the Respondent reported that two light liquid components (ETH2122-1115 and ETH2122-3118) in the Ethylene Unit were identified as leaking on November 11, 2009, and November 16, 2009, respectively. The components were not repaired within fifteen (15) days of discovery. This is a violation of LAC 33:III.2122.C.3, LAC 33:III.501.C.4, Air Permit No. 2743-V2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2009 Fourth Quarterly Fugitive Emissions Leak Report dated January 29, 2010, the Respondent reported that five (5) monitoring periods were missed on 54 components in the Ethylene Unit. Each missed monitoring event on a component is a violation of LAC 33:III.2122.D.1, LAC 33:III.501.C.4, Air Permit No. 2743-V2, and La. R.S. 30:2057(A)(2).

According to the 2009 Fourth Quarterly Fugitive Emissions Leak Report dated January 29, 2010, the Respondent reported that Method 21 monitoring was not conducted within five (5) days of discovering a leak on Pump P6-553 in the Alcohol Unit. This is a violation of LAC 33:III.2122.C.1.d, LAC 33:III.501.C.4, Air Permit No. 2865-V2, and La. R.S. 30:2057(A)(2).

On November 16-20, 2009, the Department performed an inspection of the Respondent's facility. During the course of the inspection, the inspector noted that daily visible emission checks of the baghouse vents on the Alumina Unit baghouses were not conducted on June 7,

2009. Each missed visible emission check of a bag house is a violation of LAC 33:III.501.C.4, Air Permit No. 2565-V4, and La. R.S. 30:2057(A)(2).

According to the 2009 First Semiannual Monitoring Report dated September 24, 2009, the Respondent reported that Pump GA-626 in the Alcohol Unit was found leaking from the vent tubing on top of the pump on April 15, 2009. This is a violation of LAC 33:III2122.C.2, LAC 33:III.501.C.4, Air Permit No. 2865-V2, and La. R.S. 30:2057(A)(1) and La. R.S. 30:2057(A)(2).

On November 16-20, 2009, the Department performed an inspection of the Respondent's facility. During the course of the inspection, the inspector noted that the Respondent failed to follow the Management of Change Standard Operating Procedure by failing to include the valves associated with 8 pressure transmitters in its LDAR program. This is a violation of LAC 33:III.905.A, LAC 33:III.501.C.4, Air Permit No. 2743-V2, and La. R.S. 30:2057(A)(2).

On November 16-20, 2009, the Department performed an inspection of the Respondent's facility. During the course of the inspection, the inspector noted that the Respondent failed to timely perform the 2008 annual visual inspection on the internal floating roof and seal on LAB-T-911. The visual inspection, which was due November 26, 2008, was not performed until December 2, 2008. This is a violation of LAC 33:III.501.C.4, Air Permit No. 2894-V0, and La. R.S. 30:2057(A)(2).

On November 16-20, 2009, the Department performed an inspection of the Respondent's facility. During the course of the inspection, the inspector noted that the Respondent failed to timely perform the 2008 annual visual inspection of the internal floating roof and seal on LAB-T-912. The visual inspection, which was due September 28, 2008, was not performed until December 2, 2008. This is a violations of LAC 33:III.501.C.4, Air Permit No. 2894-V0, and La. R.S. 30:2057(A)(2).

On November 16-20, 2009, the Department performed an inspection of the Respondent's facility. During the course of the inspection, the inspector noted that the Respondent left a valve open on a loading line during shift relief while loading an Alkyate railcar causing it to overflow to the oiler water sewer and rocks. The open ended line is a violation of LAC 33:III.2122.C.2, LAC 33:III.501.C.4, Air Permit No. 2894-V1, and La. R.S. 30:2057(A)(1) and La. R.S. 30:2057(A)(2).

On November 16-20, 2009, the Department performed an inspection of the Respondent's facility. During the course of the inspection, the inspector noted that the Respondent exceeded the hours of operation for the PACOL Startup Heater, LAB-LH-2, as permitted in PSD-LA-291. This is a violation of LAC 33:III.501.C.4, Air Permit No. PSD-LA-291, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

On November 16-20, 2009, the Department performed an inspection of the Respondent's facility. During the course of the inspection, the inspector noted that the Respondent failed to keep monthly records of the total VOC emissions from August 2008 through November 2009 for

the Activated Sludge Unit Wastewater Treatment System cap (GRP 0053). This is a violation of LAC 33:III.501.C.4, Air Permit No. 2743-V2, and La. R.S. 30:2057(A)(2).

According to the 2008 Third Quarterly Fugitive Emissions Leak Report dated October 31, 2008, the Respondent reported that a open ended line was discovered on the Alcohol Loading Rack on August 8, 2008. This is a violation of LAC 33:III.1101.B, LAC 33:III.501.C.4, Air Permit No. 2865-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2008 Third Quarterly Deviation Report dated December 18, 2008, the Respondent reported that the No. 2 Boiler smoked for 1 minute due to a faulty oxygen instrument. This is a violation of LAC 33:III.1101.B, LAC 33:III.501.C.4, Air Permit No. 2901-V0, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2008 Third Quarterly Deviation Report dated December 19, 2008, the Respondent reported that the stack of Furnace BA-107 smoked for approximately 20 minutes on September 3, 2008, due to moisture inside the furnace. This is a violation of LAC 33:III.1101.B, LAC 33:III.501.C.4, Air Permit No. 2743-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2008 Third Quarterly Deviation Report dated December 19, 2008, the Respondent reported that the stack of Furnace BA-107 smoked for approximately 32 minutes on September 4, 2008, due to what, "may have been a small fire from debris". This is a violation of LAC 33:III.1101.B, LAC 33:III.501.C.4, Air Permit No. 2743-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2008 Third Quarterly Deviation Report dated December 19, 2008, the Respondent reported that HS-30439 failed during a DCS reboot on August 5, 2008, releasing ethylene from the sphere to the blow down pit. There was visible smoke for approximately six (6) minutes. This is a violation of LAC 33:III.1101.B, LAC 33:III.501.C.4, Permit No. 2865-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2008 Third Quarterly Deviation Report dated December 19, 2008, the Respondent reported that the Emission Combustion Unit #1 (EQT 0131) smoke for approximately 24 minutes on September 4, 2008. This is a violation of LAC 33:III.1101.B, LAC 33:III.501.C.4, Air Permit No. 2865-V1, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2008 Annual Compliance Certification dated March 31, 2009, the Respondent reported that the NPU Unit Flare (NPU-F-801) lost flame for approximately two (2) hours and twenty (20) minutes on November 7, 2008, due to poor maintenance of the auto-ignition system . This is a violation of LAC 33:III.905.A, LAC 33:III.2153.B, LAC 33:III.5109.A, LAC 33:III.501.C.4, Air Permit No. 2896-V1, and La. R.S. 30:2057(A)(2).

The Respondent failed to timely submit Part 70 General Condition K reports for the period encompassing July 1, 2008, through August 8, 2008, for Air Permit Nos. 2895-V0 and 2901-V0.

Each failure to timely submit a report is a violation of LAC 33:III.501.C.4, Air Permit Nos. 2895-V0 and 2901-V0, and La. R.S. 30:2057(A)(2).

The Respondent failed to timely submit Part 70 General Condition M reports for the period encompassing January 1, 2008, through August 8, 2008, for Air Permit Nos. 2895-V0 and 2901-V0. Each failure to timely submit a report is a violation of LAC 33:III.501.C.4, Air Permit Nos. 2895-V0 and 2901-V0, and La. R.S. 30:2057(A)(2).

According to the 2009 First Quarterly Deviation Report dated June 30, 2009, the Respondent reported that the No. 3 Boiler smoked for 2 minutes due to excess oxygen and maximum load on February 23, 2009. This is a violation of LAC 33:III.1101.B, LAC 33:III.501.C.4, Air Permit No. 2743-V2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2009 First Semiannual Deviation Report dated September 24, 2009, the Respondent reported that an open ended line was discovered on April 14, 2009. This is a violation of LAC 33:III.2122.C.2, LAC 33:III.501.C.4, Air Permit No. 2743-V2, and La. R.S. 30:2057(A)(1) and La. R.S. 30:2057(A)(2).

According to the 2009 First Semiannual Deviation Report dated September 24, 2009, the Respondent reported that approximately 22,302 gallons of wastewater bypassed the Benzene Stripper. Approximately 3.49 pounds of benzene were sent to the ASU. This is a violation of LAC 33:III.905.A, LAC 33.III.501.C.4, Air Permit No. 2743-V2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2009 Second Semiannual HON Fugitive Emissions Report dated February 1, 2010, the Respondent reported that 71 valves were not monitored for six (6) monitoring periods. This is a violation of LAC 33:III.501.C.4, Permit No. 2894-V1, and La. R.S. 30:2057(A)(2).

According to the 2009 Second Semiannual HON Fugitive Emissions Report dated February 1, 2010, the Respondent failed to monitor two (2) pumps for 46 monitoring periods. Each missed monitoring event is a violation of LAC 33:III.501.C.4, Air Permit No. 2894-V0, Air Permit 2894-V1, and La. R.S. 30:2057(A)(2).

According to the 2009 Second Semiannual HON Fugitive Emissions Report dated February 1, 2010, the Respondent failed to monitor 106 connectors for one (1) monitoring period. Each missed monitoring event is a violation of LAC 33.III.501.C.4, Air Permit No. 2894-V0, and La. R.S. 30:2057(A)(2).

According to the 2009 Second Semiannual Monitoring Report dated March 27, 2010, the Respondent reported that the relief valve on D7-901 butadiene storage bullet lifted for two seconds due to the check valve on the vapor recovery system malfunctioned allowing pressure to build while filling the rail car on July 15, 2009. Approximately 89.6 pounds of butadiene was released to the atmosphere. This is a violation of LAC 33:III.501.C.4, Air Permit No. 2743-V2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2009 Second Semiannual Monitoring Report dated March 27, 2010, the Respondent reported that the Ethylene Elevated Flare (ETH-F-501) smoked for seven (7) minutes on September 28, 2009. This is a violation of LAC 33:III.1101.B, LAC 33:III.501.C.4, Air Permit No. 2743-V2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

According to the 2009 Second Semiannual Monitoring Report dated March 31, 2010, the Respondent reported that the max hourly emission limit was exceeded for n-butanol from ALU-XGB-2 on December 2, 2009. A change in the feed composition resulted in high alcohol in the flurry feed to Drytec. This is a violation of LAC 33:III.501.C.4, Air Permit No. 2565-V4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

III

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties.

IV

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 THREE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS ($350,000.00), of which Ten Thousand Nine Hundred Four Dollars and 44/100 ($10,904.44) represents the Department's enforcement costs, in settlement of the claims set forth in this agreement.

V

Respondent, in addition to the penalty amount specified in Paragraph IV above and as part of this Settlement, agrees to expend the amount of $60,000.00 to implement and/or perform the following Beneficial Environmental Projects (BEPS):

A. Within 60 days from the effective date of this Settlement, to donate an amount of $15,000.00 to the Calcasieu Parish Sheriffs Organization for emergency planning, preparedness, and response equipment and/or training.

B. Within 60 days from the effective date of this Settlement, to donate an amount of $15,000.00 to the Calcasieu Office of Homeland Security and Emergency Preparedness for emergency planning, preparedness, and response equipment and/or training.

C. Within 60 days from the effective date of this Settlement, to donate an amount of $15,000.00 to the Westlake Fire Department for emergency planning, preparedness, and response equipment and/or training.

D. Within 60 days from the effective date of this Settlement, to donate an amount of $15,000.00 to the Westlake Police Department for emergency planning, preparedness, and response equipment and/or training.

E. Respondent further agrees that as part of the donation, it will require that the recipient of the donations maintain records of the use of the funds sufficient to show that the funds were used for emergency planning, preparedness, and response equipment and/or training along with providing copies of those records to the Department upon demand.

F. Respondent will submit a report to the Department verifying that the funds have been donated. Respondent shall make such report within thirty (30) days in which donation has been made.

VI

Respondent further agrees that the Department may consider the inspection report(s), the Notice of Potential Penalty 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 Calcasieu 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.

SASOL NORTH AMERICA 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: _____
Cheryl Sonnier Nolan, 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: _____
Cheryl Sonnier Nolan, Assistant Secretary