

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

LASALLE BIOENERGY LLC

AI # 185544

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

* Settlement Tracking No.
* SA-MM-22-0040
*
* Enforcement Tracking Nos.
* AE-CN-19-00961
* MM-CN-17-00980
* SE-CN-20-00592
* MM-CN-17-00980A
*
*
* Docket No. 2020-1451-DEQ
*

SETTLEMENT

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

I

Respondent is a limited liability company that owns and/or operates wood pellet manufacturing facility located in LaSalle Parish, Louisiana (“the Facility”).

II

On October 30, 2019, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-19-00961 (Exhibit 1).

On November 14, 2019, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. MM-CN-17-00980 (Exhibit 2).

On October 27, 2020, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. SE-CN-20-00592 (Exhibit 3).

On November 17, 2021, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. MM-CN-17-00980A (Exhibit 4).

III

In response to the Consolidated Compliance Order & Notice of Potential Penalty (MM-CN-17-00980), Respondent made a timely request for a hearing.

IV

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

V

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of ONE MILLION SIX HUNDRED THOUSAND AND NO/100 DOLLARS (\$1,600,000.00), of which Seven Thousand Three Hundred Thirty and 31/100 Dollars (\$7,330.31) represents the Department's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

VI

Respondent further agrees that the Department may consider the inspection report(s), permit record(s), the Consolidated Compliance Orders & Notices of Potential Penalty, Amended Consolidated Compliance Order & 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

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

X

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in LaSalle Parish, Louisiana. The advertisement, in form and wording 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.

XI

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).

XII

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

XIII

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

LASALLE BIOENERGY LLC

BY: _____
(Signature)

(Printed)

TITLE: _____

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

NOTARY PUBLIC (ID # _____)

(stamped or printed)


LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
Chuck Carr Brown, Ph.D., Secretary

BY: _____
Celena J. Cage, 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:  _____
Celena J. Cage, Assistant Secretary



JOHN BEL EDWARDS
GOVERNOR

CHUCK CARR BROWN, PH.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

October 30, 2019

CERTIFIED MAIL (7012 2210 0001 1915 8701)
RETURN RECEIPT REQUESTED

LASALLE BIOENERGY LLC
c/o Cogency Global Inc.
Agent for Service of Process
3867 Plaza Tower Drive, 1st Floor
Baton Rouge, LA 70816

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-19-00961
AGENCY INTEREST NO. 185544**

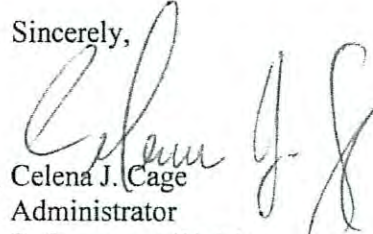
Dear Sir/Madam:

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

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

Any questions concerning this action should be directed to Antoinette Cobb at (225) 219-3072 or via email at antionette.cobb@la.gov.

Sincerely,


Celena J. Cage
Administrator
Enforcement Division

CJC/AFC/afc
Alt ID No. 1680-00097
Attachment



c: LaSalle Bioenergy LLC
c/o Mr. Doug Harvey, Plant Manager
4915 Louisiana Highway 125
Urania, LA 71480

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

IN THE MATTER OF	*	
	*	
LASALLE BIOENERGY LLC	*	ENFORCEMENT TRACKING NO.
LASALLE PARISH	*	
ALT ID NO. 1680-00097	*	AE-CN-19-00961
	*	
	*	AGENCY INTEREST NO.
PROCEEDINGS UNDER THE LOUISIANA	*	
ENVIRONMENTAL QUALITY ACT,	*	185544
La. R.S. 30:2001, ET SEQ.	*	

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

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

FINDINGS OF FACT

I.

The Respondent owns and/or operates a wood pellet manufacturing facility (the facility) located at 4915 Louisiana Highway 125 in Urania, LaSalle Parish, Louisiana. The facility operates or has operated under the authority of the following permits:

PERMIT NO.	ISSUE DATE	PERMIT EXPIRATION DATE
1680-00097-V2	08/27/2018	08/27/2023
1680-00097-V1	11/14/2014	05/28/2018
PSD-LA-773(M-1)	11/14/2014	11/14/2024

On or about June 14, 2017, the Department received a Notification of Change (NOC-1) Form requesting changes for the facility and the pellet processing facility (Agency Interest Number 1565).

According to the NOC-1, the company name, the facility name, ownership, and permits transferred effective April 25, 2017, from German Pellets Louisiana, LLC, (German Pellets) to the Respondent. German Pellets assumed responsibility for all violations existing prior to the transfer of the permits. The Department effectively transferred the permits and updated records to reflect the changes on August 31, 2017.

II.

On or about April 16, 2019, the Department reopened Title V Permit No. 1680-00097-V2 issued on August 27, 2018, in response to comments received during the public comment period for the permit renewal. The permit was reopened to establish additional testing, monitoring, and recordkeeping requirements necessary to assure compliance with the terms and conditions of the permit.

III.

On or about October 4, 2019 and October 28, 2019, the Department conducted file reviews to determine the Respondent's degree of compliance with the Act, the Air Quality Regulations, and all applicable permits. While the Department's investigation is not yet complete, the following violations were noted during the course of the file reviews:

- A. In a Compliance Plan dated August 23, 2019, and a Request for Compliance Order dated September 16, 2019, the Respondent reported that voluntarily VOC emissions testing was conducted in late July 2019. The results of the testing revealed two (2) pellet coolers, Cooler Air Aspiration Line 1 Filter 1 (EQT 0021) and Cooler Air Aspiration Line 1 Filter 2 (EQT 0022), exceeded the VOC tons per year (tpy) limit, 17.70 tpy per cooler, by 367 tpy. Each exceedance of a permitted limit is a violation of Title V Permit No. 1680-00097-V2, Specific Condition No. 2 of Prevention of Significant Deterioration (PSD) Permit No. PSD-LA-773(M-1), LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The Respondent requested a compliance schedule for engineering and installing VOC emissions controls. The Respondent proposed installing a Regenerative Catalytic Oxidizer (RCO) to control significant VOC emissions from significant VOC sources other than the dryer. VOC emissions from the dryer are controlled using a Regenerative Thermal Oxidizer (RTO).
- B. The Respondent is currently operating the facility under PSD Permit No. PSD-LA-773(M-1) issued on November 14, 2014, and Title V Permit No. 1680-00097-V2 issue on August 27, 2018. Each Dry Mill Aspiration Line Filters (EQT 0009 through EQT 0016) is permitted for 51.32 tpy of VOC and each Cooler Air Aspiration Line Filters (EQT 0021 through EQT 0024) is permitted for 17.70 tpy. The Best Available Control Technology (BACT) analysis and air quality analysis conducted for PSD Permit No. PSD-LA-773(M-1) were based on the permitted emissions. The Regenerative Thermal Oxidizer (RTO) and Regenerative Catalytic Oxidation (RCO) control technologies for the sources were rejected based on the cost effectiveness; the sources emitted to the atmosphere without any controls. In a Request

for Compliance Order dated September 16, 2019, the Respondent reported two of the Cooler Air Aspiration Lines, EQT 0021 and EQT 0022, exceeded the combined VOC tpy of 35.4 by 367 tons. The higher VOC emissions require a modified PSD and a new BACT analysis. Failure to operate the facility in accordance with the permitted VOC limits and BACT analysis is a violation of Specific Requirement 71 of Title V Permit No. 1680-00097-V2, LAC 33:III.501.C.4 and LAC 33:III.509.

- C. The Respondent failed to conduct a performance/emissions test as required by Title V Permit No. 1680-00097-V2 issued on August 27, 2018. Per Specific Requirement 10 of Title V Permit No. 1680-00097-V2, the Respondent was required to conduct a performance/emissions test within 180 days after the issuance of Title V Permit No. 1680-00097-V2 or within sixty (60) days of startup if the source is not operational when the performance/emissions test was due. The Respondent was required to conduct a stack test on one (1) of the Cooler Air Aspiration Line stacks (EQT 0021 through EQT 0024). The Department has not received a test notification or performance test results demonstrating the required performance/emissions test was conducted. Failure to conduct a performance/emission test within the required period is a violation of Specific Requirement 10 of Title V Permit No. 1680-00097-V2, Specific Condition No. 1 of PSD Permit No. PSD-LA-773(M-1), LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

COMPLIANCE ORDER

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

I.

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

II.

The Department has reviewed the compliance plan for the engineering and installation of VOC control equipment to address the violations cited in Paragraph III.A-B of the **FINDINGS OF FACT** portion of the action and hereby orders the Respondent to implement the following milestones to achieve compliance:

MILESTONE	DUE DATE
Start of estimate development	11/01/2019
Completion of estimate development	12/31/2019
Submission of a completed Prevention of Significant Deterioration (PSD) and Title V Permit Modification applications to the Air Permits Division	01/13/2020
Start of detailed engineering	01/29/2020
Start of construction	06/12/2020
Completion of detailed engineering	08/20/2020
Completion of contractor procurement	09/03/2020
Completion of equipment procurement	09/24/2020
Completion of construction/installation and startup	02/25/2021

The Respondent shall notify the Department in writing of any changes to the approved compliance schedule within seven (7) days of notice/discovery of failure to meet the due dates.

III.

To submit to the Enforcement Division monthly progress reports until the issuance of the modified Title V permit. The monthly progress reports shall include the following information: 1) the interim or permanent control technology, operational procedures, and/or corrective actions implemented to address the VOC emissions as related to the Paragraph III of the **FINDINGS OF FACT** portion of this action; 2) status of the Title V and PSD permit applications, which shall include, but not be limited to, date(s) of submission of the application and required modeling (if applicable); 3.) the results of any subsequent performance testing conducted prior to issuance of the Title V permit; 4.) a schedule with milestone dates for the ordering, construction and/or installation, and operation of control technology; and 5.) any additional pertinent information showing progress and efforts to achieve and maintain compliance with the Act and Air Quality Regulations. The progress reports shall be postmarked by the fifteenth of each month detailing the actions taken by the Respondent during the preceding month.

IV.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violation(s) and actions taken or to be taken to achieve compliance with the Order

Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Antoinette Cobb
Re: Enforcement Tracking No. AE-CN-19-00961
Agency Interest No. 185544

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

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

II.

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

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. AE-CN-19-00961
Agency Interest No. 185544

III.

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

IV.

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

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

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

VII.

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

NOTICE OF POTENTIAL PENALTY

I.

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

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Antoinette Cobb at (225) 219-3072 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

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

IV.

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

v.

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

Baton Rouge, Louisiana, this 30th day of October, 2019.



Lourdes Iturralde
Assistant Secretary
Office of Environmental Compliance

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

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

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
 OFFICE OF ENVIRONMENTAL COMPLIANCE
 ENFORCEMENT DIVISION CONSOLIDATED COMPLIANCE ORDER &
 POST OFFICE BOX 4312 NOTICE OF POTENTIAL PENALTY
 BATON ROUGE, LOUISIANA 70821-4312 REQUEST TO CLOSE



Enforcement Tracking No.	AE-CN-19-00961	Contact Name	Antoinette Cobb
Agency Interest (AI) No.	185544	Contact Phone No.	(225) 219-3072
Alternate ID No.	1680-00097		
Respondent:	LaSalle BioEnergy LLC	Facility Name:	LaSalle BioEnergy LLC
	c/o Cogency Global Inc.	Physical Location:	4915 Louisiana Highway 125
	Agent for Service of Process		
	3867 Plaza Tower Drive	City, State, Zip:	Urania, LA 71480
Baton Rouge, LA 70816	Parish:	LaSalle	

STATEMENT OF COMPLIANCE

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

SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:I.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-19-00961), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-19-00961), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> • Monetary component = \$ _____ • Beneficial Environmental Project (BEP) component (optional)= \$ _____ • DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-CN-19-00961) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

CERTIFICATION STATEMENT

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

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

MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:

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

JOHN BEL EDWARDS
GOVERNOR



CHUCK CARR BROWN, Ph.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

November 14, 2019

CERTIFIED MAIL (7016 0910 0000 2672 6951)
RETURN RECEIPT REQUESTED

LASALLE BIOENERGY LLC
c/o Cogency Global Inc.
Agent for Service of Process
3867 Plaza Tower Drive, 1st Floor
Baton Rouge, Louisiana 70816

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. MM-CN-17-00980
AGENCY INTEREST NOS. 1565, 185544**

Dear Sir/Madam:

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

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

Any questions concerning this action should be directed to Lauren Upton at 225-219-3093.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/LAU/la
Alt ID Nos. 1680-00097/LAG480349
Attachment



c: LaSalle BioEnergy LLC
Mr. Michael Bellow
4915 Louisiana Highway 125
Urania, Louisiana 71465

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

<p>IN THE MATTER OF</p> <p>LASALLE BIOENERGY LLC LASALLE PARISH ALT ID NOS. 1680-00097, LAG480349</p> <p>PROCEEDINGS UNDER THE LOUISIANA ENVIRONMENTAL QUALITY ACT, La. R.S. 30:2001, ET SEQ.</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>ENFORCEMENT TRACKING NO.</p> <p>MM-CN-17-00980</p> <p>AGENCY INTEREST NOS.</p> <p>1565, 185544</p>
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CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

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

FINDINGS OF FACT

I.

The Respondent owns and/or operates a plywood manufacturing facility, Agency Interest No. 185544, and a wood pellet processing facility, Agency Interest No. 1565, as listed in the table below:

AGENCY INTEREST NUMBER	FACILITY	LOCATION	PERMIT NUMBER	ISSUE DATE
1565	LASALLE BIOENERGY LLC	101 Tannehill Drive LaSalle Parish, Urania, Louisiana 71480	LAG480349	08/31/2017
185544	LASALLE BIOENERGY LLC	4915 Hwy 125 LaSalle Parish, Urania, Louisiana 71480	1680-00097-V0	5/28/2013
185544	LASALLE BIOENERGY LLC	4915 Hwy 125 LaSalle Parish, Urania, Louisiana 71480	1680-00097-V1 & PSD-LA-733(M-1)	11/14/2014

AGENCY INTEREST NUMBER	FACILITY	LOCATION	PERMIT NUMBER	ISSUE DATE
185544	LASALLE BIOENERGY LLC	4915 Hwy 125 LaSalle Parish, Urania, Louisiana 71480	1680-00097-V2	8/27/2018

II.

On or about February 12, 2019, file reviews of LaSalle BioEnergy LLC, Agency Interest Nos. 1565 and 185544, were performed to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Air Quality, Water Quality Regulations, and Louisiana Pollutant Discharge Elimination System (LPDES) Permit No. LAG480349, Air Quality Permit No. PSD-LA-733-(M-1), and Title V Permit No. 1680-00097-V1/V2. LaSalle BioEnergy LLC, Agency Interest No. 1565, operates under LPDES Permit No. LAG480349. LaSalle BioEnergy LLC, Agency Interest No. 185544, operates under Air Quality Permit No. PSD-LA-733-(M-1) and Title V Permit No. 1680-00097-V1/V2.

While the Department's investigation is not yet complete, the following violations were noted during the course of the file reviews:

- A. The Respondent became the owner/operator of Agency Interest Nos. 1565 and 185544 on April 25, 2017. The Notification of Change Form (NOC-1) was postmarked on June 8, 2017. The failure to submit the NOC-1 and associated documentation to the Department within forty-five (45) days after a change in ownership of each permitted facility is a violation of LAC 33:I.1907.B; LAC 33:III.517.G, and La. R.S.30:2057(A)(2).
- B. The unauthorized operation of the facility, Agency Interest No. 185544, without authorization under a Title V Permit and/or a PSD Permit, from the date the facility was acquired on April 25, 2017, until the permits were transferred on August 31, 2017, is a violation of LAC 33:III.501.C.2 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

C. The Respondent caused and/or allowed the discharge of wastewater without a permit and/or other authority from the Department. Specifically, the Respondent operated the facility, Agency Interest Number 1565, from April 25, 2017 until August 31, 2017, when a LPDES permit LAG480349 was transferred. The Respondent submitted a Discharge Monitoring Report (DMR) for the June monitoring period, that indicated a discharge had occurred from the facility. This is a violation of La. R.S. 30:2075.

D. The Respondent reported the following violations for Agency Interest No. 185544, from permitted operating parameters:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE RANGE (number of non- compliance days)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
a	2017 2 nd Semiannual Monitoring Report (3/29/2018)	1680- 00097-V1 PSD-LA- 733(M-1)	Dry Mill 1 Baghouse EQT0009 CRG0001	11/18/2017- 12/9/2017 (17 days)	A pressure drop range between 0.5 inch water and 8.0 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.	Recorded pressure drop was outside of permitted range.	Specific Requirement No. 2 (1680-00097-V1) Specific Condition No. 3 (PSD-LA-773(M-1))
b			Dry Mill 2 Baghouse EQT0010 CRG0001	11/18/2017- 12/29/2017 (24 days)			Specific Requirement No. 2 (1680-00097-V1) Specific Condition No. 3 (PSD-LA-773(M-1))
c			Dry Mill 3 Baghouse EQT0011 CRG0001	11/18/2017- 12/30/2017 (32 days)			Specific Requirement No. 2 (1680-00097-V1) Specific Condition No. 3 (PSD-LA-773(M-1))
d			Dry Mill 4 Baghouse EQT0012 CRG0001	11/20/2017- 12/29/2017 (24 days)			Specific Requirement No. 2 (1680-00097-V1) Specific Condition No. 3 (PSD-LA-773(M-1))
e			Production Filter 1 EQT0021 CRG0002	11/18/2017- 12/30/2017 (35 days)			Specific Requirement No. 4 (1680-00097-V1)
f			Production Filter 2 EQT0022 CRG0002	11/18/2017- 12/30/2017 (34 days)			Specific Condition No. 4 (PSD-LA-773(M-1))

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE RANGE (number of non- compliance days)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS	
g	2017 2 nd Semiannual Monitoring Report (3/29/2018)	1680- 00097-V1 PSD-LA- 733(M-1)	WESP- Dryer Outlet EQT0043 CRG0004	11/29/2017- 11/30/2017 (1 day)	A minimum secondary voltage of 30 kilovolt (kV) (prior to initial performance test) or the minimum secondary voltage established during a performance test shall be maintained.	Recorded secondary voltage was outside of permitted range.	Specific Requirement No. 12 (1680-00097-V1) Specific Condition No. 8 (PSD-LA-773(M-1))	
h			WESP-Dryer Outlet EQT0043 CRG0004	11/29/2017- 11/30/2017 (1 day)	A secondary current range between 50 milliamperes (mA) and 1,800 mA (prior to initial performance test) or the secondary current range established during a performance test shall be maintained.	Recorded secondary current was outside of permitted range.	Specific Requirement No. 11 (1680-00097-V1) Specific Condition No. 9 (PSD-LA-773(M-1))	
i			RTO-Dryer Outlet EQT0043 CRG0004	11/29/2017- 11/30/2017 (1 day)	A combustion temperature range between 1,400 degrees Fahrenheit and 1,650 degrees Fahrenheit (prior to initial performance test) or the combustion temperature range established during a performance test shall be maintained.	Recorded combustion temperature was outside of permitted range.	Specific Requirement No. 10 (1680-00097-V1) Specific Condition No. 10 (PSD-LA-773(M-1))	
j			Wet Mill 1 EQT0025 CRG0003	11/28/2017- 12/30/2017 (10 days)	A pressure drop range between 4.5 inch water and 7.5 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.	Recorded pressure drop was outside of permitted range.	Specific Requirement No. 6 (1680-00097-V1) Specific Condition No. 5 (PSD-LA-773(M-1))	
k			Wet Mill 2 EQT0026 CRG0003	11/28/2017- 12/30/2017 (18 days)				
l			Wet Mill 3 EQT0027 CRG0003	11/18/2017- 12/30/2017 (15 days)	A pressure drop range between 4.5 inch water and 7.5 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.	Recorded pressure drop was outside of permitted range.		
m			Wet Mill 4 EQT0028 CRG0003	11/19/2017- 12/7/2017 (5 days)				
n			Wet Mill 5 EQT0029 CRG0003	11/28/2017- 12/30/2017 (8 days)				
o			Wet Mill 6 EQT0030 CRG0003	11/20/2017- 12/30/2017 (7 days)				
p			2018 1 st Semiannual Monitoring Report (9/27/2018)		Dry Mill 1 Baghouse EQT0009	3/5/2018- 6/19/2018 (17 days)		A pressure drop range between 0.5 inch water and 8.0 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE RANGE (number of non- compliance days)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS	
							773(M-1))	
q	2018 1 st Semiannual Monitoring Report (9/27/2018)	1680- 00097-V1 PSD-LA- 733(M-1)	Dry Mill 2 Baghouse EQT0010	2/9/2018- 5/7/2018 (3 days)	A pressure drop range between 0.5 inch water and 8.0 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.	Recorded pressure drop was outside of permitted range.	Specific Requirement No. 2 (1680-00C97- V1) Specific Condition No. 3 (PSD-LA- 773(M-1))	
r			Dry Mill 3 Baghouse EQT0011	1/3/2018- 6/18/2018 (8 days)				
s			Dry Mill 4 Baghouse EQT0012	3/8/2018- 5/7/2018 (8 days)			Specific Requirement No. 2 (1680-00097- V1) Specific Condition No. 3 (PSD-LA- 773(M-1))	
t			Production Filter 1 EQT0021	1/1/2018- 6/30/2018 (175 days)	Specific Requirement No. 4 (1680-00097- V1) Specific Condition No. 4 (PSD-LA- 773(M-1))			
u			Production Filter 2 EQT0022	1/1/2018- 6/30/2018 (178 days)				
v			Wet Mill 1 EQT0025	1/1/2018- 2/22/2018 (26 days)	A pressure drop range between 4.5 inch water and 7.5 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.		Recorded pressure drop was outside of permitted range.	Specific Requirement No. 6 (1680-00097- V1) Specific Condition No. 5 (PSD-LA- 773(M-1))
w			Wet Mill 2 EQT0026	1/1/2018- 2/22/2018 (27 days)				
x			Wet Mill 3 EQT0027	1/1/2018- 2/22/2018 (44 days)				
y			Wet Mill 4 EQT0028	1/10/2018- 2/22/2018 (9 days)				
z			Wet Mill 5 EQT0029	1/1/2018- 2/22/2018 (38 days)				
aa	2018 1 st Semiannual Monitoring Report	1680- 00097-V1 PSD-LA-	Wet Mill 6 EQT0030	1/1/2018- 2/22/2018 (24 days)	A pressure drop range between 4.5 inch water and 7.5 inches water (prior to initial performance test) or the pressure drop range established during a performance test	Recorded pressure drop was outside of permitted range.		Specific Requirement No. 6 (1680-00097- V1)

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE RANGE (number of non-compliance days)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS			
bb	(9/27/2018)	733(M-1)	Wet Mill 7 EQT0031	1/1/2018- 2/22/2018 (25 days)	shall be maintained.	Recorded pressure drop was outside of permitted range.	Specific Condition No. 5 (PSD-LA-773(M-1))			
cc	2018 2 nd Semiannual Monitoring Report (3/29/2019)	1680-00097-V1, 1680-00097-V2, PSD-LA-733(M-1)	Dry Mill 1 Baghouse EQT0009	7/7/2018- 11/3/2018 (5 days)	A pressure drop range between 0.5 inch water and 8.0 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.		Specific Requirement No. 7 (1680-00097-V2) Specific Condition No. 3 (PSD-LA-773(M-1))			
dd			Dry Mill 2 Baghouse EQT0010	7/7/2018- 10/21/2018 (4 days)	A pressure drop range between 0.5 inch water and 8.0 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.		Specific Requirement No. 7 (1680-00097-V2) Specific Condition No. 3 (PSD-LA-773(M-1))			
ee			Dry Mill 3 Baghouse EQT0011	7/7/2018- 11/3/2018 (8 days)						
ff			Dry Mill 4 Baghouse EQT0012	8/23/2018- 11/3/2018 (4 days)						
gg			Production Filter 1 EQT0022	7/1/2018- 12/31/2018 (124 days)				Specific Requirement No. 14 (1680-00097-V2) Specific Condition No. 4 (PSD-LA-773(M-1))		
hh			Production Filter 2 EQT0022	7/1/2018- 12/31/2018 (162 days)	Specific Requirement No. 14 (1680-00097-V2) Specific Condition No. 4 (PSD-LA-773(M-1))					
ii					WESP-Dryer Outlet EQT0043		9/19/2018- 12/5/2018 (4 days)	A minimum secondary voltage of 30 kilovolt (kV) (prior to initial performance test) or the minimum secondary voltage established during a performance test shall be maintained.	Recorded secondary voltage was outside of permitted range.	Specific Requirement No. 23 (1680-00097-V2) Specific Condition No. 8 (PSD-LA-773(M-1))
jj					WESP-Dryer Outlet EQT0043		9/19/2018- 12/30/2018 (4 days)	A secondary current range between 50 milliamperes (mA) and 1,800 mA (prior to initial performance test) or the secondary current range established during a performance test shall be maintained.	Recorded secondary current was outside of permitted range.	Specific Requirement No. 22 (1680-00097-V2) Specific Condition No. 9 (PSD-LA-773(M-1))

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE RANGE (number of non-compliance days)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS		
kk	2018 2 nd Semiannual Monitoring Report (3/29/2019)	1680-00097-V1, 1680-00097-V2, PSD-LA-733(M-1)	RTO-Dryer Outlet EQT0043	9/19/2018-12/26/2018 (5 days)	A combustion temperature range between 1,400 degrees Fahrenheit and 1,650 degrees Fahrenheit (prior to initial performance test) or the combustion temperature range established during a performance test shall be maintained.	Recorded combustion temperature was outside of permitted range.	Specific Requirement No. 21 (1680-00097-V2) Specific Condition No. 10 (PSD-LA-773(M-1))		
ll	2019 1 st Semiannual Monitoring Report (9/30/2019)	1680-00097-V2, PSD-LA-733(M-1)	Dry Mill 1 Baghouse EQTC009	1/23/2019-6/15/2019 (5 days)	A pressure drop range between 0.5 inch water and 8.0 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.	Recorded pressure drop was outside of permitted range.	Specific Requirement No. 7 (1680-00097-V2) Specific Condition No. 3 (PSD-LA-773(M-1))		
mm			Dry Mill 2 Baghouse EQT0010	1/23/2019-6/15/2019 (3 days)			Specific Requirement No. 7 (1680-00097-V2) Specific Condition No. 3 (PSD-LA-773(M-1))		
nn			Dry Mill 3 Baghouse EQT0011	1/23/2019-6/29/2019 (13 days)			Specific Requirement No. 7 (1680-00097-V2) Specific Condition No. 3 (PSD-LA-773(M-1))		
oo			Dry Mill 4 Baghouse EQT00:2	1/18/2019-6/16/2019 (5 days)			Specific Requirement No. 7 (1680-00097-V2) Specific Condition No. 3 (PSD-LA-773(M-1))		
pp			Production Filter 2 EQT0021	1/1/2019-6/30/2019 (157 days)			Specific Requirement No. 14 (1680-00097-V2) Specific Condition No. 4 (PSD-LA-773(M-1))		
qq			Production Filter 2 EQT0022	1/1/2019-6/30/2019 (140 days)			Specific Requirement No. 14 (1680-00097-V2) Specific Condition No. 4 (PSD-LA-773(M-1))		
rr			WESP-Dryer Outlet EQT0043	2/23/2019-2/24/2019 (1 day)			A minimum secondary voltage of 30 kilovolt (kV) (prior to initial performance test) or the minimum secondary voltage established during a performance test shall be maintained.	Recorded secondary voltage was outside of permitted range.	Specific Requirement No. 23 (1680-00097-V2) Specific Condition No. 8 (PSD-LA-773(M-1))

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE RANGE (number of non- compliance days)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
SS	2019 1 st Semiannual Monitoring Report (9/30/2019)	1680- 00097-V2, PSD-LA- 733(M-1)	RTO-Dryer Outlet EQT0043	2/23/2019- 2/24/2019 (1 day)	A combustion temperature range between 1,400 degrees Fahrenheit and 1,650 degrees Fahrenheit (prior to initial performance test) or the combustion temperature range established during a performance test shall be maintained.	Recorded combustion temperature was outside of permitted range.	Specific Requirement No. 21 (1680-00097-V2) Specific Condition No. 10 (PSD-LA-773(M-1))

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

- E. The Respondent failed to submit the 2017 First Half Semiannual Monitoring Report, 2017 Second Half Semiannual Monitoring Report, and the 2017 Annual Compliance Certification in a timely manner. Specifically, the 2017 First Half Semiannual Monitoring Report was postmarked on February 19, 2018, after the September 30, 2017 due date. The 2017 Second Semiannual Monitoring Report and the 2017 Annual Compliance Certification were postmarked on April 2, 2018, after the March 31, 2018 due date. Each late report submittal is a violation of Specific Requirement No. 42 of Title V Permit No. 1680-00097-V1, LAC 33:III.535, General Condition K, M, R, and La. R.S. 30:2057(A)(2).
- F. The Respondent failed to submit the Title V Permit No. 1680-00097-V1 renewal six (6) months prior to the May 28, 2018 expiration date. The Title V Permit No. 1680-00097-V0 was issued on May 28, 2013. The Respondent submitted a Title V Permit No. 1680-00097-V1 renewal application on May 21, 2018. This is a violation of Specific Requirement No. 42 of Title V Air Permit No. 1680-00097-V1, LAC 33:III.507.E.4, and La. R.S. 30:2057(A)(2).
- G. Based on the file reviews as stated in FOF paragraph II, the Respondent failed to perform a stack test for volatile organic compounds (VOC) per Specific Requirement Nos. 3 & 4 of Title V Air Permit No. 1680-00097-V2 for one of the Dry Mill Filters EQT0009-0016 within 180 days of August 27, 2018, which was February 22, 2019. This is a violation of Specific Requirement Nos. 3 & 4 of Title V Air Permit No. 1680-00097-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

- H. The Respondent operated the facility without a Title V permit from May 29, 2018, to August 26, 2018. Each day of the operation of the facility which resulted in unpermitted emissions without a permit is a violation of LAC 33:III.501.C.2, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).
- I. The Respondent reported in the 2019 First Half Semiannual that the facility failed to conduct opacity readings as required in Title V Permit No. 1680-00097-V2, as shown in the table below.

EMISSION POINTS	SPECIFIC REQUIREMENTS	DATES
Dry Mill Filters EQT0009-EQT0012	Specific Requirement No. 2 (1680-00097-V2)	1/1/19, 1/2/19, 1/3/19, 1/9/19, 1/20/19, 1/22/19, 1/30/19, 1/31/19, 2/2/19, 2/3/19,
Cooler Air Filters EQT0021-EQT0022	Specific Requirement No. 9 (1680-00097-V2)	2/6/19, 2/7/19, 2/8/19, 2/9/19, 2/10/19, 2/25/19, 2/26/19, 2/27/19, 2/28/19, 3/2/19,
Wet Mill Cyclones EQT0025-EQT0031	Specific Requirement No. 16 (1680-00097-V2)	3/3/19, 3/6/19, 3/7/19, 3/21/19, 4/3/19, 4/4/19, 4/25/19, 5/1/19, 5/2/19,
Dryer Outlet Control Systems EQT0043 Emergency Generator EQT0045	Specific Requirement No. 18 & 20 (1680-00097-V2)	5/13/19, 5/14/19, 5/29/19, 5/30/19, 6/13/19, 6/18/19, 6/26/19, & 6/27/19
Emergency Generator EQT0045	Specific Requirement No. 38 (1680-00097-V2)	1/1/19, 1/2/19, 1/3/19, 1/9/19, 1/20/19, 1/22/19, 1/30/19, 1/31/19, 2/2/19, 2/3/19,
Silos/Chippers/Rechippers/ Debarkers EQT0047, EQT0049-EQT0052, EQT0057, EQT0059, and EQT0061	Specific Requirement No. 40 (1680-00097-V2)	2/6/19, 2/7/19, 2/8/19, 2/9/19, 2/10/19, 2/25/19, 2/26/19, 2/27/19, 2/28/19, 3/2/19, 3/3/19, 3/6/19, 3/7/19, 3/21/19, 4/3/19, 4/4/19, 4/25/19, 5/1/19, 5/2/19,
Fire Water Pumps EQT0067 and EQT0069	Specific Requirement No. 57 & 58 (1680-00097-V2)	5/13/19, 5/14/19, 5/29/19, 5/30/19, 6/13/19, 6/18/19, 6/26/19, & 6/27/19

Each failure to conduct opacity readings for each equipment according to permitted requirements is a violation of LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).

COMPLIANCE ORDER

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

I.

To take, immediately upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to meet and maintain compliance with the Air Quality, Water Quality Regulations, LPDES Permit No. LAG480349, Air Quality Permit No. PSD-LA-733-(M-1), and Title V Permit No. 1680-000897-V1/V2.

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the results of the investigation into the pressure drop ranges. Also provide a detailed summary of the pressure drop ranges during the stack tests conducted in 2015 and 2016, and how the facility would be in compliance with particulate matter (pm) emissions during the days that the pressure drops were out of ranges for the emission sources included in Finding of Facts Paragraph (FOF) II.D.a-f, j-hh, and ll-qq.

III.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, provide the method used to demonstrate compliance with the opacity requirements of the permit included in FOF paragraph II.I.

IV.

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

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Lauren Upton
Re: Enforcement Tracking No. MM-CN-17-00980
Agency Interest Nos. 1565, 185544

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

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

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are

located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. MM-CN-17-00980
Agency Interest Nos. 1565, 185544

III.

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

IV.

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

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible

enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

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

NOTICE OF POTENTIAL PENALTY

I.

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

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Lauren Upton at 225-219-3093 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

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

IV.

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

V.

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

Baton Rouge, Louisiana, this 14th day of November, 2019.



Lourdes Iturralde
Assistant Secretary
Office of Environmental Compliance

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

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

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
 OFFICE OF ENVIRONMENTAL COMPLIANCE
 ENFORCEMENT DIVISION
 POST OFFICE BOX 4312
 BATON ROUGE, LOUISIANA 70821-4312

CONSOLIDATED COMPLIANCE ORDER &
 NOTICE OF POTENTIAL PENALTY
 REQUEST TO CLOSE



Enforcement Tracking No.	MM-CN-17-00980	Contact Name	Lauren Upton
Agency Interest (AI) Nos.	1565, 185544	Contact Phone No.	225-219-3093
Alternate ID No.	1680-00097/LAG480349		
Respondent:	LaSalle BioEnergy LLC	Facility Name:	LaSalle BioEnergy LLC
	c/o Cogency Global Inc.	Physical Locations:	101 Tannehill Drive (AI: 1565)
	Agent for Service of Process		4915 Louisiana Highway 125 (AI: 185544)
	3867 Plaza Tower Drive, 1 st Floor	City, State, Zip:	Urania, Louisiana 71480
	Baton Rouge, Louisiana 70816	Parish:	LaSalle

STATEMENT OF COMPLIANCE

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

SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

- The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:I.Subpart1.Chapter7.
- In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (MM-CN-17-00980), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
- In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (MM-CN-17-00980), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance.
 - Monetary component = \$ _____
 - Beneficial Environmental Project (BEP) component (optional)= \$ _____
 - DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.
- The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (MM-CN-17-00980) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

CERTIFICATION STATEMENT

I certify, under provisions in Louisiana and United States law that provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information attached and the compliance statement above,

<i>are true, accurate, and complete. I also certify that I do not owe outstanding fees or penalties to the Department for this facility or any other facility I own or operate. I further certify that I am either the Respondent or an authorized representative of the Respondent.</i>		
Respondent's Signature	Respondent's Printed Name	Respondent's Title
Respondent's Physical Address	Respondent's Phone #	Date
MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:		
Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Lauren Upton		



JOHN BEL EDWARDS
GOVERNOR

CHUCK CARR BROWN, Ph.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

OCT 27 2020

CERTIFIED MAIL (7019 2970 0000 6037 4111/4128)
RETURN RECEIPT REQUESTED

LASALLE BIOENERGY LLC
c/o Cogency Global Inc.
Agent for Service of Process
9800 Airline Highway, Suite 105
Baton Rouge, LA 70816

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. SE-CN-20-00592
AGENCY INTEREST NO. 185544**

Dear Sir/Madam:

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

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

Any questions concerning this action should be directed to Adrienne Landry at (225) 219-3805 or Adrienne.Landry@la.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Celena J. Cage".

Celena J. Cage
Administrator
Enforcement Division

CJC/ARL/arl
Alt ID No. N/A
Attachment



c: LaSalle BioEnergy LLC
c/o Cody Davis
4915 Highway 125
Olla, La 71465

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

IN THE MATTER OF	*	
	*	
LASALLE BIOENERGY LLC	*	ENFORCEMENT TRACKING NO.
LASALLE PARISH	*	
ALT ID NO. N/A	*	SE-CN-20-00592
	*	
	*	AGENCY INTEREST NO.
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	185544
La. R.S. 30:2001, ET SEQ.	*	

CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

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

FINDINGS OF FACT

I.

The Respondent owns and/or operates LaSalle BioEnergy, a wood pellet manufacturer, located at 4915 Highway 125 in Urania, LaSalle Parish, Louisiana. The Respondent has a Beneficial Use Plan for the ash generated from the burning of bark and wood in a furnace to use as road fill. The Respondent does not have a solid waste permit or other authority from the Department to dispose and/or burn solid waste at the facility.

II.

On or about June 19, 2020, the Department conducted an inspection at the above referenced facility to determine the degree of compliance with the Act and the supporting Regulations. While the investigation by the Department is not yet complete, the following violation was noted during the course of the inspection:

The Respondent caused and/or allowed the processing of regulated solid waste without a permit and/or other authority from the Department, in violation of LAC 33:VII.315.C. Specifically, the Respondent was processing sludge generated from the Wet Electro Static Precipitators (WESP) by burning. According to a representative of the Respondent, it is the Respondent's practice to add the WESP sludge to the fuel pile and burn it with the fuel in an enclosed furnace. Analytical data for the WESP sludge was provided to the Department demonstrating the sludge is non-hazardous.

COMPLIANCE ORDER

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

I.

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

II.

To cease, immediately upon receipt of this **COMPLIANCE ORDER**, processing or allowing the processing of regulated solid waste of any kind at the facility.

III.

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

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Adrienne Landry
Re: Enforcement Tracking No. SE-CN-20-00592
Agency Interest No. 185544

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

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

II.

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

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. SE-CN-20-00592
Agency Interest No. 185544

III.

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

IV.

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

V.

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

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

VI.

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

VII.

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

NOTICE OF POTENTIAL PENALTY

I.

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

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Adrienne Landry at (225) 219-3805 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

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

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

IV.

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

V.

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

Baton Rouge, Louisiana, this 27th day of October, 2020.



Lourdes Iturralde
Assistant Secretary
Office of Environmental Compliance

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

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



LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
 OFFICE OF ENVIRONMENTAL COMPLIANCE
 ENFORCEMENT DIVISION CONSOLIDATED COMPLIANCE ORDER &
 POST OFFICE BOX 4312 NOTICE OF POTENTIAL PENALTY
 BATON ROUGE, LOUISIANA 70821-4312 REQUEST TO CLOSE

Enforcement Tracking No.	SE-CN-20-00592	Contact Name	Adrienne Landry
Agency Interest (AI) No.	185544	Contact Phone No.	225-219-3805
Alternate ID No.	N/A		
Respondent:	LASALLE BIOENERGY LLC	Facility Name:	LaSalle BioEnergy LLC
	c/o Cogency Global Inc.	Physical Location:	4915 Highway 125
	Agent for Service of Process		
	9800 Airline Highway, Suite 105	City, State, Zip:	Urania, La 71480
	Baton Rouge, LA 70816	Parish:	LaSalle

STATEMENT OF COMPLIANCE

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

SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:I.Subpart1.Chapter7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY SE-CN-20-00592, the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY SE-CN-20-00592, the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> • Monetary component = \$ _____ • Beneficial Environmental Project (BEP) component (optional)= \$ _____ • DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM- the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted. The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY SE-CN-20-00592 and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

CERTIFICATION STATEMENT

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

Respondent's Signature	Respondent's Printed Name	Respondent's Title
------------------------	---------------------------	--------------------

Respondent's Physical Address	Respondent's Phone #	Date
MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:		
<p>Louisiana Department of Environmental Quality Office of Environmental Compliance Enforcement Division P.O. Box 4312 Baton Rouge, LA 70821 Attn: Adrienne Landry</p>		

JOHN BEL EDWARDS
GOVERNOR



CHUCK CARR BROWN, PH.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

NOV 17 2021

CERTIFIED MAIL (7018 3090 0002 0488 4712)
RETURN RECEIPT REQUESTED

LASALLE BIOENERGY LLC
c/o Cogency Global Inc.
Agent for Service of Process
9800 Airline Hwy, Ste. 105
Baton Rouge, Louisiana 70816

**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. MM-CN-17-00980A
AGENCY INTEREST NO. 185544**

Dear Sir/Madam:

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

Any questions concerning this action should be directed to Antoinette Cobb at (225) 219-32072 or antoinette.cobb@la.gov.

Sincerely,

A handwritten signature in black ink that reads "Angela Marse".

Angela Marse
Administrator
Enforcement Division

AM/AFC/afc
Alt ID No. 1680-00097
Attachment



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

IN THE MATTER OF

**LASALLE BIOENERGY LLC
LASALLE PARISH
ALT ID NO. 1680-00097**

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

*
*
* **ENFORCEMENT TRACKING NO.**
*
* **MM-CN-17-00980A**
*
* **AGENCY INTEREST NO.**
*
* **185544**
*

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

The Louisiana Department of Environmental Quality (the Department) hereby amends the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. MM-CN-17-00980** issued to **LASALLE BIOENERGY LLC (RESPONDENT)** on November 14, 2019, in the above-captioned matter as follows:

I.

The Department hereby removes Paragraph II.A-C of the Findings of Fact in its entirety.

II.

The Department hereby amends Paragraph II.D of the Findings of Fact to read as follows:

“ D. In correspondence dated August 2, 2021, and November 5, 2021, the Respondent provided supplemental information related to the permitted operating parameters. The Respondent reported the following violations of permitted operating parameters:

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE RANGE (number of non- compliance days)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
a	2017 2 nd Semiannual Monitoring Report (3/29/2018)	1680- 00097-V1 PSD-LA- 733(M-1)	Dry Mill 1 Baghouse EQT0009 CRG0001	11/18/2017- 12/9/2017 (9 days)	A pressure drop range between 0.5 inch water and 8.0 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.	Recorded pressure drop was outside of permitted range.	Specific Requirement No. 2 (1680-00097- V1)
b			Dry Mill 2 Baghouse EQT0010 CRG0001	11/18/2017- 12/29/2017 (22 days)			Specific Condition No. 3 (PSD-LA- 773(M-1))
c			Dry Mill 3 Baghouse EQT0011 CRG0001	11/18/2017- 12/30/2017 (31 days)			Specific Requirement No. 2 (1680-00097- V1)
d			Dry Mill 4 Baghouse EQT0012 CRG0001	11/20/2017- 12/29/2017 (20 days)			Specific Condition No. 3 (PSD-LA- 773(M-1))
e			Production Filter 1 EQT0021 CRG0002	11/18/2017- 12/30/2017 (17 days)			Specific Requirement No. 4 (1680-00097- V1)
f			Production Filter 2 EQT0022 CRG0002	11/18/2017- 12/30/2017 (20 days)			Specific Condition No. 4 (PSD-LA- 773(M-1))
g			2017 2 nd Semiannual Monitoring Report (3/29/2018)	1680- 00097-V1 PSD-LA- 733(M-1)			WESP- Dryer Outlet EQT0043 CRG0004
h	WESP-Dryer Outlet EQT0043 CRG0004	11/29/2017- 11/30/2017 (1 day)			A secondary current range between 50 milliamperes (mA) and 1,800 mA (prior to initial performance test) or the secondary current range established during a performance test shall be maintained.	Recorded secondary current was outside of permitted range.	Specific Requirement No. 11 (1680-00097- V1)
i	RTO-Dryer Outlet EQT0043 CRG0004	11/29/2017- 11/30/2017 (1 day)			A combustion temperature range between 1,400 degrees Fahrenheit and 1,650 degrees Fahrenheit (prior to initial performance test) or the combustion temperature range established during a performance test shall be maintained.	Recorded combustion temperature was outside of permitted range.	Specific Requirement No. 10 (1680-00097- V1)
j	Wet Mill 1 EQT0025 CRG0003	11/28/2017- 12/30/2017 (3 days)			A pressure drop range between 4.5 inch water and 7.5 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.	Recorded pressure drop was outside of permitted range.	Specific Condition No. 10 (PSD-LA- 773(M-1))
k	Wet Mill 2 EQT0026 CRG0003	11/28/2017- 12/30/2017 (13 days)					Specific Requirement No. 6 (1680-00097- V1)
							Specific Condition No. 5 (PSD-LA- 773(M-1))

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE RANGE (number of non-compliance days)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
l m n o			Wet Mill 3 EQT0027 CRG0003	11/18/2017- 12/30/2017 (5 days)	A pressure drop range between 4.5 inch water and 7.5 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.	Recorded pressure drop was outside of permitted range.	
			Wet Mill 4 EQT0028 CRG0003	11/19/2017- 12/7/2017 (3 days)			
			Wet Mill 5 EQT0029 CRG0003	11/28/2017- 12/30/2017 (3 days)			
			Wet Mill 6 EQT0030 CRG0003	11/20/2017- 12/30/2017 (6 days)			
p	2018 1 st Semiannual Monitoring Report (9/27/2018)		Dry Mill 1 Baghouse EQT0009	3/5/2018- 6/19/2018 (10 days)	A pressure drop range between 0.5 inch water and 8.0 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.	Recorded pressure drop was outside of permitted range.	Specific Requirement No. 2 (1680-00097-V1) Specific Condition No. 3 (PSD-LA-773(M-1))
q r s t u	2018 1 st Semiannual Monitoring Report (9/27/2018)	1680- 00097-V1 PSD-LA- 733(M-1)	Dry Mill 3 Baghouse EQT0011	1/3/2018- 6/18/2018 (2 days)	A pressure drop range between 0.5 inch water and 8.0 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.	Recorded pressure drop was outside of permitted range.	Specific Requirement No. 2 (1680-00097-V1) Specific Condition No. 3 (PSD-LA-773(M-1))
			Dry Mill 4 Baghouse EQT0012	3/8/2018- 5/7/2018 (4 days)	A pressure drop range between 0.5 inch water and 8.0 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.		Specific Requirement No. 2 (1680-00097-V1) Specific Condition No. 3 (PSD-LA-773(M-1))
			Production Filter 1 EQT0021	1/1/2018- 6/30/2018 (108 days)			Specific Requirement No. 4 (1680-00097-V1) Specific Condition No. 4 (PSD-LA-773(M-1))
			Production Filter 2 EQT0022	1/1/2018- 6/30/2018 (171 days)			Specific Requirement No. 4 (PSD-LA-773(M-1))
			Wet Mill 1 EQT0025	1/1/2018- 2/22/2018 (26 days)			Specific Requirement No. 6 (1680-00097-V1)

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE RANGE (number of non-compliance days)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
v			Wet Mill 2 EQT0026	1/1/2018-2/22/2018 (27 days)	A pressure drop range between 4.5 inch water and 7.5 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.		Specific Condition No. 5 (PSD-LA-773(M-1))
w			Wet Mill 3 EQT0027	1/1/2018-2/22/2018 (19 days)			
x			Wet Mill 4 EQT0028	1/10/2018-2/22/2018 (9 days)			
y			Wet Mill 5 EQT0029	1/1/2018-2/22/2018 (38 days)			
z	2018 1 st Semiannual Monitoring Report (9/27/2018)	1680-00097-V1	Wet Mill 6 EQT0030	1/1/2018-2/22/2018 (24 days)	A pressure drop range between 4.5 inch water and 7.5 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.		Specific Requirement No. 6 (1680-00097-V1)
aa		PSD-LA-733(M-1)	Wet Mill 7 EQT0031	1/1/2018-2/22/2018 (25 days)			Specific Condition No. 5 (PSD-LA-773(M-1))
bb	2018 2 nd Semiannual Monitoring Report (3/29/2019)	1680-00097-V1, 1680-00097-V2, PSD-LA-733(M-1)	Dry Mill 1 Baghouse EQT0009	7/7/2018-11/3/2018 (1 day)	A pressure drop range between 0.5 inch water and 8.0 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.	Recorded pressure drop was outside of permitted range.	Specific Requirement No. 7 (1680-00097-V2)
cc			Dry Mill 2 Baghouse EQT0010	7/7/2018-10/21/2018 (1 day)			Specific Condition No. 3 (PSD-LA-773(M-1))
dd			Dry Mill 3 Baghouse EQT0011	7/7/2018-11/3/2018 (1 day)			Specific Requirement No. 14 (1680-00097-V2)
cc			Production Filter 1 EQT0022	7/1/2018-12/31/2018 (60 days)			Specific Condition No. 4 (PSD-LA-773(M-1))
ff			Production Filter 2 EQT0022	7/1/2018-12/31/2018 (135 days)			Specific Requirement No. 14 (1680-00097-V2)
							Specific Condition No. 4 (PSD-LA-773(M-1))

	REPORT (date)	PERMIT NUMBER	EMISSION POINT	INCIDENT DATE RANGE (number of non- compliance days)	OPERATING PARAMETER	REPORTED CAUSE	REGULATORY or PERMIT REQUIREMENTS
gg	2018 2 nd Semiannual Monitoring Report (3/29/2019)	1680- 00097-V1, 1680- 00097-V2, PSD-LA- 733(M-1)	RTO-Dryer Outlet EQT0043	9/19/2018- 12/26/2018 (2 days)	A combustion temperature range between 1,400 degrees Fahrenheit and 1,650 degrees Fahrenheit (prior to initial performance test) or the combustion temperature range established during a performance test shall be maintained.	Recorded combustion temperature was outside of permitted range.	Specific Requirement No. 21 (1680-00097-V2) Specific Condition No. 10 (PSD-LA-773(M-1))
hh	2019 1 st Semiannual Monitoring Report (9/30/2019)	1680- 00097-V2, PSD-LA- 733(M-1)	Dry Mill 3 Baghouse EQT0011	1/23/2019- 6/29/2019 (3 days)	A pressure drop range between 0.5 inch water and 8.0 inches water (prior to initial performance test) or the pressure drop range established during a performance test shall be maintained.	Recorded pressure drop was outside of permitted range.	Specific Requirement No. 7 (1680-00097-V2) Specific Condition No. 3 (PSD-LA-773(M-1))
ii			Production Filter 2 EQT0021	1/1/2019- 6/30/2019 (133 days)			Specific Requirement No. 14 (1680-00097-V2)
jj			Production Filter 2 EQT0022	1/1/2019- 6/30/2019 (79 days)			Specific Condition No. 4 (PSD-LA-773(M-1))
kk			RTO-Dryer Outlet EQT0043	2/23/2019- 2/24/2019 (1 day)			Specific Requirement No. 21 (1680-00097-V2) Specific Condition No. 10 (PSD-LA-773(M-1))

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

III.

The Department incorporates all of the remainder of the original **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. MM-CN-17-00980** and **AGENCY INTEREST NO. 185544** as if reiterated herein.

III.

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

Baton Rouge, Louisiana, this 17th day of November, 2021.



Lourdes Iturralde
Assistant Secretary
Office of Environmental Compliance

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

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