

**STATE OF LOUISIANA**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**IN THE MATTER OF:**

**EQUILON ENTERPRISES LLC**

**AI # 2719**

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

\* **Settlement Tracking No.**  
\* **SA-AE-23-0066**  
\*  
\* **Enforcement Tracking Nos.**  
\* **AE-CN-20-00482**  
\* **AE-CN-20-00482A**  
\*  
\* **Docket Nos. 2022-3230-DEQ**  
\* **2022-3236-DEQ**  
\*

**SETTLEMENT AGREEMENT**

The following Settlement Agreement is hereby agreed to between Equilon Enterprises LLC d/b/a Shell Oil Products US (“Respondent”) and the Department of Environmental Quality (“DEQ” or “the Department”), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. (“the Act”).

**I**

Respondent is a limited liability company that owns and/or operates a petroleum refinery, located in Convent, St. James Parish, Louisiana (“the Facility”).

**II**

On January 8, 2021, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-20-00482 (Exhibit 1).

On February 16, 2022, the Department issued to Respondent an Amended Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-20-00482A (Exhibit 2).

### III

In response to the Consolidated Compliance Order & Notice of Potential Penalty and Amended Consolidated Compliance Order & Notice of Potential Penalty, Respondent made timely requests for hearings.

### 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 TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$200,000.00), of which Three Thousand Seven Hundred Fifteen and 29/100 Dollars (\$3,715.29) represents the Department's enforcement costs, in settlement of the claims set forth in this Settlement Agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

### VI

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

## VII

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

## VIII

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

## IX

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

## X

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

XI

Payment is to be made within thirty (30) days from notice of the Secretary's signature. If payment is not received within that time, this Settlement Agreement is voidable at the option of the Department. 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 attached hereto.

XII

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

XIII

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

EQUILON ENTERPRISES LLC  
D/B/A SHELL OIL PRODUCTS US

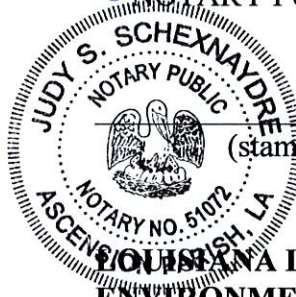
BY: Kirk Kallenberger  
(Signature)

KIRK KALLENBERGER  
(Printed)

TITLE: GENERAL MANAGER

THUS DONE AND SIGNED in duplicate original before me this 19<sup>th</sup> day of December, 20 23, at Convent, LA.

Judy S. Schexnaydre  
NOTARY PUBLIC (ID # 51072)



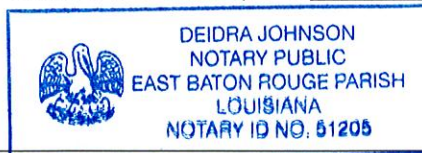
(stamped or printed)

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

BY: Aurelia S. Giacometto  
Aurelia S. Giacometto, Secretary

THUS DONE AND SIGNED in duplicate original before me this 3<sup>rd</sup> day of April, 20 24, at Baton Rouge, Louisiana.

Deidra Johnson  
NOTARY PUBLIC (ID # 51205)



(stamped or printed)

Approved: Celena J. Cage  
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

January 8, 2021

CERTIFIED MAIL (7019 1120 0000 2352 1770)  
RETURN RECEIPT REQUESTED

**EQUILON ENTERPRISES LLC**  
c/o C T Corporation System  
Agent for Service of Process  
3867 Plaza Tower Drive  
Baton Rouge, LA 70816

**RE: CONSOLIDATED COMPLIANCE ORDER  
& NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. AE-CN-20-00482  
AGENCY INTEREST NO. 2719**

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 **EQUILON ENTERPRISES 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 [antoinette.cobb@la.gov](mailto:antoinette.cobb@la.gov).

Sincerely,

Celena J. Cage  
Administrator  
Enforcement Division

CJC/AFC/afc  
Alt ID No. 2560-00001  
Attachment



c: Equilon Enterprises LLC  
c/o Ms. Sarah Connell, Environmental Manager  
P.O. Box 37  
Convent, LA 70723

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

<b>IN THE MATTER OF</b>	*	
	*	
<b>EQUILON ENTERPRISES LLC</b>	*	<b>ENFORCEMENT TRACKING NO.</b>
<b>ST. JAMES PARISH</b>	*	
<b>ALT ID NO. 2560-00001</b>	*	<b>AE-CN-20-00482</b>
	*	
	*	<b>AGENCY INTEREST NO.</b>
<b>PROCEEDINGS UNDER THE LOUISIANA</b>	*	
<b>ENVIRONMENTAL QUALITY ACT,</b>	*	<b>2719</b>
<b>La. R.S. 30:2001, ET SEQ.</b>	*	

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

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

**FINDINGS OF FACT**

I.

The Respondent owns and/or operates the Convent Refinery (the Facility), a petroleum refinery, located at 10700 Louisiana Highway 44 in Convent, St. James Parish, Louisiana. The Facility operates or has operated under the authority of the following Title V Air Permits:

PERMIT NO.	ISSUANCE DATE	EXPIRATION DATE
2560-00001-V18	06/09/2020	06/09/2025
2560-00001-V17	08/17/2018	11/05/2019*
2560-00001-V16	07/08/2016	11/05/2019
2560-00001-V15	03/09/2016	11/05/2019
2560-00001-V14	07/22/2015	11/05/2019
2560-00001-V13	12/22/2014	11/05/2019



2560-00001-V12	11/05/2014	11/05/2019
2560-00001-V11	01/18/2013	09/30/2013
PSD-LA-378 (M-2)	08/21/2000	-
PSD-LA-420 (M-1)	08/22/2000	-
PSD-LA-600	07/29/1996	-
PSD-LA-639 (M-1)	04/18/2001	-
PSD-LA-673	05/17/2002	-

\*The permit was administratively continued.

The facility also operates under Consent Decree, Civil Action Number H-01-0978 entered into the United States District Court for the Southern District of Texas on or about March 21, 2001.

## II.

On or about April 14-17, 2020, May 21, 2020, and October 29, 2020, the Department conducted a file review to determine the Respondent's degree of compliance with the Act, the Air Quality Regulations, and all applicable permits. While the review is not complete, the Department noted the violations found in Paragraphs III-X of the Findings of Fact portion of this enforcement action.

## III.

The Department received an Unauthorized Discharge Notification Report for Incident No. T186404 dated August 16, 2018, and the Final Follow-up Notification report dated September 11, 2018. According to the reports, on August 12, 2018, a leak initiated from the pressure seal on the Train 100 Hydrogen Heater Outlet check valve. The hydrogen released auto-ignited leading to a flare. The cutback and shutdown of the unit was manually initiated. The hydrogen was removed from the line extinguishing the fire. As a result of the event and associated flaring, 9,393.10 lbs of sulfur dioxide (671.47 max lb/hr) and 51.01 lbs of hydrogen sulfide (3.36 max lb/hr) were released in excess of the permitted limits for Refinery Flare No. 3 (EQT 0074). The Respondent conducted an internal investigation to determine the root cause of the event. An inspection of the check valve identified two (2) main deficiencies which are believed to have caused the leak. The first deficiency was the installation of the spacer ring upside down. The second deficiency was the valve body ID was larger than the original design by 0.095 inches. The size difference caused a gap between the pressure seal cover and body from which

hydrogen could leak. The Respondent determined the event was not preventable. Each failure to comply with the permitted emission limits is a violation of Title V Permit No. Permit No. 2560-00001-V16, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2). The event was also reported in the 2018 2<sup>nd</sup> Semiannual Monitoring and Deviation Report and 2018 Annual Compliance Certification both dated March 28, 2019.

#### IV.

In the 40 CFR 63 Subpart ZZZZ Compliance Plan dated April 11, 2019, the Respondent reported performance/emission tests were not conducted for three (3) engines at the facility. The three (3) engines, 32G-15 Backup Raw Water Pump (EQT 0086), 37PE-486 New Stormwater Pond Pump Engine (South) (EQT 0231), and 37PE-487 New Stormwater Pond Pump Engine (North) (EQT 0232), were existing non-emergency compression ignition engines. The Respondent was required to conduct performance/emission testing to ensure compliance with the applicable carbon monoxide (CO) concentration limit of 230 ppmvd or less at 15% oxygen within 180 days after the May 3, 2013 compliance date. The Respondent submitted the Pre-test Notification and Test Protocol dated April 11, 2019, to the Department. The test protocol was approved on or about April 12, 2019. In the Source Test Report-2019 Emission Compliance Tests and Notification of Compliance Status (40 CFR 63 Subpart ZZZZ) dated October 21, 2019, the Respondent submitted the test results for EQT 0231 and EQT 0232. Testing for EQT 0231 and EQT 0232 was conducted on July 30, 2019, August 22, 2019, and August 30, 2019, in accordance with the approved test protocol procedures. A discrepancy in the engine rating for EQT 0231 and EQT 0232 was noted during the performance/emission tests. At the time, the engines were rated at 175 horsepower (hp) in Title V Permit No. 2560-00001-V17. The actual maximum rated horsepower for the engines is 350 hp. The carbon monoxide concentration limit for a 350 hp engine is  $\leq 49$  ppmvd corrected to 15% oxygen. The average CO concentration for EQT 0231 tested on August 30, 2019, was 247.94 ppmvd. The average CO concentration for EQT 0232 tested on August 22, 2019, was 187.08 ppmvd. In addition to the test results, the Respondent reported testing was not required for EQT 0086 because the engine met the requirements for classification as an existing emergency engine. Each failure to conduct the required performance/emission test by the compliance due date is a violation 40 CFR 63.6612(a), Specific Requirements 2995 and 2996 of Title V Permit No. 2560-00002-V11 and Specific Requirements 3108 and 3120 of Title V Permit No. 2560-00002-V12 and Specific Requirements 3109 and 3121 of Title V Permit No. 2560-00002-V13 and Specific Requirements 3124 and 3136 of Title

V Permit No. 2560-00002-14 and Specific Requirements 3136 and 3148 of Title V Permit No. 2560-00002-V15 and Specific Requirements 3140 and 3152 of Title V Permit No. 2560-00002-V16 and Specific Requirements 940 and 952 of Title V Permit No. 2560-00002-V17, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). Each failure to meet the applicable emission standard is a violation of Specific Requirements 938 and 949 of Title V Permit No. 2560-00001-V17, 40 CFR 63.6602, LAC 33:III.501.C.4, and La. R.S. 30:2057 (A)(2). The failure to promptly supplement and/or correct information submitted in a permit application upon becoming aware of any relevant facts or incorrect information is a violation of LAC 33:III.517.C, LAC 33:III.501.C.1, and La. R.S. 30:2057(A)(2). In the Response to Information Request dated June 30, 2020, the Respondent reported performance testing was completed on March 19, 2020. The results demonstrated EQT 0231 and EQT 0232 were below the CO standard  $\leq 49$  ppmvd (corrected to 15% oxygen) after the installation of the diesel oxidation catalyst system.

#### V.

In the 2019 2<sup>nd</sup> Semiannual Monitoring and Deviation Report and 2019 Annual Compliance Certification both dated March 26, 2020, the Respondent reported 20D-53 Storage Tank (EQT 0153) and 20D-54 Storage Tank (EQT 0154) were not equipped with a vapor loss system. Sampling was conducted during the second half of 2019 reporting period. Analytical results demonstrated the total vapor pressure (TVP) of the hydrocarbon layer present in the Spent Acid Tank is greater than 1.5 psia. Each failure to equip the storage tanks with a vapor loss system is a violation of Specific Requirements 728 and 734 of Title V Permit No. 2560-00001-V17, LAC 33:III.2103.E, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). Failure to achieve a VOC control efficiency equal to or greater than 95% is a violation of Specific Requirements 727 and 733 of Title V Permit No. 2560-00001-V17, LAC 33:III.2103.E.1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). In the 2019 2<sup>nd</sup> Semiannual Monitoring and Deviation Report and 2019 Annual Compliance Certification both dated March 26, 2020, the Respondent reported a capital project for the installation of a vapor collection/recovery system for both tanks is in development. In the Response to Information Request dated June 30, 2020, the Respondent provided a compliance schedule for the Spent Acid Tank Vapor Recovery Project.

VI.

The Respondent reported the following violations of permitted operating parameters:

A.	40 CFR 60 Subpart QQQ Semiannual Report (07/19/2018)	2560- 00001-V16	API-1	02/27/2018	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background.	Five (5) areas of API-1 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 03/07/2018.	40 CFR 60.692-5(e)(1)
B.	40 CFR 60 Subpart QQQ Semiannual Report (07/19/2018)	2560- 00001-V16	API-2	02/27/2018	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background.	Two (2) areas of API-2 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 03/07/2018.	40 CFR 60.692-5(e)(1)
C.	40 CFR 60 Subpart QQQ Semiannual Report (07/19/2018)	2560- 00001-V16	API-1	06/07/2018	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background.	Three (3) areas of API-1 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 06/19/2018.	40 CFR 60.692-5(e)(1)
D.	40 CFR 60 Subpart QQQ Semiannual Report (07/19/2018)	2560- 00001-V16	API-2	06/07/2018	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background.	Seven (7) areas of API-2 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 06/21/2018.	40 CFR 60.692-5(e)(1)

E.	40 CFR 63, Subpart CC-Petroleum Refinery NESHAP Periodic Report and SSM Periodic Report (09/13/2018)	2560-00001-V16	EQT 0150 20D-5 Storage Tank	01/16/2018	External floating roof: Ensure that each external floating roof meets the specifications listed in 40 CFR 63.119(c)(2)(i) through (c)(2)(xii)	Three (3) auto vents had 1/8 inch gaps allowing emissions to the atmosphere.	40 CFR 63.119(c)(2), Specific Requirement 1948
F.	40 CFR 63, Subpart CC-Petroleum Refinery NESHAP Periodic Report and SSM Periodic Report (09/13/2018)	2560-00001-V16	EQT 0104 20AT-901 Storage Tank	02/28/2018	External floating roof: Ensure that each external floating roof meets the specifications listed in 40 CFR 63.119(c)(2)(i) through (c)(2)(xii)	Gaps were identified around the auto vent and anti-rotation device.	40 CFR 63.119(c)(2), Specific Requirement 935
G.	40 CFR 63, Subpart CC-Petroleum Refinery NESHAP Periodic Report and SSM Periodic Report (09/13/2018)	2560-00001-V16	EQT 0129 20D-28 Storage Tank	04/10/2018	Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof is to be equipped with a gasketed cover, seal, or lid that is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use.	A seeping/leaking roof deck plate was discovered. The gasket for the anti-rotation device was observed to have a 3/8 inch gap.	40 CFR 60.112b(a)(2)(ii), Specific Requirement 1615
H.	40 CFR 63, Subpart CC-Petroleum Refinery NESHAP Periodic Report and SSM Periodic Report (09/13/2018)	2560-00001-V16	GRP 0005 Flare 1-4 CAP	01/10/2018, 01/11/2018, 02/10/2018, 02/14/2018, 02/15/2018, 02/24/2018, 02/28/2018, 04/02/2018, 04/03/2018, 05/13/2018, 06/06/2018, 07/03/2018, 07/16/2018, 07/17/2018	Operate with a flame present at all times.	The presence of a pilot on one or more of the refinery flares could not be confirmed.	40 CFR 63.11(b)(5), Specific Requirements 642, 663, 683, 703

I.	2018 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/28/2018)	2560-00001-V16	EQT 0073 Refinery Flare No. 1	03/24/2018 (3 hours)	Operate with a flame present at all times.	The pilot flamed out when operations increased steam flow to minimize smoking during the combustion flare flow associated with CRU decon activity. Efforts to restore the flare pilots were unsuccessful.	40 CFR 63.11(b)(5), Specific Requirement 663
J.	2018 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/28/2018)	2560-00001-V16	EQT 0073 Refinery Flare No. 1	04/04/2018 (1 hour)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The Flare Gas Recovery (FGR) system was operating with 3 out of 4 compressors on-line. During this time operations was routing emissions from rail car loading into the FGR system. The FGR system was over pressured when the railcar loading emissions were accompanied by venting from H-Oil Unit as well as venting from 20D-93.	40 CFR 60.103a(h), Specific Requirement 654
K.	2018 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/28/2018)	2560-00001-V16	EQT 0073 Refinery Flare No. 1	04/10/2018 (4 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	FCCU Operations was bypassing the instrument air receiver to facilitate the removal of a PSV from service. The inlet and outlet valves of the instrument air were inadvertently partially blocked in before the bypass valve was opened causing loss instrument air to the unit 1,2, and 3 flares. The control valves went into fail safe position and 2F301/302 heaters to trip.	40 CFR 60.103a(h), Specific Requirement 654
L.	2018 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/28/2018)	2560-00001-V16	EQT 0072 Refinery Flare No. 2	04/10/2018 (2 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	FCCU Operations was bypassing the instrument air receiver to facilitate the removal of a PSV from service. The inlet and outlet valves of the instrument air were inadvertently partially blocked in before the bypass valve was opened causing loss instrument air to the unit 1,2, and 3 flares. The control valves went into fail safe position and 2F301/302 heaters to trip.	40 CFR 60.103a(h), Specific Requirement 633

M.	40 CFR 60 Subpart QQQ Semiannual Report (07/19/2018)	2560- 00001-V16	API-1	08/15/2018	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background.	Two (2) areas of API-1 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 08/20/2018.	40 CFR 60.692-5(e)(1)
N.	40 CFR 60 Subpart QQQ Semiannual Report (07/19/2019)	2560- 00001-V16	API-2	08/15/2018	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background.	Eight (8) areas of API-2 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 08/24/2018.	40 CFR 60.692-5(e)(1)
O.	40 CFR 60 Subpart QQQ Semiannual Report (07/19/2018)	2560- 00001-V17	API-1	12/03/2018	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background.	Two (2) areas of API-1 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 12/17/2018.	40 CFR 60.692-5(e)(1)
P.	40 CFR 60 Subpart QQQ Semiannual Report (07/19/2019)	2560- 00001-V17	API-2	12/03/2018	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background.	Three (3) areas of API-2 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 12/17/2018.	40 CFR 60.692-5(e)(1)

Q.	2018 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/28/2019)	2560-00001-V17	EQT 0057 TGTU No. 4 Incinerator Stack	10/17/2018 (12 hours)	Sulfur dioxide ≤ 250 ppmv @ 0% excess air	The Sulfur Recovery Unit 5 (SRU-5) experienced a unit trip as a result of maintenance work on the 82C-205 Booster Blower. Acid gas feed was subsequently diverted to SRU-4 resulting in elevated sulfur dioxide (SO <sub>2</sub> ) emissions from the corresponding Tail Gas Treatment Unit (TGTU-4). The Booster Blower failed as a result of maintenance work on an oil filter that was in service instead of the adjacent oil filter that was isolated/locked out for maintenance. The Booster Blower experience a sudden loss of lube oil pressure leading to a compressor trip.	40 CFR 60.104(a)(2)(i), Specific Requirement 50
	2018 Annual Compliance Certification (03/28/2019)						
R.	40 CFR 63, Subpart CC-Petroleum Refinery NESHAP Period and SSM Periodic Report (03/15/2019)	2560-00001-V17	EQT 0075 Refinery Flare No. 4	11/15/2018 (~1.5 hours)	Operate with a flame present at all times.	Visible emissions were observed from the flare. Steam was introduced in the flare to eliminate the visible emissions. The steam introduced to the flare was wet and resulted in the routing of condensate to the flare tip extinguishing the flare pilots.	40 CFR 63.11(b)(5), Specific Requirement 1203
	2018 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/28/2019)						
	2018 Annual Compliance Certification (03/28/2019)						
S.	40 CFR 63, Subpart CC-Petroleum Refinery NESHAP Period and SSM Periodic Report (03/15/2019)	2560-00001-V17	EQT 0075 Refinery Flare No. 4	12/19/2018 (44 minutes)	Operate with a flame present at all times.	An alarm was received indicating the flare pilots were out. The automatic system for re-lighting the pilots was not effective.	40 CFR 63.11(b)(5), Specific Requirement 1203
	2018 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/28/2019)						
	2018 Annual Compliance Certification (03/28/2019)						



T.	Revised NSPS Subpart Ja Flare CEMS Semiannual Report (03/28/2019)	2560-00001-V17	EQT 0073 Refinery Flare No. 1	10/12/2018 (2 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The dry gas compressor tripped causing an upset. Sweet gas was routed to Flare No. 3 until compressors were returned to service.	40 CFR 60.103a(h), Specific Requirement 1194
	2018 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/28/2019)						
	2018 Annual Compliance Certification (03/28/2019)						
U.	Revised NSPS Subpart Ja Flare CEMS Semiannual Report (03/28/2019)	2560-00001-V17	EQT 0073 Refinery Flare No. 1	10/20/2018 (1 hour)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The dry gas compressor tripped causing an upset. Sweet gas was routed to Flare No. 3 until compressors were returned to service.	40 CFR 60.103a(h), Specific Requirement 1194
	2018 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/28/2019)						
	2018 Annual Compliance Certification (03/28/2019)						
V.	Revised NSPS Subpart Ja Flare CEMS Semiannual Report (03/28/2019)	2560-00001-V17	EQT 0073 Refinery Flare No. 1	10/28/2018 (1 hour)	Fuel gas: Hydrogen sulfide <= 162 ppmv	Due to a plugged orifice plate, the Alky unit breached the flare. The pluggage dislodged and operations stabilized unit and restored to normal operating conditions	40 CFR 60.103a(h), Specific Requirement 1194
	2018 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/28/2019)						
	2018 Annual Compliance Certification (03/28/2019)						
W.	Revised NSPS Subpart Ja Flare CEMS Semiannual Report (03/28/2019)	2560-00001-V17	EQT 0073 Refinery Flare No. 1	12/17/2018 (1 hour)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The dry gas compressors tripped causing an upset. Sweet gas was routed to Flare No. 3 until compressors were returned to service.	40 CFR 60.103a(h), Specific Requirement 1194
	2018 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/28/2019)						

X.	40 CFR 60 Subpart QQQ Semiannual Report (07/19/2019)	2560-00001-V17	API-1	02/14/2019	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background.	One (1) area of API-1 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 02/19/2019.	40 CFR 60.692-5(e)(1)
Y.	40 CFR 60 Subpart QQQ Semiannual Report (07/19/2019)	2560-00001-V17	API-2	02/14/2019	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background.	Twelve (12) areas of API-2 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 02/26/2019.	40 CFR 60.692-5(e)(1)
Z.	40 CFR 60 Subpart QQQ Semiannual Report (07/19/2019)	2560-00001-V17	API-2	02/26/2019	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background.	During the recheck of the quarterly inspection of API-2, an additional area of API-2 was discovered leaking.  Note: The first attempt at repair was completed with 15 days on 02/28/2019. Repeated attempts as repair were made and the area was retested and passed on 03/19/2019.	40 CFR 60.692-5(e)(1)
A2.	40 CFR 60 Subpart QQQ Semiannual Report (07/19/2019)	2560-00001-V17	API-2	05/13/2019	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background.	Four (4) areas of API-2 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 05/17/2019.	40 CFR 60.692-5(e)(1)

B2.	40 CFR 63, Subpart CC-Petroleum Refinery NESHAP Periodic Report and SSM Periodic Report (08/30/2019)	2560-0001-V17	EQT 0176 20T-210 Storage Tank	07/10/2019	Spills of volatile organic compounds shall be avoided and cleanup of such spills shall employ procedures that reduce or eliminate the emission of volatile organic compounds	Product (slip) was found present on top of the internal floating roof.	LAC 33:III.2113.A, Specific Requirement 1272
C2.	40 CFR 63, Subpart CC-Petroleum Refinery NESHAP Periodic Report and SSM Periodic Report (08/30/2019)	2560-0001-V17	EQT 0162 20D-68 Storage Tank	02/13/2019	The secondary seal shall meet the additional requirements specified in paragraphs (b)(6)(i) and (b)(6)(ii) of this section. (i) The secondary seal shall be installed above the primary seal so that it completely covers the space between the roof edge and the vessel wall except as provided in paragraph (b)(4) of this section. (ii) There shall be no holes, tears, or other openings in the seal or seal fabric.	The secondary seal was found to have numerous large gaps throughout the entire circumference of the tank.	40 CFR 63.120(b)(4), 40 CFR 63.120(b)(6)
D2.	40 CFR 63, Subpart CC-Petroleum Refinery NESHAP Periodic Report and SSM Periodic Report (08/30/2019)	2560-0001-V17	EQT 0074 Refinery Flare No. 3	02/11/2019 (2 hours)	Operate the flare with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours, when regulated material is routed to the flare and the flare vent gas flow rate is less than the smokeless design capacity of the flare.	In an effort to troubleshoot elevated Fuel Gas Recovery (FGR) return flow rates, sweet flare gas was vented to Refinery Flare No. 3 from 11:38-13:07.	40 CFR 63.670(c)
	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)						

E2.	40 CFR 60 Subpart QQQ Semiannual Report (01/15/2020)	2560-00001-V17	API-1	12/13/2019	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background	Five (5) areas of API-1 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 12/23/2019.	40 CFR 60.692-5(e)(1)
F2.	40 CFR 60 Subpart QQQ Semiannual Report (01/15/2020)	2560-00001-V17	API-2	08/13/2019	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background	Seven (7) areas of API-2 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 08/22/2019.	40 CFR 60.692-5(e)(1)
G2.	40 CFR 60 Subpart QQQ Semiannual Report (01/15/2020)	2560-00001-V17	API-2	11/18/2019	Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background	Two (2) areas of API-2 were discovered leaking during the quarterly inspection for non-detectable emissions.  Note: Repairs were made within 15 days and all of the areas were retested and passed on 11/20/2019.	40 CFR 60.692-5(e)(1)
H2.	40 CFR 60 Subpart QQQ Semiannual Report (01/15/2020)	2560-00001-V17	API-2	11/05/2019	Spills of volatile organic compounds shall be avoided and cleanup of such spills shall employ procedures that reduce or eliminate the emission of volatile organic compounds	During a non-routine inspection of API-2, oil was discovered on the roof. The oil was cleaned within 15 days on 11/06/2019.	LAC 33:III.2113.A, Specific Requirement 1272
I2.	40 CFR 60 Subpart QQQ Semiannual Report (01/15/2020)	2560-00001-V17	API-2	11/27/2019	Spills of volatile organic compounds shall be avoided and cleanup of such spills shall employ procedures that reduce or eliminate the emission of volatile organic compounds	During a non-routine inspection of API-2, oil was discovered on the roof. The oil was cleaned within 15 days on 11/29/2019.	LAC 33:III.2113.A, Specific Requirement 1272

J2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0073 Refinery Flare No. 1	07/25/2019 (3 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194
K2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0073 Refinery Flare No. 1	08/06/2019-08/07/2019 (7 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194
L2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0073 Refinery Flare No. 1	08/08/2019 (9 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194
M2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0073 Refinery Flare No. 1	10/03/2019 (2 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194
N2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0073 Refinery Flare No. 1	10/04/2019-10/05/2019 (13 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194

Q2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0073 Refinery Flare No. 1	10/08/2019 (3 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194
P2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0073 Refinery Flare No. 1	10/08/2019-10/09/2019 (11 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194
Q2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0073 Refinery Flare No. 1	11/19/2019 (2 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194
R2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0073 Refinery Flare No. 1	12/24/2019 (5 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194
S2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0074 Refinery Flare No. 3	07/26/2019 (1 hour)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194

T2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0074 Refinery Flare No. 3	11/15/2019 (3 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194
U2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0074 Refinery Flare No. 3	11/23/2019 (2 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194
V2.	NSPS Subpart Ja Flare CEMS Semiannual Report (01/27/2020)	2560-0001-V17	EQT 0074 Refinery Flare No. 3	11/30/2019-12/03/2019 (58 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The cause of the exceedance is unknown. The water seal in the flare drum remained intact during this event; therefore, there was no regulated material routed to the flare during this time period.	40 CFR 60.103a(h), Specific Requirement 1194
W2	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)	2560-0001-V17	EQT 0072 Refinery Flare No. 2	08/10/2019 (1 hour)	Operate with no visible emissions, except for periods not to exceed a total of five (5) minutes during any two (2) consecutive hours when regulated material is routed to the flare.	During the startup of the HTU-2 Unit after a planned outage for maintenance, the FCCU experienced a unit trip. The trip caused 2PC-54 (Fractionator Pressure Controller) to relieve to the flare system for several hours. The Refinery Flare No. 2 smoked during the flaring incident.	40 CFR 63.11(b)(4), Specific Requirement 1201

X2.	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)	2560-0001-V17	West Fuel Gas	10/14/2019 (3 hours)	Fuel gas: Hydrogen sulfide <= 162 ppmv	The facility experienced a power loss that resulted in the loss of hot feed to multiple unit. The loss of hot feed from VPS-1 and H-Oil Units caused the surge drum level on FCCU to decrease unexpectedly. FCCU operations reduced unit charge rate to return the surge drum level to normal. The sudden decrease in the charge rate caused a rapid increase in FCCU reactor riser temperature. The abnormal operating conditions at the FCCU resulted in excessive tail gas/fuel gas production temporarily flooding/overwhelming the corresponding fuel gas scrubber. The elevated H <sub>2</sub> S concentration resulted in SO <sub>2</sub> emission exceedances. The root cause of the incident was determined to be the result of a failure on one of the outdoor capacitor banks at the Respondent's Main Sub Power Station.	40 CFR 60.104(a)(1)
Y2.	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)	2560-0001-V17	EQT 0072 Refinery Flare No. 2	11/03/2019 (1.5 hours)	NHV <sub>a</sub> ≥ 270 BTU/scf	The Dry Gas Compressors for a third party tripped. The facility experienced elevated Fuel Gas Recovery (FGR) return flow rates and subsequent flaring occurred. The Refinery Flare No. 2 experienced 15-minute block average periods when the net heating value in the combustion zone (NHV <sub>cz</sub> ) of the flare was <270 btu.	40 CFR 63.643(a)(1), 40 CFR 63.670(e), Specific Requirement 1205
Z2.	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)	2560-0001-V17	EQT 0072 Refinery Flare No. 2	11/11/2019 (1.5 hours)	NHV <sub>a</sub> ≥ 270 BTU/scf	There were several maintenance activities being performed at the facility contributing to elevated flow to Refinery Flare No. 2. Refinery Flare No. 2 experienced 15-minute block average periods when the net heating value in the combustion zone (NHV <sub>cz</sub> ) of the flare was <270 btu.	40 CFR 63.643(a)(1), 40 CFR 63.670(e), Specific Requirement 1205

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



VII.

The Respondent reported the following violations of monitoring requirements:

A.	1H18 Semiannual Streamlined Equipment Leaks Monitoring Program Report (08/15/2018)	2560-00001-V16	FUG 0002 General Plant Fugitive Emissions	02/18/2018	Valves in gas/vapor service and in light liquid service: VOC, Total monitored by the regulation's specified method(s) quarterly, as specified in Subsection I.1 of the Louisiana MACT Determination for Refinery Equipment (July 26, 1994)	During the biennial Consent Decree Audit, the auditors identified eight (8) untagged regulated LDAR components [with no monitoring records].	LAC 33:III.5109.A, Specific Condition 1, Specific Requirement
	2018 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/28/2018)						
B.	1H18 Semiannual Streamlined Equipment Leaks Monitoring Program Report (08/15/2018)	2560-00001-V16	FUG 0002 General Plant Fugitive Emissions	02/18/2018	Connectors in gas/vapor service and in light service > one inch in inside diameter: if a leak is detected, monitor for leaks within the first 90 days after its repair, as specified in Subsection O.9 of the Louisiana MACT Determination for Refinery Equipment (July 26, 1994)	During the biennial Consent Decree Audit, the auditors identified one (1) connector without a 90-day follow-up monitoring.	LAC 33:III.5109.A, Specific Condition 1, Specific Requirement 3374
	2018 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/28/2018)						
C.	2H18 Semiannual Streamlined Equipment Leaks Monitoring Program Report (02/14/2019)	2560-00001-V17	FUG 0002 General Plant Fugitive Emissions	10/15/2018-11/08/2018	Pumps in light liquid service: If a leak is detected, initiate repair provisions as specified in Subsection D.3	A seal plug on pump 96P-103 was discovered leaking. The repair was deemed technically infeasible while the HDS-1 Unit was in operation and the leaking component was placed on the Delay of Repair (DOR) List on October 29, 2018. It was later discovered that isolation and repair of the component was technically feasible while the HDS-1 Unit was in operation and repairs were completed on November 8, 2018. Leaking component (Tag #039043) was not repaired within the 15 days.	LAC 33:III.5109.A, Specific Requirement 1158
	2018 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/28/2019)						
	2018 Annual Compliance Certification (03/28/2019)						
D.	2H19 Semiannual Streamlined Equipment Leaks Monitoring Program Report (02/14/2020)	2560-00001-V17	FUG 0002 General Plant Fugitive Emissions	11/07/2019	Pumps in light liquid service: Repair leaks as soon as practicable, but not later than 15 days after a leak is detected.	Leaking pump, 96P-209, was not repaired or isolated from VOC service within the 15 day deadline	LAC 33:III.5109.A, Specific Requirement 1158
	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)						

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

VIII.

The Respondent reported the following emission exceedances:

								CRITERIA POLLUTANTS
A.	2018 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/28/2019)	2560-0001-V17	EQT 0074 Refinery Flare No. 3	11/05/2018 (1 hour)	SO <sub>2</sub> (671.47 max lb/hr)	283 lbs (in excess)	The H-Oil Unit experienced a trip due to elevated temperature on 70F-102 reactor. The high temperature initiated the unit cutback mode.	Emission Rates for Criteria Pollutants, Emissions Rates for HAPs/TAPs
	2018 Annual Compliance Certification (03/28/2019)				H <sub>2</sub> S (3.36 max lb/hr)	2 lbs (in excess)		
B.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001-V17	EQT 0029 Atmospheric Heater	01/25/2019 (11 hours)	SO <sub>2</sub> (4.26 max lb/hr)	18.8 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
C.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001-V17	EQT 0030 Atmospheric Heater	01/25/2019 (11 hours)	SO <sub>2</sub> (4.51 max lb/hr)	26.8 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
D.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001-V17	EQT 0031 Vacuum Heater	01/25/2019 (11 hours)	SO <sub>2</sub> (1.78 max lb/hr)	8.7 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
E.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001-V17	EQT 0060 Gas Oil Heater	01/25/2019 (11 hours)	SO <sub>2</sub> (3.56 max lb/hr)	19.7 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
F.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001-V17	EQT 0070 Feed Heater	01/25/2019 (11 hours)	SO <sub>2</sub> (2.24 max lb/hr)	1.33 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants

								REGULATORY EMIT REQUIREMENTS
G.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001- V17	EQT 0038 HSR Charge Heater	01/25/2019 (11 hours)	SO <sub>2</sub> (1.60 max lb/hr)	4.1 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
H.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001- V17	EQT 0039 Kerosene Charge Heater	01/25/2019 (11 hours)	SO <sub>2</sub> (1.29 max lb/hr)	2.8 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
I.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001- V17	EQT 0041 Kerosene Stripper Reboiler	01/25/2019 (11 hours)	SO <sub>2</sub> (1.93 max lb/hr)	9.5 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
J.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001- V17	EQT 0042 Charge Heater	01/25/2019 (11 hours)	SO <sub>2</sub> (3.39 max lb/hr)	3.7 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
K.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001- V17	EQT 0043 No. 1 Interheater	01/25/2019 (11 hours)	SO <sub>2</sub> (3.56 max lb/hr)	12.3 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
L.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001- V17	EQT 0045 No. 2 Interheater	01/25/2019 (11 hours)	SO <sub>2</sub> (1.52 max lb/hr)	4.9 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants

							REPORTED CAUSE	REGULATORY PERMIT REQUIREMENTS
M.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001- V17	EQT 0033 801 Boiler	01/25/2019 (11 hours)	SO <sub>2</sub> (8.93 max lb/hr)	35.0 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
N.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001- V17	EQT 0034 802 Boiler	01/25/2019 (11 hours)	SO <sub>2</sub> (8.93 max lb/hr)	29.1 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
O.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001- V17	EQT 0035 803 Boiler	01/25/2019 (11 hours)	SO <sub>2</sub> (8.93 max lb/hr)	15.3 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
P.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001- V17	EQT 0036 805 Boiler	01/25/2019 (11 hours)	SO <sub>2</sub> (7.82 max lb/hr)	7.9 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
Q.	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)	2560-0001- V17	EQT 0037 810 Boiler	01/25/2019 (11 hours)	SO <sub>2</sub> (7.43 max lb/hr)	43.6 lbs (in excess)	The West Fuel Gas System was inadvertently contaminated with hydrogen sulfide as a result of the fuel gas change valve at HTU2 not being closed out all of the way during unit start-up activities associated with the VGO catalyst change-out.	Emission Rates for Criteria Pollutants
R.	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)	2560-0001- V17	EQT 0074 Refinery Flare No. 3	07/08/2019 (2 hours)	SO <sub>2</sub> (671.47 max lb/hr)	608 lbs (in excess)	During the restart of Amine Recovery Unit 3 (ARU3) after a planned outage, amine overflowed from the lower regenerator draw tray to the reboiler section. Due to the design of the regeneration section, operations	Emission Rates for Criteria Pollutants

[REDACTED]								
					H <sub>2</sub> S (3.36 max lb/hr)	3 lbs (in excess)	personnel could not detect the overflow. The amine became trapped in the reboller and was not able to be regenerated. The saturated amine in the rebollers provided a false indication of the steam level; there was no mechanism to identify that the regenerator operated empty temporarily resulting in an H <sub>2</sub> S fuel gas mixture.	
S.	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)	2560-0001-V17	EQT 0074 Refinery Flare No. 3	10/08/2019 (1 hour)	SO <sub>2</sub> (671.47 max lb/hr)	51.7 lbs (in excess)	The H-Oil Unit experienced a malfunction on LC925, the level control on the debutanizer overhead accumulator sour water boot. This caused the sour water valve to fail open which drained both the water and hydrocarbons out of the accumulator (F317). The sour water is sent to F304, the fractionator overhead accumulator. This effectively set up a recycle loop of the C3/C4 material from F317 that built up in the system and filled the off-gas compressor knock-out pot, tripping out the off-gas compressor (70C-301) on high level.	Emission Rates for Criteria Pollutants, Emissions Rates for HAPs/TAPs
					H <sub>2</sub> S (3.36 max lb/hr)	0.5 lbs (in excess)		
T.	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)	2560-0001-V17	EQT 0029 VPS-1 Atmospheric Heater	10/14/2019 (1 hour)	SO <sub>2</sub> (4.26max lb/hr)	0.5 lbs In excess)	The facility experienced a power loss that resulted in the loss of hot feed to multiple units. The loss of hot feed from VPS-1 and H-Oil Units caused the surge drum level on FCCU to decrease unexpectedly. FCCU operations reduced unit charge rate to return the surge drum level to normal. The sudden decrease in the charge rate caused a rapid increase in FCCU reactor riser temperature. The abnormal operating conditions at the FCCU resulted in excessive tail gas/fuel gas production temporarily flooding/overwhelming the corresponding fuel gas scrubber. The elevated H <sub>2</sub> S concentration resulted in SO <sub>2</sub> emission exceedances. The root cause of the incident was determined to be the result of a failure on one of the outdoor capacitor banks at the Respondent's Main Sub Power Station.	Emission Rates for Criteria Pollutants

U.	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)	2560-0001-V17	EQT 0030 VPS-1 Atmospheric Heater	10/14/2019 (2 hours)	SO <sub>2</sub> (4.51 max lb/hr)	1 lb (in excess)	<p>The facility experienced a power loss that resulted in the loss of hot feed to multiple units. The loss of hot feed from VPS-1 and H-Oil Units caused the surge drum level on FCCU to decrease unexpectedly. FCCU operations reduced unit charge rate to return the surge drum level to normal. The sudden decrease in the charge rate caused a rapid increase in FCCU reactor riser temperature. The abnormal operating conditions at the FCCU resulted in excessive tail gas/fuel gas production temporarily flooding/overwhelming the corresponding fuel gas scrubber. The elevated H<sub>2</sub>S concentration resulted in SO<sub>2</sub> emission exceedances. The root cause of the incident was determined to be the result of a failure on one of the outdoor capacitor banks at the Respondent's Main Sub Power Station.</p>	Emission Rates for Criteria Pollutants
V.	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)	2560-0001-V17	EQT 0033 801 Boiler	10/14/2019 (2 hours)	SO <sub>2</sub> (8.93 max lb/hr)	2.5 lbs (in excess)	<p>The facility experienced a power loss that resulted in the loss of hot feed to multiple units. The loss of hot feed from VPS-1 and H-Oil Units caused the surge drum level on FCCU to decrease unexpectedly. FCCU operations reduced unit charge rate to return the surge drum level to normal. The sudden decrease in the charge rate caused a rapid increase in FCCU reactor riser temperature. The abnormal operating conditions at the FCCU resulted in excessive tail gas/fuel gas production temporarily flooding/overwhelming the corresponding fuel gas scrubber. The elevated H<sub>2</sub>S concentration resulted in SO<sub>2</sub> emission exceedances. The root cause of the incident was determined to be the result of a failure on one of the outdoor capacitor banks at the Respondent's Main Sub Power Station.</p>	Emission Rates for Criteria Pollutants

Emission Rates for Criteria Pollutants								
W.	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)	2560-0001-V17	EQT 0034 802 Boiler	10/14/2019 (1 hour)	SO <sub>2</sub> (7.43 max lb/hr)	0.7 lbs (in excess)	The facility experienced a power loss that resulted in the loss of hot feed to multiple units. The loss of hot feed from VPS-1 and H-Oil Units caused the surge drum level on FCCU to decrease unexpectedly. FCCU operations reduced unit charge rate to return the surge drum level to normal. The sudden decrease in the charge rate caused a rapid increase in FCCU reactor riser temperature. The abnormal operating conditions at the FCCU resulted in excessive tail gas/fuel gas production temporarily flooding/overwhelming the corresponding fuel gas scrubber. The elevated H <sub>2</sub> S concentration resulted in SO <sub>2</sub> emission exceedances. The root cause of the incident was determined to be the result of a failure on one of the outdoor capacitor banks at the Respondent's Main Sub Power Station.	Emission Rates for Criteria Pollutants
X.	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)	2560-0001-V17	EQT 0037 810 Boiler	10/14/2019 (3 hours)	SO <sub>2</sub> (8.93 max lb/hr)	17.6 lbs (in excess)	The facility experienced a power loss that resulted in the loss of hot feed to multiple units. The loss of hot feed from VPS-1 and H-Oil Units caused the surge drum level on FCCU to decrease unexpectedly. FCCU operations reduced unit charge rate to return the surge drum level to normal. The sudden decrease in the charge rate caused a rapid increase in FCCU reactor riser temperature. The abnormal operating conditions at the FCCU resulted in excessive tail gas/fuel gas production temporarily flooding/overwhelming the corresponding fuel gas scrubber. The elevated H <sub>2</sub> S concentration resulted in SO <sub>2</sub> emission exceedances. The root cause of the incident was determined to be the result of a failure on one of the outdoor capacitor banks at the Respondent's Main Sub Power Station.	Emission Rates for Criteria Pollutants

							REGULATORY PERMIT REQUIREMENTS	
Y.	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)	2560-0001-V17	EQT 0037 810 Boiler	10/14/2019-10/15/2019 (6 hours)	NOx (45.6 max lb/hr)	8.2 lbs (in excess)	A power failure caused the loss of hot feed to multiple units. The operational upset resulted in a steam imbalance across the facility. In an effort to restore normal operating conditions, 810 Boiler was operated above the permitted NOx emission limit.	Emission Rates for Criteria Pollutants

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

IX.

The Respondent reported the following deviations from fugitive emission requirements:

A.	1H18 Semiannual Streamlined Equipment Leaks Monitoring Program Report (08/15/2018)	2560-00001-V16	FUG 0002 General Plant Fugitive Emissions	06/30/2018	Thirty-three (33) opened ended lines (OELs) were discovered during the 1 <sup>st</sup> half of 2018. *	LA MACT Section H.1 LAC 33:III.5109.A, Specific Requirement 3381
	2018 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/28/2018)					
B.	2018 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/28/2019)	2560-00001-V16/17	FUG 0002 General Plant Fugitive Emissions	07/01/2018-12/31/2018	Seven (7) OELs were discovered in the 2 <sup>nd</sup> half of 2018. *	LAC 33:III.5109.A Specific Requirements 3381 & 1142
	2018 Annual Compliance Certification (03/28/2019)					
C.	1H19 Semiannual Streamlined Equipment Leaks Monitoring Program Report (08/15/2019)	2560-00001-V17	FUG 0002 General Plant Fugitive Emissions	06/30/2019	Seven (7) OELs were discovered during the 1 <sup>st</sup> half of 2019. *	LA MACT Section H.1 LAC 33:III.5109.A, Specific Requirement 1142
	2019 1 <sup>st</sup> Semiannual Monitoring and Deviation Report (09/24/2019)					
D.	2H19 Semiannual Streamlined Equipment Leaks Monitoring Program Report (02/14/2020)	2560-00001-V17	FUG 0002 General Plant Fugitive Emissions	07/31/2019-12/31/2019	Six (6) OELs were discovered during the 2 <sup>nd</sup> half of 2019. *	LA MACT Section H.1 LAC 33:III.5109.A, Specific Requirement 1142
	2019 2 <sup>nd</sup> Semiannual Monitoring and Deviation Report (03/26/2020)					



\*The Respondent provided supplemental information in the Response to Information Request dated June 30, 2020.

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

X.

The Respondent failed to meet the following reporting requirements:

<p>NESHAP and SSM Periodic Report; 40 CFR 63, Subpart CC; Reporting Period: 07/15/2019-01/15/2020</p>	<p>2560-00001-V17</p>	<p>Due no later than 60 days after the end of each 6-month period when any of the compliance exceptions specified in 40 CFR 63.655(g)(1) through (g)(6) occur.</p>	<p>03/15/2020</p>	<p>Not submitted</p>	<p>40 CFR 63.655(g), Specific Requirement 1260</p>

Each failure to meet reporting requirements is a violation of the applicable permit(s) and associated requirement(s) listed above, 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 Act, the Air Quality Regulations, and all applicable permits.

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the 40 CFR 63 Subpart CC-Petroleum Refinery NESHAP Periodic Report and Startup, Shutdown, and Malfunction (SSM) Periodic Report for the July 15, 2019 through January 15, 2020 Reporting Period. If the report was submitted timely, please provide proof of submission and a copy of the report.

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 violations and actions taken or to be taken to achieve compliance with the Order

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

Office of Environmental Compliance  
Post Office Box 4312  
Baton Rouge, Louisiana 70821-4312  
**Attn: Antoinette Cobb**  
**Re: Enforcement Tracking No. AE-CN-20-00482**  
**Agency Interest No. 2719**

**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-20-00482**  
**Agency Interest No. 2719**

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.

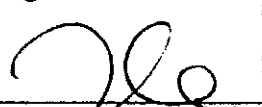
IV.

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 8<sup>th</sup> day of January, 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  
P.O. Box 4312  
Baton Rouge, LA 70821-4312  
Attention: Antoinette Cobb

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF ENVIRONMENTAL COMPLIANCE ENFORCEMENT DIVISION POST OFFICE BOX 4312 BATON ROUGE, LOUISIANA 70821-4312		CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY REQUEST TO CLOSE		
Enforcement Tracking No.	AE-CN-20-00482	Contact Name	Antoinette Cobb	
Agency Interest (AI) No.	2719	Contact Phone No.	(225) 219-3072	
Alternate ID No.	2560-00001			
Respondent:	Equilon Enterprises LLC	Facility Name:	Convent Refinery	
	c/o C T Corporation System	Physical Location:	Highways 44 & 70	
	Agent for Service of Process			
	3867 Plaza Tower Drive	City, State, Zip:	Convent, LA 70723	
	Baton Rouge, LA 70816	Parish:	St. James	
<b>STATEMENT OF COMPLIANCE</b>				
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 necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraph(s) II 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:				
<b>SETTLEMENT OFFER (OPTIONAL)</b>				
<i>(check the applicable option)</i>				
_____	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1.Subpart1.Chapter7.			
_____	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (AE-CN-20-00482), 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 (AE-CN-20-00482), 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"> <li>• Monetary component = \$ _____</li> <li>• Beneficial Environmental Project (BEP) component (optional)= \$ _____</li> <li>• <b>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.</b></li> </ul>			
	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (AE-CN-20-00482) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.			

<b>CERTIFICATION STATEMENT</b>		
<p><i>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.</i></p>		
<b>Respondent's Signature</b>	<b>Respondent's Printed Name</b>	<b>Respondent's Title</b>
<b>Respondent's Physical Address</b>	<b>Respondent's Phone #</b>	<b>Date</b>
<b>MAIL COMPLETED DOCUMENT TO THE ADDRESS BELOW:</b>		
<p>Louisiana Department of Environmental Quality                      Office of Environmental Compliance                      Enforcement Division                      P.O. Box 4312                      Baton Rouge, LA 70821                      Attn: Antoinette Cobb</p>		



JOHN BEL EDWARDS  
GOVERNOR

CHUCK CARR BROWN, PH.D.  
SECRETARY

**State of Louisiana**  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL COMPLIANCE

FEB 16 2022

CERTIFIED MAIL (7018 3090 0002 0488 4743)  
RETURN RECEIPT REQUESTED

**EQUILON ENTERPRISES LLC**  
c/o C T Corporation System  
Agent for Service of Process  
3867 Plaza Tower Drive  
Baton Rouge, LA 70816

**RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &  
NOTICE OF POTENTIAL PENALTY  
ENFORCEMENT TRACKING NO. AE-CN-20-00482A  
AGENCY INTEREST NO. 2719**

Dear Sir/Madam:

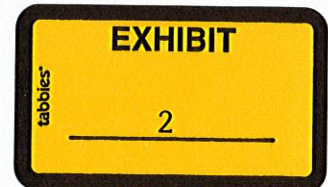
Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **EQUILON ENTERPRISES LLC (RESPONDENT)** for the violations described therein.

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

Sincerely,

Angela Marse  
Administrator  
Enforcement Division

AM/AFC/afc  
Alt ID No. 2560-00001  
Attachment





c: Equilon Enterprises LLC  
c/o Mr. Raymond Woodfork, Health, Safety, Security, & Environmental Manager  
P.O. Box 37  
Convent, LA 70723

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

<b>IN THE MATTER OF</b>	*	
	*	
<b>EQUILON ENTERPRISES LLC</b>	*	<b>ENFORCEMENT TRACKING NO.</b>
<b>ST. JAMES PARISH</b>	*	
<b>ALT ID NO. 2560-00001</b>	*	<b>AE-CN-20-00482A</b>
	*	
	*	<b>AGENCY INTEREST NO.</b>
	*	
<b>PROCEEDINGS UNDER THE LOUISIANA</b>	*	<b>2719</b>
<b>ENVIRONMENTAL QUALITY ACT,</b>	*	
<b>La. R.S. 30:2001, ET SEQ.</b>	*	

**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. 2719** issued to **EQUILON ENTERPRISES LLC (RESPONDENT)** on January 8, 2021, in the above-captioned matter as follows:

I.

The Department hereby removes Paragraph VI. J2-V2 and Paragraph X of the Findings of Fact in their entirety.

II.

The Department incorporates all of the remainder of the original **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-CN-20-00482** and **AGENCY INTEREST NO. 2719** as if reiterated herein.

III.

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

Baton Rouge, Louisiana, this 16<sup>th</sup> day of February, 2022.



\_\_\_\_\_

Celena J. Cage  
Assistant Secretary  
Office of Environmental Compliance

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

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