

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

SIDLENIE, L.L.C.

AI # 78690

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

* Settlement Tracking No.
* SA-UE-23-0014
*
* Enforcement Tracking Nos.
* UE-CN-15-00226
* UE-PP-17-00054
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SETTLEMENT

The following Settlement is hereby agreed to between Sidlenie, L.L.C. (“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 owned and/or operated a facility located in St. Bernard, St. Bernard Parish, Louisiana (“the Facility”).

II

On June 23, 2015, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. UE-CN-15-00226 (Exhibit 1).

On June 9, 2017, the Department issued to Respondent a Notice of Potential Penalty, Enforcement Tracking No. UE-PP-17-00054 (Exhibit 2).

III

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

IV

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of FORTY-FIVE THOUSAND AND NO/100 DOLLARS (\$45,000.00), of which One Thousand Four Hundred Ninety and 02/100 Dollars (\$1,490.02) 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).

V

Respondent further agrees that the Department may consider the inspection report(s), the Consolidated Compliance Order & Notice of Potential Penalty, 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.

VI

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.

VII

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.

VIII

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.

IX

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in St. Bernard 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.

X

An initial payment of \$20,000.00 is to be made within ten (10) days from notice of the Secretary's signature. The remaining balance of \$25,000.00 shall be made over a period of five (5) consecutive months in the amount of \$5,000.00 per month. 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 attached hereto.

XI

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

XII

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

SIDLENIE, L.L.C.

BY: [Signature]
(Signature)

Sidney D. Torres, III
(Printed)

TITLE: Member

THUS DONE AND SIGNED in duplicate original before me this 18th day of April, 20 23, at Chalmette, Louisiana



[Signature]
NOTARY PUBLIC (ID # _____)

ERICA N. BECK
BAR ROLL #30000, State of Louisiana
My commission expires at my death.

(stamped or printed)

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

Roger W. Evings, Secretary

BY: [Signature]
Celena J. Cage, Assistant Secretary
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 6th day of July, 20 23, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # 66881)

Jay L. Glorioso
(stamped or printed)

Approved: [Signature]
Celena J. Cage, Assistant Secretary

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

June 23, 2015

CERTIFIED MAIL (7005 1820 0002 2365 4247)
RETURN RECEIPT REQUESTED



SIDLENIE, L.L.C.
c/o Sidney D. Torres, III
Agent for Service of Process
209 E Urquhart St.
Chalmette, Louisiana 70043

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. UE-CN-15-00226
AGENCY INTEREST NO. 78690**

Dear Sir:

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 **SIDLENIE, L.L.C. (RESPONDENT)** for the violations described therein. Licensure

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 Suzanne Gardner at (225) 219-1423.

Sincerely,

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

Celena J. Cage
Administrator
Enforcement Division

CJC/SDG/sdg
Alt ID No. 44-015829
Attachment

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

IN THE MATTER OF

**SIDLENIE, L.L.C.
ST. BERNARD PARISH
ALT ID NO. 44-015829**

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

*
*
* **ENFORCEMENT TRACKING NO.**
*
* **UE-CN-15-00226**
*
* **AGENCY INTEREST NO.**
*
* **78690**
*

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

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **SIDLENIE, L.L.C. (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 three (3) underground storage tanks (USTs) used to store petroleum product. The facility, Quick Check #4, is located at 617 Bayou Road, St. Bernard, St. Bernard Parish, Louisiana. A completed registration form for the USTs was submitted to the Department and the facility was assigned facility identification number 44-015829.

II.

On or about May 20, 2011 and November 27, 2013, inspections were conducted which revealed the following violations:

- A. The Respondent failed to provide an updated UST REG-01 form within thirty (30) days of acquiring the system, in violation of LAC 33:XI.301.C.2. Specifically, the

Respondent has owned the system since at least May 20, 2011, and has not submitted an updated UST REG-01 form to the Department.

- B. The Respondent failed to maintain and continue operation of corrosion protection in accordance with LAC 33:XI.503 while the UST system is in temporary closure, in violation of LAC 33:XI.903.A. Specifically, the Respondent was unable to provide records to demonstrate compliance with corrosion protection requirements.
- C. The Respondent failed to comply with the requirements to cap and secure all other lines, pumps, manways, and ancillary equipment, and submit a completed copy of the registration form UST-REG-01 to the Department indicating the dates that the UST system was closed, in violation of LAC 33:XI.903.B.2 and 3.
- D. The Respondent failed to complete a site assessment for a UST that has been temporarily closed for more than twenty-four (24) months, in violation of LAC 33:XI.903.D. Specifically, the UST system has been closed since August 2005, and a site assessment has not been conducted.
- E. The Respondent failed to provide an updated UST REG-01 form within thirty (30) days of acquiring the system, in violation of LAC 33:XI.301.C.2 and LAC 33:XI.903.B.2. Specifically, the Respondent has owned the system since at least May 20, 2011, and has not submitted an updated UST REG-01 form to the Department indicating the date the UST system was acquired and the date in which the UST system went into temporary closure status.
- F. The Respondent failed to maintain and continue operation of corrosion protection in accordance with LAC 33:XI.503, while the UST system is in temporary closure, in violation of LAC 33:XI.903.A. Specifically, the Respondent was unable to provide records to demonstrate compliance with corrosion protection requirements.
- G. The Respondent failed to complete a site assessment for a UST that has been temporarily closed for more than twenty-four (24) months, in violation of LAC 33:XI.903.D. Specifically, the UST system has been closed since August 2005, and a site assessment has not been conducted.
- H. The Respondent failed to have Class A and Class B operators who have completed an acceptable operators training, in violation of LAC 33:XI.607.B.2.

III.

The inspection conducted on May 20, 2011, was unable to determine if the USTs contained regulated product. Fluid was observed in one (1) tank but the reading stick could not go past the overflow butterfly valve to verify whether the fluid was product. The interior of the other two (2) tanks could not be inspected because the overflow ports and tank fill ports were covered with dirt.

IV.

The inspection conducted on May 20, 2011, was unable to determine if the USTs contained regulated product. Fluid was observed in one (1) tank but the reading stick could not go past the overflow butterfly valve to verify whether the fluid was product. The interior of the other two (2) tanks could not be inspected because the overflow ports and tank fill ports were covered with dirt. The inspection conducted on November 27, 2013, was unable to access the tanks to verify whether the lines were capped and secured.

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 Underground Storage Tanks Regulations.

II.

To submit, immediately upon receipt of this **COMPLIANCE ORDER**, an updated UST-REG-01 form to the UST Support – Financial Services Division at Post Office Box 4303, Baton Rouge, LA 70821-4303, indicating the date that the UST system was acquired and the dates that the UST system has been in temporary closure, in accordance with LAC 33:XI.903.B. A copy shall also be submitted to the Office of Environmental Compliance, Enforcement Division.

III.

To immediately begin, upon receipt of this **COMPLIANCE ORDER**, the continuous operation and maintenance of corrosion protection as required by LAC 33:XI.503 during temporary closure of the UST system. The Respondent shall perform a cathodic protection survey and inspection of the impressed current system and submit the results of the survey and documentation of inspection to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**.

IV.

To perform, within ninety (90) days after receipt of this **COMPLIANCE ORDER**, a site assessment as specified in LAC 33:XI.907 and submit in triplicate the results of the assessment and documentation to Gary Fulton, Administrator, Underground Storage Tank and Remediation Division, Post Office Box 4312, Baton Rouge, LA 70821-4312. The Respondent shall also submit a copy of the cover letter of the site assessment to the Office of Environmental Compliance, Enforcement Division.

V.

To register, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, for an acceptable Class A or Class B operator training course and complete by August 14, 2015, as specified in LAC 33:XI.605, in accordance with LAC 33:XI.607.B.1.

VI.

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: Suzanne Gardner
Re: Enforcement Tracking No. UE-CN-15-00226
Agency Interest No. 78690

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. UE-CN-15-00226
Agency Interest No. 78690

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 Suzanne Gardner at (225) 219-1423 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

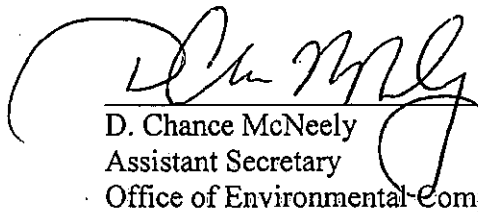
III.

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.

IV.

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

Baton Rouge, Louisiana, this 23 day of June, 2015.



D. Chance McNeely
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: Suzanne Gardner

JOHN BEL EDWARDS
GOVERNOR



CHUCK CARR BROWN, Ph.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE
June 9, 2017

CERTIFIED MAIL (7012 3460 0001 0423 4151)
RETURN RECEIPT REQUESTED



SIDLENIE, L.L.C.
c/o Sidney D. Torres, III
Agent for Service of Process
209 E Urquhart St.
Chalmette, Louisiana 70043

**RE: NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. UE-PP-17-00054
AGENCY INTEREST NO. 78690**

Dear Sir:

An inspection conducted by the Department on or about August 12, 2016, of **QUICK CHECK #4**, owned and/or operated by **SIDLENIE, L.L.C. (RESPONDENT)**, was performed to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act), and the Louisiana Underground Storage Tank Regulations. The facility is located at 617 Bayou Road in St. Bernard, St. Bernard Parish, Louisiana.

On or about June 23, 2015, the Department issued **CONSOLIDATED COMPLIANCE ORDER AND NOTICE OF POTENTIAL PENALTY (CONOPP) UE-CN-15-00226** to the Respondent. The Respondent received **CONOPP UE-CN-15-00226** via certified mail on or about July 14, 2015. **CONOPP UE-CN-15-00226** was not appealed and the action is considered to be a final action.

While the Department's investigation is not yet complete, the following violations were noted during an inspection conducted by the Department on or about August 12, 2016:

- A. The Respondent failed to provide an updated UST REG-01 form within thirty (30) days of acquiring the system, in violation of LAC 33:XI.301.C.2, LAC 33:XI.1503.A and **CONOPP UE-CN-15-00226**. Specifically, the Respondent has owned the system since at least May 20, 2011, and has not submitted an updated UST REG-01 form to the Department.
- B. The Respondent failed to maintain and continue operation of corrosion protection in accordance with LAC 33:XI.503 while the UST system is in temporary closure, in violation of LAC 33:XI.903.A, LAC 33:XI.1503.A and **CONOPP UE-CN-15-00226**. Specifically, the

Respondent Name

UE-PP-17-00054

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rectifier was removed; therefore, cathodic protection is not being provided to the tank system.

- C. The Respondent failed to comply with the requirements to cap and secure all other lines, pumps, manways, and ancillary equipment, in violation of LAC 33:XI.903.B.2, LAC 33:XI.1503.A and **CONOPP UE-CN-15-00226**.
- D. The Respondent failed to complete a site assessment for a UST that has been temporarily closed for more than twenty-four (24) months, in violation of LAC 33:XI.903.D, LAC 33:XI.1503.A and **CONOPP UE-CN-15-00226**. Specifically, the UST system has been closed since August 2005, and a site assessment has not been conducted.
- E. The Respondent failed to have Class A and Class B UST operators complete an acceptable UST operators training class by August 8, 2012, in violation of LAC 33:XI.607.B.2, LAC 33:XI.1503.A and **CONOPP UE-CN-15-00226**.
- F. The Respondent failed to provide an updated UST REG-01 form notifying the Department of temporary closure status, in violation of LAC 33:XI.903.B3, LAC 33:XI.1503.A and **CONOPP UE-CN-15-00226**.
- G. The Respondent failed to pay UST annual fees within ninety (90) days after the cue date, in violation of LAC 33:XI.307.D. Specifically, the Respondent failed to pay annual UST fees for fiscal year 2016. This violation was addressed when the Respondent paid the outstanding fees and the UST certificate was issued on September 2, 2016.

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.

Prior to the issuance of any additional appropriate enforcement action, 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 Suzanne Gardner at (225) 219-1423 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

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 in order 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 violations 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 this 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.

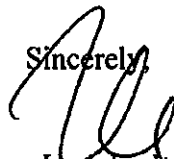
For each violation described herein, the Department reserves the right to seek civil penalties and the right to seek compliance with its rules and regulations in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties and compliance.

Respondent Name
UE-PP-17-00054
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The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY**, 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 "**NOTICE OF POTENTIAL PENALTY REQUEST TO SETTLE**" 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.

To reduce document handling, please refer to the Enforcement Tracking Number and Agency Interest Number on the front of this document on all correspondence in response to this action.

Sincerely,



Lourdes Iturralde
Assistant Secretary
Office of Environmental Compliance

LI/SDG/sdg
ALT. ID. NO.: 44-015829

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

**NOTICE OF POTENTIAL PENALTY
 REQUEST TO SETTLE (OPTIONAL)**



Enforcement Tracking No.	UE-PP-17-00054	Contact Name	Suzanne Gardner
Agency Interest (AI) No.	78690	Contact Phone No.	225-219-1423
Alternate ID No.			
Respondent:	SIDLENIE, L.L.C.	Facility Name:	Quick Check #4
	c/o Sidney D. Torres, III	Physical Location:	617 Bayou Road
	Agent for Service of Process		
	209 E Urquhart St.	City, State, Zip:	St. Bernard, Louisiana 70043
	Chalmette, Louisiana 70043	Parish:	St. Bernard Parish

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 33:1.Subpart1.Chapter7.

In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (UE-PP-17-00054), 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 (UE-PP-17-00054), 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 (UE-PP-17-00054) 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: Suzanne Gardner