

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

CECOS INTERNATIONAL, INC.

AI # 323

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

* **Settlement Tracking No.**
* **SA-HE-25-0017**
*
* **Enforcement Tracking No.**
* **HE-PP-24-00251**
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SETTLEMENT AGREEMENT

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

I

Respondent is a corporation that owned and/or operated a closed hazardous waste disposal facility located in Livingston, Livingston Parish, Louisiana (“the Facility”).

II

On July 3, 2024, the Department issued to Respondent a Notice of Potential Penalty, Enforcement Tracking No. HE-PP-24-00251 (Exhibit 1).

III

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

IV

Nonetheless, Respondent, without making any admission of liability under state or federal

statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of THREE THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$3,300.00), of which One Thousand Four Hundred Forty-Six and 01/100 Dollars (\$1,446.01) 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).

V

Respondent further agrees that the Department may consider the inspection report(s), the 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.

VI

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.

VII

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.

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 Livingston 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.

X

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. The Respondent shall provide its tax identification number when submitting payment. 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 Agreement.

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.

CECOS INTERNATIONAL, INC.

BY: [Signature]
(Signature)

ROBERT A. LATOURETTE
(Printed)

TITLE: VICE PRESIDENT

THUS DONE AND SIGNED in duplicate original before me this 27th day of
JUNE, 20 25, at Franklin, TN.

[Signature]
NOTARY PUBLIC (ID # _____)



PRITAM S. JACHAK
(stamped or printed)

**LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY**
Courtney J. Burdette, Secretary

BY: [Signature]
Jerrie "Jerry" Lang, Assistant Secretary
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 25th day of
September, 20 25, at Baton Rouge, Louisiana.

[Signature]
NOTARY PUBLIC (ID # 51205)
A rectangular notary seal for Deidra Johnson, a Notary Public in the State of Louisiana. The seal includes the text "DEIDRA JOHNSON", "NOTARY ID # 51205", "STATE OF LOUISIANA", "PARISH OF EAST BATON ROUGE", and "My Commission is for Life".
(stamped or printed)

Approved: [Signature]
Jerrie "Jerry" Lang, Assistant Secretary

JEFF LANDRY
GOVERNOR



AURELIA S. GIACOMETTO
SECRETARY

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

JUL 03 2024

CERTIFIED MAIL (7021 1970 0001 3502 0521)
RETURN RECEIPT REQUESTED



CECOS INTERNATIONAL, INC.

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

**RE: NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. HE-PP-24-00251
AGENCY INTEREST NO. 323**

Dear Sir/Madam:

On or about November 16, 2023 and November 29, 2023, the Louisiana Department of Environmental Quality (the Department) conducted inspections of **CECOS INTERNATIONAL, INC. - LIVINGSTON FACILITY (FACILITY)**, a closed hazardous waste disposal facility owned and/or operated by **CECOS INTERNATIONAL, INC. (RESPONDENT)**, to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Hazardous Waste Regulations. The Facility is located at 28422 S Frost Road in Livingston, Livingston Parish, Louisiana. Disposal operations at the Facility ceased in June 1990. The Facility now conducts post-closure monitoring and collection of hazardous waste landfill leachate and related waste (F039) under Hazardous Waste Permit LAD000618298-PC-RN-2, issued on June 30, 2022 with an expiration date of June 30, 2032. The Respondent notified the Department as a Large Quantity Generator of hazardous waste and was issued EPA Identification Number LAD000618298. The Respondent generates hazardous waste leachate and solids (F039) from its closed hazardous waste landfill, is a small quantity handler of universal waste batteries, and is a generator of used oil.

While the investigation by the Department is not yet complete, the following violations were noted during the course of the inspections:

- A. The Respondent failed to mark or label hazardous waste tanks in the less than 90-day accumulation area with the words "Hazardous Waste," in violation of LAC 33:V.1015.B.5.a.i. Specifically, during the inspection, two (2) of the eight (8) F039 hazardous waste storage tanks (Tanks V-1 and V-2) in the less

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than 90-day accumulation area, located in a tank farm next to the Maintenance Shop, were not properly labeled with the words "Hazardous Waste." The Respondent's response to Warning Letter HE-L-24-00251 dated June 14, 2024 revealed that hazardous waste storage tanks V-1 and V-2 had been properly labeled with the words "Hazardous Waste."

- B. The Respondent failed to mark or label a container located at or near the point of generation where waste originally accumulates with an indication of the hazards of the contents, in violation of LAC 33:V.1011.A.5.b. Specifically, at the time of the inspection, a 55-gallon poly drum used for accumulation of hazardous waste spent carbon filters (F039) from the "T" tanks was observed next to the Tank Farm in the satellite accumulation area. The drum was not labeled with an indication of the hazards of the contents. The Respondent's response to Warning Letter HE-L-24-00251 dated June 14, 2024 revealed that the 55-gallon poly drum had been labeled with an indication of the hazards of the contents.
- C. The Respondent failed to mark or label hazardous waste containers in the less than 90-day accumulation area with an indication of the hazards of the contents, in violation of LAC 33:V.1015.B.5.a.ii. Specifically, during the inspection, fourteen (14) 55-gallon poly drums containing waste leachate solids (F039) were noted in the concrete secondary containment area located next to the Hazardous Waste Tank Farm without an indication of the hazards of the contents. The Respondent's response to Warning Letter HE-L-24-00251 dated June 14, 2024 revealed that the fourteen (14) 55-gallon poly drums had been labeled with an indication of the hazards of the contents.
- D. The Respondent stored on-site generated hazardous waste without interim status or a standard permit, in violation of LAC 33:V.303.B. Specifically, during the inspection, fourteen (14) 55-gallon poly drums containing hazardous waste leachate solids (F039) were noted in the concrete secondary containment area, located next to the Hazardous Waste Tank Farm. The dates on the drums ranged from February 20, 2023 to March 17, 2023. During the inspection, a representative of the Respondent stated that the Treatment, Storage, and Disposal Facility (TSDF) that typically accepts the hazardous waste leachate solids (F039) was unable to accept waste for multiple months and the incinerator at the TSDF was not operational. The Respondent's response to Warning Letter HE-L-24-00251 dated June 14, 2024 revealed that the hazardous waste leachate solids (F039) were disposed of at a permitted facility on December 7, 2023.

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- E. The Respondent failed to maintain records supporting its hazardous waste determinations, in violation of LAC 33:V.1005.G. Specifically, during the inspection, a records review revealed that records of waste profiles and hazardous waste determinations were not available for review. Facility records, including but not limited to waste profiles and hazardous waste determinations, were requested during the November 29, 2023 inspection and via email on January 11, 2024. The Respondent's response to Warning Letter HE-L-24-00251 dated June 14, 2024 included copies of the waste profiles and hazardous waste determinations for both leachate and tank bottom solids.

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 Dr. Jacqueline Prudente at (225) 219-3095 or Jacqueline.Prudente@la.gov 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.

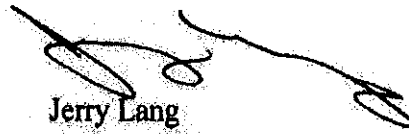
The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter 7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY**, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may offer a settlement 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**

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POTENTIAL PENALTY REQUEST TO SETTLE form. The Respondent may submit the settlement offer within one hundred and eighty (180) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. 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,



Jerry Lang
Assistant Secretary
Office of Environmental Compliance

JL/JAP/jap
Alt ID No. LAD000618298

c: CECOS International, Inc.
c/o Kevin Simoneaux, Environmental Manager
6896 Bert Kouns Industrial Loop
Shreveport, LA 71129

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**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.	HE-PP-24-00251	Contact Name	Dr. Jacqueline Prudente
Agency Interest (AI) No.	323	Contact Phone No.	(225) 219-3095
Alternate ID No.	LAD000618298	Contact Email	Jacqueline.Prudente@la.gov
Respondent:	CECOS International, Inc. c/o C T Corporation System Agent for Service of Process 3867 Plaza Tower Drive Baton Rouge, LA 70816	Facility Name:	CECOS International, Inc.- Livingston Facility
		Physical Location:	28422 S Frost Road
		City, State, Zip:	Livingston, LA 70754
		Parish:	Livingston

SETTLEMENT OFFER (OPTIONAL)

(check the applicable option)

<input type="checkbox"/>	The Respondent is not interested in entering into settlement negotiations with the Department with the understanding that the Department has the right to assess civil penalties based on LAC 33:1 Subpart 1 Chapter 7.
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (HE-PP-24-00251), the Respondent is interested in entering into settlement negotiations with the Department and would like to set up a meeting to discuss settlement procedures.
<input type="checkbox"/>	The Respondent may submit the settlement offer within one hundred and eighty (180) days of receipt of this NOTICE OF POTENTIAL PENALTY (HE-PP-24-00251).
<input type="checkbox"/>	In order to resolve any claim for civil penalties for the violations in NOTICE OF POTENTIAL PENALTY (HE-PP-24-00251), the Respondent is interested in entering into settlement negotiations with the Department and offers to pay \$ _____ which shall include LDEQ enforcement costs and any monetary benefit of non-compliance. <ul style="list-style-type: none"> • Monetary component = \$ _____ • Beneficial Environmental Project (BEP) component (optional) = \$ _____ • DO NOT SUBMIT PAYMENT OF THE OFFER WITH THIS FORM - the Department will review the settlement offer and notify the Respondent as to whether the offer is or is not accepted.
<input type="checkbox"/>	The Respondent has reviewed the violations noted in NOTICE OF POTENTIAL PENALTY (HE-PP-24-00251) 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

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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: Dr. Jacqueline Prudente