

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

ROEHM AMERICA LLC

AI # 9701

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

* **Settlement Tracking No.**
* **SA-AE-25-0045**
*
* **Enforcement Tracking No.**
* **AE-CN-21-00142**
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SETTLEMENT AGREEMENT

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

I

Respondent is a limited liability company that owns and/or operates a methyl methacrylate and methacrylic acid production facility located in Waggaman, Jefferson Parish, Louisiana (“the Facility”).

II

On December 12, 2023, the Department issued to Respondent a Consolidated Compliance Order & Notice of Potential Penalty, Enforcement Tracking No. AE-CN-21-00142 (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 TWENTY-SIX THOUSAND SIX HUNDRED AND NO/100 DOLLARS (\$26,600.00), of which Four Thousand Two Hundred Forty-Three and 47/100 Dollars (\$4,243.47) 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), permit record(s), the 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.

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 Jefferson 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 or by Electronic Funds Transfer (EFT) to the Department of Environmental Quality, in accordance with instructions provided to Respondent by the Financial Services Division. 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.

ROEHM AMERICA LLC

BY: [Signature]
(Signature)

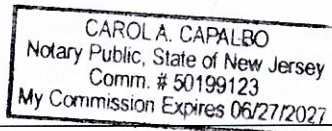
Andrew Stillelsen
(Printed)

TITLE: Secretary

THUS DONE AND SIGNED in duplicate original before me this 9th day of July, 20 25, at Parsippany, NJ.

[Signature]
NOTARY PUBLIC (ID # _____)

Sworn to and subscribed
pk before me this
day of July, 20 25



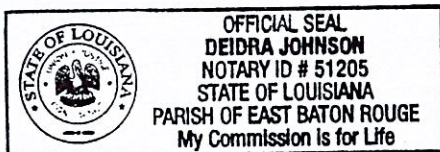
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LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY

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 24th day of October, 20 25, at Baton Rouge, Louisiana.



[Signature]
NOTARY PUBLIC (ID # 51205)

(stamped or printed)

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

JOHN BEL EDWARDS
GOVERNOR

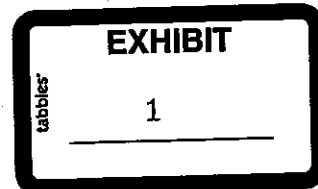


ROGER W. GINGLES
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

DEC 12 2023

CERTIFIED MAIL (7021 1970 0000 3974 0181)
RETURN RECEIPT REQUESTED



ROEHM AMERICA LLC
c/o Corporation Services Company
Agent for Service of Process
501 Louisiana Avenue
Baton Rouge, LA 70802

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-21-00142
AGENCY INTEREST NO. 9701**

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 **ROEHM AMERICA LLC (RESPONDENT)** for the violations described therein.

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

Any questions concerning this action should be directed to Courtney Tolbert at 225-219-3347 or Courtney.Tolbert@la.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela Marse".

Angela Marse
Administrator
Enforcement Division

AM/CJT/cjt
Alt ID No. 1340-00314
Attachment

c: **Roehm America LLC**
c/o Michael Barreca, Plant Manager
10800 River Road
Westwego, LA 70094

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

IN THE MATTER OF

**ROEHM AMERICA LLC
JEFFERSON PARISH
ALT ID NO. 1340-00314**

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

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ENFORCEMENT TRACKING NO.

AE-CN-21-00142

AGENCY INTEREST NO.

9701

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

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

FINDINGS OF FACT

I.

The Respondent owns and/or operates a methyl methacrylate (MMA) and methacrylic acid (MAS) production facility (the facility), located at 10800 River Road in Waggaman, Jefferson Parish, Louisiana. The facility previously operated under Title V Air Permit No. 1982-V10 issued on September 6, 2017, which expired on February 22, 2022. On or about September 13, 2019, the Respondent submitted a Notification of Change form (NOC-1) stating the company name was changed from Evonik CYRO LLC to Roehm America LLC effective August 1, 2019. On or about January 24, 2020, the Department modified Title V Air Permit No. 1982-V10 to reflect the company name change with the effective date of August 1, 2019. On or about August 20, 2021, the Respondent submitted an application to renew the facility's Title V Air Permit. Pursuant to LAC 33:III.507.E.3, Title V Air Permit No. 1982-V10 was administratively continued until the issuance of Title V Air Permit No. 1982-V11. The facility currently

operates under Title V Air Permit No. 1982-V11 issued on October 17, 2022, which expires on October 17, 2027. The facility is subject to 40 CFR 68 Chemical Accident Prevention Provisions (CAPP) Program Level three (3) requirements.

II.

On or about May 7, 2019, and October 17, 2023, the Department conducted a CAPP inspection and a subsequent file review to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act), Air Quality Regulations, and CAPP requirements. While the investigation by the Department is not yet complete, the following violations were noted during the course of the inspection and file review:

- A. The Respondent failed to submit a risk management plan (RMP) that reflects all covered processes. Specifically, the threshold quantity for ammonia to be considered a covered process is 10,000 pounds (lbs.), and the facility had 13,636 lbs. of ammonia in the process at the time of the inspection. The Department's inspector reviewed the 2016 compliance audit and the RMP submitted in 2015, which did not include anhydrous ammonia, as a covered process. This deficiency was identified in the 2016 compliance audit and at the time of the inspection, no action had been taken to update the RMP. This is a violation of 40 CFR 68.12(a), which language has been incorporated by reference in LAC 33:III.5901.A, Specific Requirement 230 of Title V Air Permit No. 1982-V10, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). On January 31, 2020, the Respondent updated the facility's RMP to include anhydrous ammonia as a covered process.
- B. The Respondent failed to document the person responsible for implementing individual requirements of the RMP. At the time of the inspection, the Management System did not document the person responsible for implementing individual requirements of the RMP. This is a violation of 40 CFR 68.15(c), which language has been incorporated by reference in LAC 33:III.5901.A, Specific Requirement 230 of Title V Air Permit No. 1982-V10, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). In correspondence dated November 13, 2019, the Respondent's representative provided an updated Management System, which notes by position, individuals responsible for implementing each element of the RMP. Additionally, the Management System lists

the plant manager as having the overall responsibility for the development, implementation and integration of the RMP program.

- C. The Respondent failed to assure the process hazard analysis (PHA) findings were resolved in a timely manner. Specifically, the 2015 PHA Revalidation started on or about August 17, 2015, and was completed on or about November 17, 2015. The 2015 PHA findings resulted in 38 PHA action items and 46 Layer of Protection Analysis (LOPA) action items. The action items were not entered into the facility's Variance tracking system or assigned until on or about August 1, 2016. Upon the Department's review of the action items, the majority of the items were completed late or remained open. In correspondence dated June 24, 2019, the Respondent's representative provided the Department with a 2015 PHA action items spreadsheet. The spreadsheet did not include due dates or completion dates; however, it did include the resolution and whether each action item was closed. The spreadsheet indicated three (3) PHA action items and 46 LOPA action items remained open. In correspondence dated November 13, 2019, the Respondent's representative stated that the three (3) PHA action items remained open; however, the LOPA action items were addressed in August 2019. During the process of addressing the LOPA action items, an additional seventeen (17) recommendations were created. Each failure to assure the PHA findings were resolved in a timely manner is a violation of Specific Requirement 230 of Title V Air Permit No. 1982-V10, LAC 33:III.501.C.4, 40 CFR 68.67(e), which language has been incorporated by reference in LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2).
- D. The Respondent failed to consult with employees to determine the appropriate frequency of refresher training. The failure to consult with employees to determine the appropriate frequency of refresher training is a violation of Specific Requirement 230 of Title V Air Permit No. 1982-V10, LAC 33:III.501.C.4, 40 CFR 68.71(b), which language has been incorporated by reference in LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2). In email correspondence dated January 21, 2020, the Respondent's representative attached a form that the facility will use to document that the employees have been consulted on the frequency of refresher training.
- E. The Respondent failed to implement established written procedures to maintain the ongoing integrity of process equipment. Specifically, the Respondent determined the

frequency for replacing rupture disks PSE 4107 A and PSE 4107 B is not to exceed 36 months. However, both PSEs were replaced on November 2, 2015 and again March 19, 2019, making the 2019 replacements approximately four (4) months late. The failure to implement established written procedures to maintain the on-going integrity of process equipment is a violation of Specific Requirement 230 of Title V Air Permit No. 1982-V10, LAC 33:III.501.C.4, 40 CFR 68.73(b), which language has been incorporated by reference in LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2).

- F. The Respondent failed to inspect and/or test equipment at a frequency consistent with manufacturers' recommendations and good engineering practices, and more frequently if determined to be necessary by operating experience on the following pieces of equipment:

1.	Calibration based on safety instrumented system (SIS) calculations	Level Transmitter (LT) – 4105A and LT – 4105B	1.5 years	5/24/2017	11/24/2018	3/21/2019, approximately four (4) months late.
2.	Vibration analyses	#1 Reactor Circulation Pump	Monthly	2016: 3/14/2016, 4/17/2016, 5/22/2016, & 7/12/2016	1/2016, 2/2016, 6/2016, 8/2016, 9/2016, 10/2016, 11/2016, & 12/2016	N/A, monthly vibration analyses were not completed when due.
				2017: None	1/2017 – 12/2017	
				2018: 8/14/2018, 9/25/2018, 11/26/2018, & 12/18/2018	1/2018 – 7/2018, & 10/2018	
				2019: 1/29/2019, 3/13/2019, 4/24/2019, 6/4/2019, 7/5/2019, 9/30/2019, 10/3/2019, 10/31/2019, & 11/27/2019	2/2019, 5/2019, 8/2019, & 12/2019	

Each failure to timely conduct the inspections and/or tests is a violation of Specific Requirement 230 of Title V Air Permit No. 1982-V10, LAC 33:III.501.C.4, 40 CFR 68.73(d)(3), which language has been incorporated by reference in LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2).

- G. The Respondent failed to document that deficiencies have been corrected and document an appropriate response to each of the findings. Specifically, the 2014 compliance audit identified twelve (12) findings and only five (5) of the twelve (12) action items [Red flag (RF) 1, 3, 6, 7, & 11] were properly tracked to completion, with resolutions documented. Upon review of the 2014 compliance audit findings, it was identified that six (6) action items (RF 2, 5, 8, 9, 10, and 12) were completed without closure documentation. Action item (RF 4) regarding maintenance employee training documentation was assigned a completion date of July 13, 2019, per facility response on June 4, 2019. Additionally, action item (RF 2), regarding eleven (11) overdue PHA action items, was closed prematurely on October 6, 2014, as the closing comment says there is still one (1) PHA action item open requiring a capital project. This action item was completed on May 26, 2015, with the installation of two (2) new level transmitters on the West Maturing Tank. The 2016 compliance audit had six (6) findings not tracked or documented as resolved; however, the Department was able to determine that each of those actions were completed. The 2016 compliance audit had one (1) finding (identified as B – 16 – 15) that was closed on August 25, 2017, without proper resolution. The action item was to review anhydrous ammonia quantities for process safety management (PSM) inventory and update the RMP, if needed. The review was conducted and determined that anhydrous ammonia quantities onsite are above the threshold quantity (10,000 pounds), and ammonia refrigeration is a covered process, subject to 40 CFR 68 at the facility. The RMP was not updated to include anhydrous ammonia until January 31, 2020. The failure to document that deficiencies have been corrected and document an appropriate response to each of the findings is a violation of Specific Requirement 230 of Title V Air Permit No. 1982-V10, LAC 33:III.501.C.4, 40 CFR 68.79(d), which language has been incorporated by reference in LAC 33:III.5901.A, and La. R.S. 30:2057(A)(2).

H. The Respondent failed to update the facility's CAPP Registration within sixty (60) days after an owner/operator name change. Specifically, on or about August 1, 2019, the Respondent changed the company name from Evonik CYRO LLC to Roehm America LLC; however, the Respondent has not submitted an updated CAPP Registration as of December 7, 2023. This is a violation of Specific Requirement 233 of Title V Air Permit No. 1982-V10, LAC 33:III.501.C.4, LAC 33:III.5911.C and La. R.S. 30:2057(A)(2).

III.

On or about September 11 and 24, 2020, the Department conducted a full Title V Compliance Evaluation inspection and on October 17, 2023, a subsequent file review to determine the degree of compliance with the Act and Air Quality Regulations. While the investigation is not yet complete, the following violations were noted during the course of the inspection and file review:

The Respondent reported the following violations from permitted operating parameters:

1.	2019 Title V First Semiannual Monitoring Report (09/26/2019)	EQT 0008 MMA Plant Scrubber No. 1	02/07/2019 1600-2000 (4 hours)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	9.25	Low site utility water pressure
2.	2019 Title V First Semiannual Monitoring Report (09/26/2019)	EQT 0008 MMA Plant Scrubber No. 1	02/08/2019 0400-0800 (4 hours)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	8.97	Low site utility water pressure
3.	2019 Title V First Semiannual Monitoring Report (09/26/2019)	EQT 0008 MMA Plant Scrubber No. 1	03/31/2019 1200-1600 (4 hours)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	6.51	Low site utility water pressure
4.	2019 Title V First Semiannual Monitoring Report (09/26/2019)	EQT 0008 MMA Plant Scrubber No. 1	03/31/2019 1600-2000 (4 hours)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	9.34	Low site utility water pressure

5.	2019 Title V Second Semiannual Monitoring Report (03/27/2020)	EQT 0008 MMA Plant Scrubber No. 1	11/23/2019 1725-1830 (1.08 hours)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Reduced flow/Low demineralized utility header pressure
6.	2019 Title V Second Semiannual Monitoring Report (03/27/2020)	EQT 0008 MMA Plant Scrubber No. 1	11/23/2019 1925-1955 (0.50 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Reduced flow/Low demineralized utility header pressure
7.	2019 TV Second Semiannual Monitoring Report (03/27/2020)	EQT 0008 MMA Plant Scrubber No. 1	11/24/2019 1645-1945 (3 hours)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Reduced flow/Low demineralized utility header pressure – possible scrubber restriction
8.	2020 Title V First Semiannual Monitoring Report (09/30/2020)	EQT 0008 MMA Plant Scrubber No. 1	06/16/2020 0920-1010 (0.83 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	7.3	Low demineralized water utility supply
9.	2020 Title V First Semiannual Monitoring Report (09/30/2020)	EQT 0008 MMA Plant Scrubber No. 1	06/16/2020 1540-1640 (1 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	7.5	Low demineralized water utility supply
10.	2020 Title V First Semiannual Monitoring Report (09/30/2020)	EQT 0008 MMA Plant Scrubber No. 1	06/17/2020 1345-1435 (0.83 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	8.8	Low demineralized water utility supply
11.	2020 Title V First Semiannual Monitoring Report (09/30/2020)	EQT 0008 MMA Plant Scrubber No. 1	06/17/2020 1800-1835 (0.58 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	7.6	Low demineralized water utility supply

12.	2020 Title V First Semiannual Monitoring Report (09/30/2020)	EQT 0008 MMA Plant Scrubber No. 1	06/17/2020 2030-2140 (1.17 hours)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	7.4	Low demineralized water utility supply
13.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/01/2020 0845-0915 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
14.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/01/2020 1200-1215 (0.25 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
15.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/01/2020 2030-2100 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
16.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/01/2020 2145-2215 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
17.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/01/2020- 07/02/2020 2345-0045 (1.0 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
18.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/02/2020 0830-0900 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
19.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/02/2020 1045-1100 (0.25 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit

20.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/03/2020 0000-0030 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
21.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/03/2020 1200-1230 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
22.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/03/2020 1300-1345 (0.75 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
23.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/06/2020 2030-2130 (1 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
24.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/06/2020 2315-2330 (0.25 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
25.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/07/2020 0845-0900 (0.25 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
26.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/07/2020 0945-1000 (0.25 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
27.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/07/2020 2130-2215 (0.75 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit

28.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/07/2020- 07/08/2020 2245-0030 (1.5 hours)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
29.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/08/2020 1030-1045 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
30.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/08/2020- 07/09/2020 2145-0000 (2.25 hours)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
31.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/09/2020 0030-0045 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
32.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/09/2020 0900-1000 (1 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
33.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/09/2020 1045-1115 (0.5 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
34.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	07/09/2020 1145-1215 (0.5 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit

35.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/04/2020 2115-2130 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
36.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/07/2020 1145-1230 (0.75 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
37.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/07/2020 1615-1700 (0.75 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
38.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/13/2020 1545-1615 (0.5 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
39.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/16/2020 0600-0615 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
40.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/16/2020 0930-1015 (0.75 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
41.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/16/2020 1700-1730 (0.50 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
42.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/17/2020 0600-0615 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit

43.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/17/2020 1230-1330 (1 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
44.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/17/2020 2045-2100 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
45.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/18/2020 1515-1630 (1.25 hours)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
46.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/18/2020 1830-1915 (0.75 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
47.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/19/2020 0615-0630 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
48.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/19/2020 1015-1100 (0.75 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
49.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/19/2020 2130-2145 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit

50.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/20/2020 0000-0045 (0.75 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
51.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/21/2020 0130-0200 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
52.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/21/2020 1815-1845 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
53.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/22/2020 0830-0900 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
54.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/22/2020 0915-0945 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
55.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/23/2020 0500-0545 (0.75 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
56.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	08/24/2020 0045-0115 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
57.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	09/05/2020 1745-1845 (1 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit

58.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	09/06/2020 1145-1230 (0.75 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
59.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	09/10/2020 1030-1045 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
60.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	09/12/2020 0900-0915 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
61.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	09/13/2020 0945-1000 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
62.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	09/13/2020 2215-2245 (0.5 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
63.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	09/16/2020 1515-1530 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
64.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	09/17/2020 1345-1500 (1.25 hours)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
65.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	09/17/2020 1615-1645 (0.5 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit

66.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/07/2020 0015-0100 (0.75 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
67.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/07/2020 1445-1515 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
68.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/07/2020 1545-1600 (0.25 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
69.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/07/2020 1615-1715 (1 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
70.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/07/2020 2145-2215 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
71.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/08/2020 0715-0745 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
72.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/09/2020 0245-0330 (0.75 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
73.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/09/2020 0830-0900 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit

74.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/09/2020 2145-2215 (0.5 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
75.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/09/2020 2315-2330 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
76.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/10/2020 1330-1345 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
77.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/10/2020 1530-1545 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
78.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/11/2020 1815-1845 (0.5 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
79.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/12/2020 0715-0730 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
80.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	10/16/2020 1915-2045 (1.5 hours)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
81.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/10/2020 2300-2315 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit

82.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/11/2020 0000-0015 (0.25 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
83.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/11/2020 0145-0230 (0.75 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
84.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/11/2020 1245-1300 (0.25 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
85.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/11/2020 1730-1800 (0.5 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
86.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/11/2020 1830-1845 (0.25 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
87.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/13/2020 1530-1545 (0.25 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
88.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/13/2020 1715-1800 (0.75 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
89.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/13/2020 1945-2000 (0.25 hour)	Flow rate ≥9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit

90.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/17/2020 0215-0245 (0.5 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
91.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/25/2020 1345-1400 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
92.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/25/2020 1500-1515 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
93.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/26/2020 0000-0030 (0.5 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
94.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/26/2020 0730-0800 (0.5 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
95.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/27/2020 0645-0700 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
96.	2020 TV Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	11/29/2020 1430-1445 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit
97.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	12/02/2020 1530-1545 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	*	Low demineralized water utility supply from upstream process unit

98.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	12/02/2020 1800-1815 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	.	Low demineralized water utility supply from upstream process unit
99.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	12/20/2020 0630-0645 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	.	Low demineralized water utility supply from upstream process unit
100.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	12/20/2020 0715-0730 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	.	Low demineralized water utility supply from upstream process unit
101.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	12/28/2020 1115-1130 (0.25 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	.	Low demineralized water utility supply from upstream process unit
102.	2020 Title V Second Semiannual Monitoring Report (03/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	12/28/2020 1300-1315 (0.5 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	.	Low demineralized water utility supply from upstream process unit
103.	2021 Title V First Semiannual Monitoring Report (09/29/2021)	EQT 0008 MMA Plant Scrubber No. 1	01/15/2021 1204-1223 (0.32 hour)	Flow rate >=9.5 GPM, except during periods of scrubber maintenance	.	Low demineralized water utility supply from upstream process unit

*Provide actual flow rate.

Each hour of operating the scrubber below 9.5 GPM flow rate is a violation of Specific Requirement 55 of Title V Permit No. 1928-V10, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2). In the 2021 Title V First Semiannual Monitoring Report dated September 29, 2021, the Respondent stated the corrective action was the equipment installation to eliminate the intermittent low water supply, which will ensure flow rate to the scrubber will meet ongoing permit requirements.

IV.

On or about August 22, 2022 and October 17, 2023, the Department conducted an inspection in response to a citizen complaint (T-210092) received on August 18, 2022 and subsequent file review to determine the degree of compliance with the Act and Air Quality Regulations. While the investigation is not yet complete, the following violations were noted during the course of the inspection and file review:

- A. The Respondent failed to accurately report the number of leaking components in applicable National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart H Semiannual Volatile Organic Compound (VOC) Leaking Component Reports as noted in the below table:

1.	First Half of 2021 NESHAP Subpart H Semiannual VOC Leaking Component Report (9/8/2021)	301933-001	Connector	Monitored and detected as leaking on June 29, 2021; however, was not listed on the First Half of 2021 NESHAP Subpart H Semiannual VOC Leaking Component Report to be leaking or repaired. In correspondence dated August 23, 2022, a representative of the Respondent submitted documentation of leak history, which detailed all leaks found, repaired, and re-monitoring events. The documentation indicated the leak was repaired on June 30, 2021.
2.	First Half of 2021 NESHAP Subpart H Semiannual VOC Leaking Component Report (9/8/2021)	202029-005	Connector	Monitored and detected as leaking on March 8, 2021; however, was not listed on the First Half of 2021 NESHAP Subpart H Semiannual VOC Leaking Component Report to be leaking or repaired. In correspondence dated August 23, 2022, a representative of the Respondent submitted documentation of leak history, which detailed all leaks found, repaired, and re-monitoring events. The documentation indicated the Respondent unsuccessfully attempted to repair the leak on March 11, 2021. The reinspection of the connector following the March 11, 2021 repair attempt showed 1,781 parts per million (PPM), which is defined as a leak in NESHAP Subpart H. The connector was replaced on April 8, 2021.
3.	First Half of 2021 NESHAP Subpart H Semiannual VOC Leaking Component Report (9/8/2021)	203342-002	Connector	Monitored and detected as leaking on March 8, 2021; however, was not listed on the First Half of 2021 NESHAP Subpart H Semiannual VOC Leaking Component Report to be leaking or repaired. In correspondence dated August 23, 2022, a representative of the Respondent submitted documentation of leak history, which detailed all leaks found, repaired, and re-monitoring events. The documentation indicated the Respondent unsuccessfully attempted to repair the leak on March 11, 2021. The reinspection of the connector following the March 11, 2021 repair attempt showed 2,764 PPM, which is defined as a leak in NESHAP Subpart H. The connector was replaced on April 8, 2021.
4.	First Half of 2021 NESHAP Subpart H Semiannual VOC	201471-000	Valve	Monitored and detected as leaking on February 4, 2021; however, was not listed on the First Half of 2021 NESHAP Subpart H Semiannual VOC Leaking Component Report to be leaking or repaired. In correspondence dated August 23, 2022, a representative of the Respondent submitted

	Leaking Component Report (9/8/2021)			documentation of leak history, which detailed all leaks found, repaired, and re-monitoring events. The documentation indicated the leak was repaired on February 8, 2021.

Each failure to accurately report the number of leaking components is a violation of 40 CFR 63.182(d)(2), which language has been incorporated by reference in LAC 33:III.5122, Specific Requirement 189 of Title V Air Permit No. 1982-V10, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). In correspondence dated December 20, 2022, the Respondent stated the cause for the deviations was a mistaken ruleset set by the third party LDAR contractor for the facility. Specifically, the third party LDAR contractor created a custom database with a ruleset set-up for a leak definition of 10,000 PPM. The Respondent believes the third party LDAR contractor mistakenly filtered results under this ruleset; therefore, the four leaks were not captured in the LDAR report as they were all below the 10,000 PPM filter for this report in the database. The Respondent further reported in the December 20, 2022 correspondence, the following corrective actions were taken: Roehm LDAR database is fully separated from the third party LDAR contractor database and is housed on a separate server that the Respondent's Environmental Health & Safety (EHS) and LDAR personnel may access electronically; the Respondent's LDAR program is now directly managed by EHS and maintenance personnel, with reporting managed by an outside environmental consulting company; the LDAR contractor has installed new local management and technicians and has been tasked by the Respondent to deliver best in class compliance; weekly and monthly LDAR meetings specifically designed to review monitoring progress, leaking component management, and recordkeeping accuracy; Guideware reports are now cross-referenced by the Respondent and outside environmental consulting employees with a thorough database analysis to ensure that all reporting is accurate; and the Respondent is in the process of reviewing site specific rulesets that are carry-overs from the previous LDAR contractor to ensure accurate assignment of components to provide regulatory clean-up of the LDAR database.

B. The Respondent reported the following violations of permitted operating parameters:

1.	2022 Title V First Semiannual Monitoring Report (9/30/2022)	EQT 0009 54-92 – MMA Tank Farm Scrubber (631-502)	3/14/2022 4:00 AM – 8:00 AM (4 hours)	Flow rate >= 5.2 GPM	*	Blower motors for recovery system shutdown causing loss of vacuum. The startup, shutdown, malfunction (SSM) plan was followed and excess emissions were not noted during this time. Maintenance performed troubleshooting and repair.
2.	2022 Title V First Semiannual Monitoring Report (9/30/2022) HON Subparts F & G Periodic Report (11/16/2022)	EQT 0009 54-92 – MMA Tank Farm Scrubber (631-502)	4/20/2022 5:11 PM – 7:31 PM (2.3 hours)	Flow rate >= 5.2 GPM	*	No tank transfers or loading activities were taking place at the time of the flow deviation.
3.	2022 Title V First Semiannual Monitoring Report (9/30/2022) HON Subparts F & G Periodic Report (11/16/2022)	EQT 0009 54-92 – MMA Tank Farm Scrubber (631-502)	4/30/2022 5:38 PM – 7:34 PM (1.9 hours)	Flow rate >= 5.2 GPM	*	No tank transfers or loading activities were taking place at the time of the flow deviation.
4.	2022 Title V First Semiannual Monitoring Report (9/30/2022) HON Subparts F & G Periodic Report (11/16/2022)	EQT 0009 54-92 – MMA Tank Farm Scrubber (631-502)	5/1/2022 12:00 AM – 4:00 AM (4 hours)	Flow rate >= 5.2 GPM	*	No tank transfers or loading activities were taking place at the time of the flow deviation.

5.	2022 Title V First Semiannual Monitoring Report (9/30/2022) HON Subparts F & G Periodic Report (11/16/2022)	EQT 0009 54-92 – MMA Tank Farm Scrubber (631-502)	5/1-2/2022 8:00 AM – 4:00 AM (20 hours)	Flow rate >= 5.2 GPM	*	Loading activities were taking place for a total of 6.2 hours during this period.
6.	2022 Title V Second Semiannual Monitoring Report (3/31/2023)	EQT 0009 54-92 – MMA Tank Farm Scrubber (631-502)	12/15/2022 – 12/21/2022 8:00AM – 6:45PM (154.75 hours)	Flow rate >= 5.2 GPM	*	The scrubber flow valve shut-closed on 12/21/2022 at 5:30PM resulting in a brief loss of flow event and flow was restored by 12/21/2022 at 6:45 PM. When investigating this loss of flow event, it was discovered that the scrubber water supply was supplemented by an additional water source connected downstream of the water flow meter. During this time, the scrubber is believed to have had sufficient flow, but was not measured. Sufficient flow was measured when the flow meter was re-established.

*Provide actual flow rate.

Each hour of operating the scrubber below 5.2 GPM flow rate is a violation of Specific Requirement 59 of Title V Permit No. 1928-V10, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(2).

C. The Respondent reported the following violations from permitted operating parameters:

1.	2022 Title V First Semiannual Monitoring Report (9/30/2022)	1982-V10	EQT0004 Crude Distillation Maintenance Vent (631-102A/B)	1/3/2022 2:40 PM-2:41 PM (0.017 hours)	Route emissions to AN AOG Incinerator A (1-79, EQT0146), AN AOG Incinerator B (1-82, EQT0147), or AN AOG Incinerator C (22-92, EQT0148). The incinerators are located in the Acrylonitrile Plant, an adjacent site owned and operated by Cornerstone Chemical Company (AI 1357) under Permit No. 2195-V8.	Opening of bypass valve to the atmosphere on low pressure in the vent system. The bypass valve is designed to open to prevent unsafe conditions. The bypass valve opened and closed as designed.	Specific Requirement 23
2.				1/18/2022 1:48 PM – 2:19 PM (0.517 hours)			
3.				1/18/2022 7:18 PM – 7:28 PM (0.167 hours)			
4.				1/19/2022 11:45 AM – 11:51 AM (0.1 hours)			
5.				1/21/2022 5:21 AM – 5:49 AM (0.467 hours)			
6.				1/21/2022 5:50 AM – 5:54 AM (0.067 hours)			
7.				2/14/2022 5:31 PM – 5:36 PM (0.083 hours)			
8.				2/14/2022 5:42 PM – 5:46 PM (0.067 hours)			
9.				3/15/2022 6:41 AM – 6:42 AM (0.017 hours)			
10.				3/15/2022 8:31 AM – 8:35 AM (0.067 hours)			

11.	2022 Title V First Semiannual Monitoring Report (9/30/2022)	1982-V10	EQT0004 Crude Distillation Maintenance Vent (631-102A/B)	3/23/2022 6:39 AM – 6:51 AM (0.2hours)	Route emissions to AN AOG Incinerator A (1-79, EQT0146), AN AOG Incinerator B (1-82, EQT0147), or AN AOG Incinerator C (22-92, EQT0148). The incinerators are located in the Acrylonitrile Plant, an adjacent site owned and operated by Cornerstone Chemical Company (AJ 1357) under Permit No. 2195-V8.	The "B" AOG Incinerator went down due to upset in Acrylic plant causing the crude distillation vent to open to the atmosphere. The system acted in the way it is designed to prevent unsafe conditions. As a corrective action, operations team swapped vent system to the "A" AOG Incinerator in response.
12.				3/31/2022 3:13 AM – 3:16 AM (0.05 hours)		Opening of bypass valve to the atmosphere on low pressure in the vent system. The bypass valve is designed to open to prevent unsafe conditions. The bypass valve opened and closed as designed.
13.				3/31/2022 3:17 AM – 3:18 AM (0.017 hours)		
14.				4/29-30/2022 5:33 PM – 6:02 PM (0.483 hours)		Opening of bypass valve to the atmosphere on low pressure in the vent system. The bypass valve is designed to open to prevent unsafe conditions. The bypass valve opened and closed as designed.
15.				5/29/2022 6:42 AM – 7:32 AM (0.833 hours)		
16.				6/22/2022 5:37 PM – 5:42 PM (0.083 hours)		

Specific
Requirement 23

17.	2022 Title V First Semiannual Monitoring Report (9/30/2022)			6/23/2022 5:12 PM – 5:13 PM (0.017 hours)		Opening of bypass valve to the atmosphere on low pressure in the vent system. The bypass valve is designed to open to prevent unsafe conditions. The bypass valve opened and closed as designed.	
18.				6/23/2022 6:06 PM – 6:11 PM (0.083 hours)			
19.				6/29/2022 12:37 AM – 12:40 AM (0.05 hours)			
20.				6/29/2022 3:18 PM – 3:20 PM (0.033 hours)			
21.	HON Subpart F & G Periodic Report (11/16/202 2)	1982-V10	EQT0004 Crude Distillation Maintenance Vent (631-102A/B)	7/11/2022 – 7/12/2022 12:00 AM – 12:00 AM (0.55 hours)	Route emissions to AN AOG Incinerator A (1-79, EQT0146), AN AOG Incinerator B (1-82, EQT0147), or AN AOG Incinerator C (22-92, EQT0148). The incinerators are located in the Acrylonitrile Plant, an adjacent site owned and operated by Cornerstone Chemical Company (AI 1357) under Permit No. 2195-VB.	Opening of bypass valve sporadically for a total of 33 minutes during this time period. The bypass valve opened and closed as designed to prevent unsafe conditions.	Specific Requirement 23
22.	HON Subpart F & G Periodic Report (11/16/202 2)			7/14/2022 – 7/15/2022 12:00 AM – 12:00 AM (0.017 hours)		Opening of bypass valve sporadically for a total of one (1) minute during this time period. The bypass valve opened and closed as designed to prevent unsafe conditions.	
23.				7/20/2022 – 7/21/2022 12:00 AM – 12:00 AM (0.12 hours)		Opening of bypass valve sporadically for a total of seven (7) minutes during this time period. The bypass valve opened and closed as designed to prevent unsafe conditions.	
24.	2022 Title V Second Semiannual Monitoring Report (3/31/2023)			9/28/2022 10:42am – 10:52am (0.17 hours)		Safety valve opened to the atmosphere and closed as designed. Emissions were less than SSM emission limits for EQT0004.	
25.	HON Subparts F & G Periodic Report (5/18/2023)			12/29/2022 12:00pm – 12:17pm (0.28 hours)		Safety valve opened to the atmosphere and closed as designed. Emissions were less than SSM emission limits for EQT0004.	

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 La. R.S. 30:2057(A)(2).

COMPLIANCE ORDER

Based on the foregoing, the Respondent is hereby ordered:

I.

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

II.

To submit within thirty (30) days after receipt of this **COMPLIANCE ORDER**, the date that anhydrous ammonia became a covered process at the facility, as referenced in Findings of Fact paragraph II.A.

III.

To submit within thirty (30) days after receipt of this **COMPLIANCE ORDER**, documentation that the three (3) PHA findings and the additional seventeen (17) recommendations referenced in Findings of Fact paragraph II.C have been resolved.

IV.

To submit within thirty (30) days after receipt of this **COMPLIANCE ORDER**, documentation that employees have been consulted on the frequency of refresher training, as referenced in Findings of Fact paragraph II.D.

V.

To submit within thirty (30) days after receipt of this **COMPLIANCE ORDER**, an updated CAPP registration to the Office of Environmental Compliance, as referenced in Findings of Fact paragraph II.H.

VI.

To submit within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report for EQT 0008 which provides the actual flow rate in gallons per minute (GPM) for each event described in Findings of Fact paragraph III.5, 6, 7, and 13-103.

VII.

To submit within thirty (30) days after receipt of this **COMPLIANCE ORDER**, revised 40 CFR 63 Subpart H Semiannual VOC Leaking Component Reports for the Second Half of 2020 and the First Half of 2021 to accurately reflect the instrumentation and/or equipment leaks during the reporting periods pursuant to 40 CFR 63.182(d)(2), as referenced in Findings of Fact paragraph IV.A. Additionally, submit within thirty (30) days after receipt of this **COMPLIANCE ORDER**, documentation to the Enforcement Division reflecting the status of corrective actions listed in correspondence dated December 20, 2022, as referenced in Findings of Fact paragraph IV.A.

VIII.

To submit within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report for EQT 0009 which provides the actual flow rate in gallons per minute (GPM) for each event described in Findings of Fact paragraph IV.B.

IX.

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: Courtney Tolbert
Re: Enforcement Tracking No. AE-CN-21-00142
Agency Interest No. 9701

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-21-00142
Agency Interest No. 9701

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 thirty-two thousand five hundred dollars (\$32,500) for each day of violation for the violation(s) described herein may be assessed. 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 Courtney Tolbert at 225-219-3347 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.

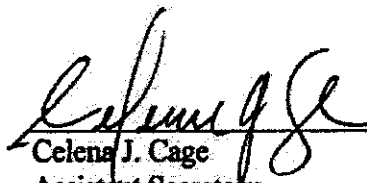
The Department assesses civil penalties based on LAC 33:I.Subpart1.Chapter7. To expedite closure of this **NOTICE OF POTENTIAL PENALTY** portion, the Respondent may offer a settlement amount to resolve any claim for civil penalties for the violation(s) described herein. The Respondent may

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 may submit the settlement offer within one hundred and eighty (180) days of receipt of this **NOTICE OF POTENTIAL PENALTY** portion but no later than ninety (90) days of achieving compliance with the **COMPLIANCE ORDER** portion. 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 15th day of December, 2023.


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
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Courtney Tolbert

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-21-00142	Contact Name	Courtney Tolbert
Agency Interest (AI) No.	9701	Contact Phone No.	225-219-3347
Alternate ID No.	1340-00314		
Respondent:	Roehm America LLC	Facility Name:	MMA Plant
	c/o Corporation Service Company	Physical Location:	10800 River Road
	Agent for Service of Process		
	501 Louisiana Avenue	City, State, Zip:	Westwego, LA 70094
	Baton Rouge, LA 70802	Parish:	Jefferson

STATEMENT OF COMPLIANCE	Date Completed	Copy Attached?
A written report was submitted in accordance with Paragraph X of the "Order" portion of the COMPLIANCE ORDER.		
All necessary documents were submitted to the Department within 30 days of receipt of the COMPLIANCE ORDER in accordance with Paragraphs II - VIII 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:		

(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 CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (AE-CN-21-00142), 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 CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (AE-CN-21-00142), 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. The Respondent may submit the settlement offer within one hundred and eighty (180) days of receipt of this NOTICE OF POTENTIAL PENALTY portion but no later than ninety (90) days of achieving compliance with the COMPLIANCE ORDER portion. • 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 CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY (AE-CN-21-00142) and has attached a justification of its offer and a description of any BEPs if included in settlement offer.

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: Courtney Tolbert		

WHAT IS A SETTLEMENT AGREEMENT?

Once the Department has determined that a penalty is warranted for a violation, the Assistant Secretary of the Department, with the concurrence of the Attorney General, may enter into a settlement agreement with the Respondent as a means to resolve the Department's claim for a penalty.

HOW DOES THE SETTLEMENT AGREEMENT PROCESS WORK?

To begin the settlement agreement process, the Department must receive a written settlement offer. Once this offer is submitted, it is sent for approval by the Assistant Secretary of the Office of Environmental Compliance. The formal Settlement Agreement is drafted and sent to the Attorney General's office where the Attorney General has a 90 day concurrence period. During this time, the Respondent is required to run a public notice in an official journal and/or newspaper of general circulation in each affected parish. After which, a 45 day public comment period is opened to allow the public to submit comments. Once the Department has received concurrence, the settlement agreement is signed by both parties. The Department then forwards a letter to the responsible party to establish a payment plan and/or beneficial environmental project (BEP).

WHAT SHOULD I INCLUDE IN A SETTLEMENT AGREEMENT?

The Department uses the penalty determination method defined in LAC 33:1705 as a guideline to accepting settlement offers. The penalty matrix is used to determine a penalty range for each violation based on the two violation specific factors, the nature and gravity of the violation and the degree of risk/impact to human health and property.

		NATURE AND GRAVITY OF THE VIOLATION		
DEGREE OF RISK/IMPACT TO HUMAN HEALTH AND PROPERTY		MAJOR	MODERATE	MINOR
	MAJOR	\$32,500 to \$20,000	\$20,000 to \$15,000	\$15,000 to \$11,000
	MODERATE	\$11,000 to \$8,000	\$8,000 to \$5,000	\$5,000 to \$3,000
	MINOR	\$3,000 to \$1,500	\$1,500 to \$500	\$500 to \$100

Degree of Risk to Human Health or Property

Major: (actual measurable harm or substantial risk of harm) A violation of major impact to an environmental resource or a hazard characterized by high volume and/or frequent occurrence and/or high pollutant concentration.

Moderate: (potential for measurable detrimental impact) A violation of moderate impact and hazard may be one characterized by occasional occurrence and/or pollutant concentration that may be expected to have a detrimental effect under certain conditions.

Minor: (no harm or risk of harm) A violation of minor impact are isolated single incidences and that cause no measurable detrimental effect or are administrative in nature.

Nature and Gravity of the Violation

Major: Violations of statutes, regulations, orders, permit limits, or permit requirements that result in negating the intent of the requirement to such an extent that little or no implementation of requirements occurred.

Moderate: Violations that result in substantially negating the intent of the requirements, but some implementation of the requirements occurred.

Minor: Violations that result in some deviation from the intent of the requirement; however, substantial implementation is demonstrated.

The range is adjusted using the following violator specific factors:

1. history of previous violations or repeated noncompliance;
2. gross revenues generated by the respondent;
3. degree of culpability, recalcitrance, defiance, or indifference to regulations or orders;
4. whether the Respondent has failed to mitigate or to make a reasonable attempt to mitigate the damages caused by the violation; and
5. whether the violation and the surrounding circumstances were immediately reported to the department, and whether the violation was concealed or there was an attempt to conceal by the Respondent.



Given the previous information, the following formula is used to obtain a penalty amount.

$$\text{Penalty Event Total} = \text{Penalty Event Minimum} + (\text{Adjustment Percentage} \times (\text{Penalty Event Maximum} - \text{Penalty Event Minimum}))$$

After this, the Department adds any monetary benefit of noncompliance to the penalty event. In the event that a monetary benefit is gained due to the delay of a cost that is ultimately paid, the Department adds the applicable judicial interest. Finally, the Department adds all response costs including, but not limited to, the cost of conducting inspections, and the staff time devoted to the preparation of reports and issuing enforcement actions.

WHAT IS A BEP?

A BEP is a project that provides for environmental mitigation which the respondent is not otherwise legally required to perform, but which the defendant/respondent agrees to undertake as a component of the settlement agreement. Project categories for BEPs include public health, pollution prevention, pollution reduction, environmental restoration and protection, assessments and audits, environmental compliance promotion, and emergency planning, preparedness and response. Other projects may be considered if the Department determines that these projects have environmental merit and is otherwise fully consistent with the intent of the BEP regulations.

WHAT HAPPENS IF MY OFFER IS REJECTED?

If an offer is rejected by the Assistant Secretary, the Legal Division will contact the responsible party, or anyone designated as an appropriate contact in the settlement offer, to discuss any discrepancies.

WHERE CAN I FIND EXAMPLES AND MORE INFORMATION?

Settlement Offers	searchable in EDMS using the following filters Media: Air Quality, Function: Enforcement, Description: Settlement
Settlement Agreements	<u>Enforcement Division's website</u> specific examples can be provided upon request
Penalty Determination Method	<u>LAC 33:I Chapter 7</u>
Beneficial Environmental Projects	<u>LAC 33:I Chapter 25</u>
	<u>FAQs</u>
Judicial Interest.....	<u>provided by the Louisiana State Bar Association</u>



Louisiana Department of Environmental Quality • Office of Environmental Compliance • Enforcement Division
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Phone: 225 | 219 | 3715 Fax: 225 | 219 | 3708