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REGIONAL HEARING CLERK
EPA REGION 6

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6
DALLAS, TX

IN THE MATTER OF: §
§
§
Indorama Ventures Olefins, LLC. § Consent Agreement and Final Order
§ USEPA Docket No. RCRA-06-2024-0954
§
RESPONDENT §
§

CONSENT AGREEMENT AND FINAL ORDER

I. PRELIMINARY STATEMENT

1. This Consent Agreement and Final Order ("CAFO") is entered into by the United States Environmental Protection Agency, Region 6 ("EPA" or "Complainant") and Respondent, Indorama Ventures Olefins, LLC ("Respondent" or "Indorama") and concerns the Indorama Lake Charles Facility on 4300 Highway 108 W, Westlake, Louisiana 70669 (the "Facility").
2. Notice of this action has been given to the State of Louisiana, under Section 3008(a)(2) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928(a)(2).
3. For the purpose of these proceedings, Respondent admits the jurisdictional allegations herein; however, the Respondent neither admits nor denies the specific factual allegations and conclusions of law contained in this CAFO. This CAFO states a claim upon which relief may be granted.
4. Respondent explicitly waives any right to contest the allegations or to appeal the proposed final order contained in this CAFO and waives all defenses that have been raised or could have been raised to the claim set forth in the CAFO.

5. Respondent and Complainant, by the execution and filing of this CAFO, have agreed to resolve only those violations and claims which are alleged herein.
6. Respondent consents to the issuance of this CAFO as the most appropriate means of settling EPA's allegations without any adjudication of issues of law or fact, consents to the assessment and payment of the civil penalty in the amount and by the method set out in this CAFO, and consents to the compliance order in this CAFO.
7. By their signatures to this CAFO, the Parties agree to the use of electronic signatures for this matter.

II. JURISDICTION

8. This CAFO is issued by EPA pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928, as amended by the Hazardous and Solid Waste Amendments of 1984 and is simultaneously commenced and concluded through the issuance of this CAFO under 40 Code of Federal Regulations ("C.F.R.") §§ 22.13(b) and 22.18(b)(2) and (3).
9. Respondent agrees to undertake and complete all actions required by the terms and conditions of this CAFO. In any action by EPA or the United States to enforce the terms of this CAFO, Respondent agrees not to contest the authority or jurisdiction of EPA to issue or enforce this CAFO and agrees not to contest the validity of this CAFO or its terms or conditions.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

10. Respondent is a chemical company authorized to do business in the State of Louisiana.

11. Respondent is a "person" within the meaning of Section 1004(15) of RCRA, 42 U.S.C. § 6903(15), and Title 33 of the Louisiana Administrative Code ("LAC") LAC 33:V.109,¹ [40 C.F.R. § 260.10].
12. Respondent owns or operates the Indorama Facility.
13. The Indorama Facility produces ethylene and propylene with thermal cracking of ethane and propane feedstocks, which is eventually dried in primary driers and sent forward for product distillation. The ethylene and propylene are separated from the byproducts by cryogenic fractionation. The products are then shipped directly to customers via pipeline, truck, or railcar, or are stored on-site in storage vessels.
14. Pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, the EPA conducted an inspection from May 10-17, 2019, to determine Respondent's compliance with RCRA and the implementing regulations at the Indorama Facility (the "Inspection").
15. During the Inspection, EPA discovered that Respondent, at a minimum, generated and offered for transport and treatment, hazardous waste streams consisting of waste petroleum samples (i.e., pygas, fuel oil, lube oil), and spent acetone and toluene used for glassware cleaning. The spent acetone and toluene solvent generated in this manner meet the definition of the EPA hazardous waste Nos. F003, F005, D018, and D022. The second

¹ On January 24, 1985, the State of Louisiana received final authorization for its base Hazardous Waste Management Program (50 FR 3348). Subsequent revisions have been made to the Louisiana Hazardous Waste Program and authorized by the EPA. Except as otherwise provided, all citations found within this order are to the "EPA-Approved Louisiana Statutory and Regulatory Requirements Applicable to the Hazardous Waste Management Program" dated November 2015, incorporated by reference under 40 C.F.R. § 272.951(c)(1)(i) effective on December 26, 2018. 83 Fed. Reg. 66143 (December 26, 2018); 40 C.F.R. 272.951: Louisiana State-Administered Program: Final Authorization. References and citations to the "EPA-Approved Louisiana Statutory and Regulatory Requirements Applicable to the Hazardous Waste Management Program" may vary slightly from the State of Louisiana's published version. The corresponding C.F.R. citations are also provided.

waste stream is an aqueous waste stream consisting of, primarily, corrosive boiler water sample waste, assigned hazardous waste Nos. D002, D018, and D022.

16. The Indorama Facility is a "facility" within the meaning of LAC 33:V.109, [40 C.F.R. § 260.10].
17. The waste streams identified in Paragraph 15 are "hazardous waste" as defined in LAC 33:V.4901.B & F, 4903.B, and 4903.E [40 C.F.R. §§ 261.21, 261.24, 261.31, and 261.33].
18. From the Inspection, EPA determined that Respondent generated the hazardous waste streams identified in Paragraph 15 in quantities that exceeded the threshold amount of 1,000 kilograms and operated as a "Large Quantity Generator" of hazardous waste as defined under LAC 33:V.109, [40 C.F.R. Part 262], for the periods that such wastes remained onsite.
19. Respondent is a "generator" of "hazardous waste" as those terms are defined in LAC 33:V.109, [40 C.F.R. § 260.10].
20. As a generator of hazardous waste, Respondent is subject to Sections 3002 and 3010 of RCRA, 42 U.S.C. §§ 6922 and 6930, and the regulations set forth in Title 33 of LAC Part V, Chapter 1-5, 10, [40 C.F.R Part 262 and/or 270].
21. EPA submitted to Respondent on July 26, 2023, a Notice of Potential Violation and Opportunity to Confer. In a conference call on August 15, 2023, EPA conferred with the Respondent regarding the violations alleged therein and provided an opportunity for Respondent to submit additional information and materials, which Respondent did on September 28, 2023.

IV. CLAIMS

Claim 1. Failure to properly label, and keep closed, hazardous waste containers.

22. The allegations in Paragraphs 1-21 are realleged and incorporated by reference.
23. Pursuant to LAC 33:V.1011.A.4-6 and 40 C.F.R. § 262.15(a)(4)-(6), a container holding hazardous waste must always be labeled as containing hazardous waste.
24. Pursuant to LAC 33:V.2107.A and 40 C.F.R. § 262.17(a)(1)(iv)(A), a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.
25. During the Inspection, EPA identified three (3) steel drums in Satellite Accumulation Areas (SAAs) #1, #2, and #4, containing hazardous waste paint and aerosol cans not marked with an indication of the hazards of its contents. Additionally, EPA identified seven (7) plastic containers in SAA #3 accumulating organic and aqueous hazardous waste not marked with the words "hazardous waste" or an indication of the hazards of their contents. Lastly, the Inspection found four (4) plastic containers accumulating organic and aqueous hazardous waste that were not kept closed when waste was not being added or removed.
26. At all times relevant to this CAFO, Respondent failed to properly mark containers containing hazardous waste, in violation of LAC 33:V.1011.A.4-6 and 40 C.F.R. §§ 262.15(a)(4)-(6) and failed to close a container in violation of LAC 33:V.2107.A and 40 C.F.R. § 262.17(a)(1)(iv)(A).

Claim 2. Failure to make an accurate hazardous waste determination.

27. The allegations in Paragraph 1-21 are realleged and incorporated by reference.
28. Pursuant to LAC 33:V.1005.A-E and H, and 40 C.F.R. §§ 262.11(a)-(d), (g), a person who generates a solid waste shall determine if that waste is hazardous waste. The hazardous

waste determination for each solid waste shall be made at the point of waste generation.

The generator shall determine if the waste is exempted from regulation. If the waste is not exempted or excluded under LAC 33:V.105.D, the person shall then use knowledge of the waste to determine whether the waste meets any of the listing descriptions under LAC 33:V.Chapter 49. The person then shall also determine whether the waste exhibits one or more hazardous characteristics as identified in LAC 33:V.4903 by following the procedures in Paragraph E.1 or 2 of this Section, or a combination of both. If the waste is determined to be hazardous, small quantity and large quantity generators shall identify all applicable EPA hazardous waste numbers in LAC 33:V.4901 and 4903.

29. During the Inspection, EPA determined that Indorama failed to make accurate hazardous waste determinations by failing to assign the Industry and EPA Hazardous Waste Numbers F003 and F005 to the Indorama quality control laboratory's organic hazardous waste stream, and the D002 hazardous waste number to the quality control laboratory's aqueous hazardous waste stream.
30. At all times relevant to this CAFO, Respondent failed make accurate hazardous waste determinations and proper recordkeeping, pursuant to LAC 33:V.1005.A-E and H, and 40 C.F.R. §§ 262.11(a)-(d), (g).

Claim 3. Failure to maintain records supporting its hazardous waste determinations.

31. The allegations in Paragraph 1-21 are realleged and incorporated by reference.
32. Pursuant to LAC 33:V.1005.G and 40 C.F.R. § 262.11(f), a small or large quantity generator shall maintain records supporting its hazardous waste determinations, including records that identify whether a solid waste is a hazardous waste, as defined by LAC 33:V.109.

Records shall be maintained for at least three (3) years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal.

33. During the inspection, EPA reviewed a binder on-site that contained Indorama's hazardous and non-hazardous waste profiles and characterization records. While a number of hazardous waste files were in the binder, as prepared by U.S. Ecology, no hazardous waste files were available for the hazardous waste paint observed in SAA #1, and hazardous waste aerosol cans observed in SAAs #2 and #4 (see Claim 1). Additionally, when reviewing the previous three (3) years of hazardous waste shipments from Indorama, EPA observed additional hazardous wastes on manifests that did not have corresponding waste determination records or profiles available for review. At the time of the inspection, waste determination records or profiles were not available thirteen (13) hazardous waste streams, as observed on the 2019 and 2020 manifests. Lastly, as described in Claim 2, two hazardous waste streams (organic and aqueous) are generated in Indorama's quality control lab, however, only the aqueous waste stream's hazardous waste profile was available for review.

34. At all times relevant to this CAFO, Respondent failed to maintain records supporting hazardous waste determinations, as set forth in LAC 33:V:1005.G and 40 C.F.R. § 262.11(f).

Claim 4. Failure to maintain on-site records of land disposal restriction (LDR) notification forms for hazardous wastes that were shipped off-site.

35. The allegations in Paragraph 1-21 are realleged and incorporated by reference.
36. Pursuant to LAC 33:V.1015.A and B9, LAC 33:V.2245 H, and 40 C.F.R. §§ 262.17(a)(9) and 268.7(a)(8), a large quantity generator may accumulate hazardous waste on-site without a

permit or interim status, and without complying with the requirements of LAC 33:V.Subpart 1, provided that all of the following conditions for exemption are met - a large quantity generator accumulates hazardous waste on-site for no more than ninety (90) days, unless in compliance with the accumulation time limit extension or F006 waste accumulation conditions for exemption in Subsections C-F of this Section. The following accumulation conditions also apply. 9. LDR – the large quantity generator complies with all applicable requirements under LAC 33:V.Chapter 22.

37. During the Inspection, while EPA was reviewing Respondent's hazardous waste profile binder, no LDR notification forms associated with off-site shipments of the hazardous waste sodium hydroxide solution, chemical oxygen on-demand (COD) digestive solution, and anti-freeze waste stream were available. While reviewing the previous three (3) years of hazardous waste shipments from Indorama, EPA observed additional hazardous wastes on manifests that did not have corresponding LDR notification forms available for review. At the time of the inspection, LDR notification forms were not available on-site for six (6) hazardous waste streams, as observed on the 2019 and 2020 manifests.
38. At all times relevant to this CAFO, Respondent failed to meet the LDR recordkeeping requirement because it did not maintain on-site LDR notification forms related to the shipment of its sodium hydroxide solution, COD digestive solution, and used antifreeze hazardous waste streams.

Claim 5. Failure to maintain a hazardous waste contingency plan or any related plan.

39. The allegations in Paragraph 1-21 are realleged and incorporated by reference.

40. Pursuant to LAC 33:V.105.A and B.6; LAC 33:V.1041.A; LAC 33:V.1049.B, and 40 C.F.R. §§ 262.17(a)(9) and 268.7(a)(8), a large quantity generator shall have a contingency plan for the facility. The contingency plan shall be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water.
41. During the Inspection, EPA determined that the Respondent did not provide a document specifically identified as a contingency plan when requested. Instead, Indorama provided three documents: an emergency response plan (ERP), an emergency action plan (EAP), and an "Emergency Operations Center" book. In a follow-up email sent after the inspection, Respondent provided a newly created document titled "Appendix 1 RCRA Contingency Plan," however, none of the documents provided by Respondent provided any description of arrangements agreed to with the local police department, fire department, or other emergency response teams. None of the three documents initially provided contained a list or description of emergency equipment maintained at the facility. The follow-up contingency plan describes emergency response vehicles and equipment maintained on-site, but it does not specify the location of most equipment.
42. At all times relevant to this CAFO, Respondent failed to have assembled an adequate contingency plan, or any related plan that contained the necessary content of a hazardous contingency plan, as required by LAC 33:V.105.A and B.6; LAC 33:V.1041.A; LAC 33:V.1049.B, and 40 C.F.R. §§ 262.17(a)(9) and 268.7(a)(8).

Claim 6. Failure to maintain necessary fire suppression equipment.

43. The allegations in Paragraph 1-21 are realleged and incorporated by reference.

44. Pursuant to LAC 33:V.1015.A and B6; V.1015.a and B.7.d-e, and 40 C.F.R. §§ 262.17(a)(6) and 262.252(c)-(d), all areas applicable need contain portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, decontamination equipment, and water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.
45. During the Inspection, EPA determined that the Respondent failed to maintain the necessary fire suppression equipment at the "C-Can" less-than-90-day hazardous waste central accumulation area.
46. At all times relevant to this CAFO, Respondent failed to maintain the necessary fire suppression equipment at the "C-Can" less-than-90-day hazardous waste central accumulation area, in violation of LAC 33:V.1015.A and B6; V.1015.a and B.7.d-e, and 40 C.F.R. §§ 262.17(a)(6) and 262.252(c)-(d).

Claim 7. Failure to maintain personnel training records related to hazardous waste management.

47. The allegations in Paragraph 1-21 are realleged and incorporated by reference.
48. Pursuant to LAC 33:V.1015.A and B.7.d-e, and 40 C.F.R. §§ 262.17(a)(7)(iv-v), a large quantity generator shall maintain documents and records at the facility including: job title of each position at the facility related to hazardous waste management, and the name of the employee filling each job; a written job description of each position; a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed; and, records that document that the training or

job experience has been given to, and completed by, facility personnel. Training records on current personnel shall be kept until closure of the facility. Training records on former employees shall be kept for at least three (3) years from the date the employee last worked at the facility.

49. During the Inspection, EPA determined that the Respondent failed to maintain complete personnel training records as required by regulations.
50. At all times relevant to this CAFO, Respondent failed to maintain complete personnel training records as required by regulations, in violation of LAC 33:V.1015.A and B.7.d-e, and 40 C.F.R. §§ 262.17(a)(7)(iv-v).

V. COMPLIANCE ORDER

51. Pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), Respondent is hereby ordered to take the following actions, and within 90 calendar days of the effective date of this CAFO, Respondent shall provide in writing the following:
 - A. Respondent shall certify that it has assessed all its solid waste streams at the Indorama Facility to determine the accurate waste codes and has developed and implemented processes to ensure that Respondent is operating the Indorama Facility in compliance with RCRA and the regulations promulgated thereunder, including, but not limited to, processes, best practices, and training concerning: (a) making hazardous waste determinations; (b) handling hazardous wastes; (c) reporting, transporting, and disposing of hazardous waste; (d) preparing its manifests; and (e) meeting the requirements of the land disposal requirements;

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- B. Respondent shall certify that it has accurately and adequately complied with its RCRA Section 3010 notification for the Indorama Facility and within the prescribed time period in Section 3010; and
 - C. Respondent shall provide, with its certification, a description of Respondent's processes, best practices, and training as described in subparagraph A above.
 - D. Respondent has reported that corrective actions have been taken regarding certain violations listed in Section IV.
52. In all instances in which this CAFO requires written submission to EPA, the submittal made by Respondent shall be signed by an owner or officer of the Respondent and shall include the following certification:

"I certify under the penalty of law that this document and all its attachments were prepared by me or under my direct supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Copies of all documents required by this CAFO shall be sent to the following:

U.S. EPA, Region 6
Enforcement and Compliance Assurance Division (ECAD)
1201 Elm Street, Suite 500
Dallas, Texas 75270-2102
ATTN: Adolphus Talton

Where possible, notice shall be sent electronically by email to Enforcement Officer Adolphus Talton, respectively at talton.adolphus@epa.gov or at 214-665-6651.

VI. TERMS OF SETTLEMENT

A. Penalty Provisions

53. Pursuant to the authority granted in Section 3008 of RCRA, 42 U.S.C. § 6928, and upon consideration of the entire record herein, including the above referenced Findings of Fact and Conclusions of Law, which are hereby adopted and made a part hereof, upon the seriousness of the alleged violations, and Respondent's good faith efforts to comply with the applicable regulations, it is ordered that Respondent be assessed a civil penalty of **three-hundred thirty-two thousand, four-hundred fifty-seven dollars and seventy-five cents (\$332,457.75).**
54. The penalty shall be paid within forty-five (45) calendar days of the effective date of this CAFO and made payable to the Treasurer United States.
55. The following are Respondent's options for transmitting the penalties: Regular Mail, U.S. Postal Mail (including certified mail) or U.S. Postal Service Express Mail, the check should be remitted to:
- U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979078
St. Louis, Missouri 63197-9000
- Overnight Mail (non-U.S. Postal Service), the check should be remitted to:
- U.S. Environmental Protection Agency
Government Lockbox 979078
3180 Rider Trail S.
Earth City, MO 63045
- Wire Transfer:

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Federal Reserve Bank of New York
ABA: 021030004
Account No. 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045

The case name and docket number (In the Matter of Indorama Ventures Olefins, LLC., Docket No. RCRA-06-2024-0954 shall be clearly documented on or within the chosen method of payment to ensure proper credit.

56. The Respondent shall send a simultaneous notice of such payment to the following:

Lorena S. Vaughn
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 6
1201 Elm Street, Suite 500
Dallas, Texas 75270-2102
vaughn.lorena@epa.gov; and

U.S. EPA, Region 6
Enforcement and Compliance Assurance Division (ECAD)
1201 Elm Street, Suite 500
Dallas, Texas 75270-2102
ATTN: Adolphus Talton
Talton.adophus@epa.gov

Respondent's adherence to this request will ensure proper credit is given when penalties are received by EPA.

57. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, unless otherwise prohibited by law, EPA will assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the cost of processing and handling a delinquent claim. Interest on the civil penalty assessed in this CAFO will begin to accrue on the effective date of the CAFO and will be recovered by EPA on any amount of the civil penalty that is not paid within thirty (30) calendar days of the civil penalty's due date and will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).
58. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, EPA is required to send to the

Internal Revenue Service (“IRS”) annually, a completed IRS Form 1098-F (“Fines, Penalties, and Other Amounts”) with respect to any court order or settlement agreement (including administrative settlements), that require a payor to pay an aggregate amount that EPA reasonably believes will be equal to, or in excess of, \$50,000 for the payor’s violation of any law or the investigation or inquiry into the payor’s potential violation of any law, including amounts paid for “restitution or remediation of property” or to come “into compliance with a law.” EPA is further required to furnish a written statement, which provides the same information provided to the IRS, to each payor (i.e., a copy of IRS Form 1098-F). Failure to comply with providing IRS Form W-9 or Tax Identification Number (“TIN”), as described below, may subject Respondent to a penalty, per 26 U.S.C. § 6723, 26 U.S.C. § 6724(d)(3), and 26 C.F.R. § 301.6723-1. In order to provide EPA with sufficient information to enable it to fulfill these obligations, EPA herein requires, and Respondent herein agrees, that:

- a. Respondent shall complete an IRS Form W-9 (“Request for Taxpayer Identification Number and Certification”), which is available at <https://www.irs.gov/pub/irs-pdf/fw9.pdf>;
- b. Respondent shall therein certify that its completed IRS Form W-9 includes Respondent’s correct TIN or that Respondent has applied and is waiting for issuance of a TIN; Respondent shall email its completed Form W-9 to EPA’s Cincinnati Finance Center at chalifoux.jessica@epa.gov within 30 days after the Final Order ratifying this Agreement is filed, and EPA recommends encrypting IRS Form W-9 email correspondence; and
- c. In the event that Respondent has certified in its completed IRS Form W-9 that it has

applied for a TIN and that TIN has not been issued to Respondent within 30 days after the effective date, then Respondent, using the same email address identified in the preceding sub-paragraph, shall further:

- i. Notify EPA's Cincinnati Finance Center of this fact, via email, within 30 days after the effective date of this Order; and
- ii. Provide EPA's Cincinnati Finance Center with Respondent's TIN, via email, within five (5) days of Respondent's issuance and receipt of the TIN.

59. Moreover, the costs of the Agency's administrative handling overdue debts will be charged and assessed monthly throughout the period the debt is overdue. 40 C.F.R. § 13.11(b). EPA will also assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) day period the penalty remains unpaid. In addition, a penalty charge of up to six percent (6%) per year will be assessed monthly on any portion of the debt which remains delinquent more than ninety (90) days. 40 C.F.R. § 13.11(b). Should a penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d). Other penalties for failure to make a payment may also apply.

B. Costs

60. Each party shall bear its own costs and attorney's fees. Furthermore, Respondent specifically waives its right to seek reimbursement of its costs and attorney's fees under the Equal Access to Justice Act (5 U.S.C. § 504), as amended by the Small Business Regulatory

Enforcement Fairness Act (P.L. 04-121), and any regulations promulgated pursuant to those Acts.

C. Termination and Satisfaction

61. When Respondent believes that it has complied with all the requirements of this CAFO, including compliance with the Compliance Order and payment of the civil penalty, Respondent shall also certify this in writing and in accordance with the certification language set forth in Section IV (Compliance Order), Paragraph 68. Unless the EPA, Region 6 objects in writing within sixty (60) days of EPA's receipt of Respondent's certification, then this CAFO is terminated on the basis of Respondent's certification.

D. Effective Date of Settlement

62. This CAFO shall become effective upon filing with the Regional Hearing Clerk.

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THE UNDERSIGNED PARTIES CONSENT TO THE ENTRY OF THIS CONSENT AGREEMENT AND FINAL ORDER:

FOR THE RESPONDENT:

5/10/24
Date

David Hext
Signature

David Hext
Printed Name

Site Manager
Title

COMPLAINANT:
U.S. ENVIRONMENTAL PROTECTION AGENCY

Date: May 14, 2024

Cheryl T. Seager

Digitally signed by
CHERYL SEAGER
Date: 2024.05.14
13:39:23 -05'00'

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

Indorama Ventures Olefins, LLC.
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FINAL ORDER

Pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, 40 C.F.R. Part 22, the foregoing CAFO is hereby ratified. This Final Order shall not in any case affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. This Final Order shall resolve only those causes of action alleged herein. Nothing in this Final Order shall be construed to waive, extinguish or otherwise affect Respondent's (or its officers, agents, servants, employees, successors, or assigns) obligation to comply with all applicable federal, state, and local statutes and regulations, including the regulations that were the subject of this action. Respondent is ordered to comply with the terms of settlement and the civil penalty payment instructions as set forth in the CAFO. Pursuant to 40 C.F.R. § 22.31(b) this Final Order shall become effective upon filing with the Regional Hearing Clerk.

Date: _____

**THOMAS
RUCKI**

Digitally signed by THOMAS
RUCKI
Date: 2024.05.14 15:38:47
-04'00'

Thomas Rucki
Regional Judicial Officer

Indorama Ventures Olefins, LLC.
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CERTIFICATE OF SERVICE


I certify that that a true and correct copy of the foregoing Consent Agreement and Final Order was filed with me, the Regional Hearing Clerk, U.S. EPA - Region 6, 1201 Elm Street, Suite 500, Dallas, Texas 75270-2102, and that I sent a true and correct copy on this day in the following manner to the email addresses:

Copy via Email to Complainant, EPA:

sharma.ravi@epa.gov

Copy via Email to Respondent:

damian.fryoux@us.indorama.net
david.hext@us.indorama.net
todd.a.mclane@us.indorama.net
bryant.bremer@keanmiller.com
Indorama Ventures Olefins LLC.
David Hext
4300 Highway 108
Westlake, Louisiana 70669

 5/14/2024
Regional Hearing Clerk
U.S. EPA, Region 6