



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

**Region 6
1201 Elm Street, Suite 500
Dallas, Texas 75270**

April 10, 2020

VIA EMAIL:

Mr. Russ Snyder
CLECO Power, LLC – Coughlin Power Station
P.O. Box 5000
Pineville, LA 71361-5000

Re: Clean Air Act Notice of Violation

Dear Mr. Snyder:

The United States Environmental Protection Agency (“EPA”) has identified CLECO Power, LLC (“CLECO Power”) as having violated the Clean Air Act (“CAA”), 42 U.S.C. § 7401 *et seq.*, and the regulations promulgated thereunder. This Notice of Violation (“Notice”) is issued to CLECO Power for violations of the CAA at its Coughlin Power Station located at 2180 St. Landry Hwy, St. Landry, LA 71367 (“the Facility”). Specifically, EPA believes that CLECO Power¹ has violated the Louisiana State Implementation Plan (“SIP”). The Notice is issued pursuant to Section 113(a)(1) of the CAA, 42 U.S.C. § 7413(a)(1), which requires the Administrator of EPA to notify any person in violation of a SIP or permit of the violation(s). The authority to issue this Notice has been delegated to the Director of the Enforcement and Compliance Assurance Division, EPA Region 6.

On October 3, 2019, we sent CLECO Power a letter regarding our Emission Inventory Permit Consistency Review, in which we reviewed the Facility’s emission inventory for criteria pollutant and hazardous air pollutant (HAP) emission totals for calendar year 2017, as reported to the Louisiana Department of Environmental Quality (“LDEQ”). As noted in our letter, the Facility’s reported annual emission totals exceeded its permit authorization limits. CLECO Power responded via email on October 3, 2019 and provided further information regarding the annual emission totals via email on October 4, 2019. Review of CLECO Power’s additional information indicates that although annual emission totals did not exceed permit authorization limits, there were errors in the Facility’s inventory of actual emissions reported.

¹ Please be advised that some companies may qualify as a “small business” under the Small Business Regulatory Enforcement and Fairness Act (SBREFA). The U.S. Small Business Administration has established a Table of Small Business Size Standards, which can be found at: https://www.sba.gov/sites/default/files/Size_Standards_Table.pdf. The SBREFA Information Sheet provides information on compliance assistance to entities that may qualify as small businesses as well as to inform them of their right to comment to the SBREFA Ombudsman concerning EPA enforcement activities. The SBREFA Information Sheet can be found at: <https://nepis.epa.gov/Exe/ZyPDF.cgi/P100BYAV.PDF?Dockey=P100BYAV.PDF>.

CAA Violation

We are sending this letter to inform CLECO Power of violations of Louisiana's federally approved SIP at the Facility.

LAC 33:III.919.B.1 of the Louisiana SIP, approved at 76 Fed. Reg. 38,977 (July 5, 2011), requires that CLECO Power submit an Annual Emissions Statement to LDEQ consisting of an inventory of the Facility's actual emissions and the permitted emissions limits of volatile organic compounds (VOCs), nitrous oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO₂), lead (Pb), particulate matter of 10 microns or less (PM₁₀) and 2.5 microns or less (PM_{2.5}), and ammonia. Actual emissions must be reported for all sources of emissions at the Facility, including fugitive emissions, flash gas emissions, insignificant sources, and excess emissions occurring during maintenance, start-ups, shutdowns, upsets, and downtime.

Based on its review, EPA finds that CLECO Power violated LAC 33:III.919.B.1 of the Louisiana SIP by failing to report the Facility's actual emissions of VOC for all sources in CLECO's Annual Emissions Statement for reporting year 2017.

Opportunity to Confer

We appreciate CLECO Power working with us regarding this matter. Please contact Carlos Zequeira, Assistant Regional Counsel, Zequeira.C@epa.gov, (214) 665-8053, within ten (10) business days of receipt of this Notice to discuss an administrative path for quick resolution.

Sincerely,

Cheryl T. Seager
Director, Enforcement and Compliance
Assurance Division

ec: Celena Cage, LDEQ (Celena.Cage@la.gov)