



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

August 24, 2023

Frank Fazio
Environmental Engineer
Vopak Industrial Infrastructure Americas St. Charles, LLC
21255 Hwy 1, Bldg 11004T
Plaquemine, Louisiana 70764

Sent via email: Frank.Fazio@vopak.com

Re: Notice of Violation and Opportunity to Confer

Dear Mr. Fazio:

The United States Environmental Protection Agency, Region 6 ("EPA") has identified Vopak Industrial Infrastructure Americas St. Charles, LLC ("Vopak") as having violated the Clean Air Act, 42 U.S.C. § 7401 *et seq.* ("CAA") at Vopak's facility located at 355 LA Highway 3142, Hahnville, Louisiana (the "Facility"). This Notice of Violation and Opportunity to Confer ("NOVOC") is issued to Vopak¹ for violations of the National Emission Standards for Hazardous Air Pollutants ("NESHAP") for Benzene Waste Operations at 40 C.F.R. Part 61, Subpart FF and the NESHAP for Source Categories: Generic Maximum Achievable Control Technology ("MACT") Standards at 40 C.F.R. Part 63, Subpart YY at the Facility. This NOVOC is issued pursuant to Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3). By this letter, EPA is extending to you an opportunity to advise the Agency, via a conference call or in writing, of any further information EPA should consider with respect to the violations.

On April 12, 2022, EPA conducted an on-site inspection of the Facility. Using a forward looking infrared ("FLIR") camera to assess emission sources, EPA observed volatile organic compound ("VOC") emissions venting from a tank leg on the external floating roof of Tank 1301 and from a pipe connecting the stilling well to the external floating roof of Tank 1331. During the inspection, EPA recommended repairs of Tank 1301 and Tank 1331 to address the cause of the VOC emissions observed through the FLIR camera. On May 12, 2022, Vopak informed EPA that repairs at both tanks were completed on May 4, 2022. EPA considered the observations during the on-site inspection and information provided by Vopak to determine whether violations occurred at the Facility.

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/document/support-table-size-standards>. 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://www.epa.gov/compliance/small-business-resources-information-sheet>.

Notice of Violation and Opportunity to ConferPage **2***On-site inspection of Vopak Facility in Hahnville, Louisiana***CAA Violations**

We are sending this NOVOC to inform Vopak of the following violations at the Facility:

1. Vopak violated 40 C.F.R. § 61.351(a)(2) and 40 C.F.R. § 63.1103(e)(3) at Tank 1301, by failing to comply with the external floating roof requirements in 40 C.F.R. § 60.112b(a)(2)(ii) and 40 C.F.R. §§ 63.1063(b)(3) and (4).
2. Vopak violated 40 C.F.R. § 61.351(a)(2) and 40 C.F.R. § 63.1103(e)(3) at Tank 1331, by failing to comply with the external floating roof requirements in 40 C.F.R. § 60.112b(a)(2)(ii) and 40 C.F.R. § 63.1063(b)(3).

Opportunity to Confer

This NOVOC provides you with the opportunity to confer with EPA. We request Vopak contact Arati Tripathi, Assistant Regional Counsel, at tripathi.arati@epa.gov or (214) 665-7404 within ten (10) business days to discuss this pending matter.

Sincerely,

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

cc: Angela Marse (angela.marse@la.gov)