

Cash Receiving Application - Collection Point Log Remittance

CL AREA

NED

CRAF006A

Logged Total

\$14,912.66

Collection Point Log Remittance

Remittance ID

1560667

Type *

CP

Received Date *

07/14/2022

Status

RECEIVED

System Receipt

134925

PNR

Check # *

803643

Amount *

7,550.00

Name *

SYMRISE

First

Middle

Title

Suffix

Address1

300 NORTH STREET

Address2

City

TETERBORO

ST

NJ

Zip

07608

Country

Short Comments

SH/SH-OGC#22-1933

PAYMENT (S)

Payment ID	Distribution	Rev Code	Revenue									
CL Area	ODN	Object	Description	Payment Amount	Reference#	Appl	Fund *	Grant	Project	BPIN	Status	
1888598	NED	012008	012008	LCT-PENALTIES	7,050.00	221933		WQATF			COMPLETE	
1888599	NED	018003	018003	LCT-REIMB.LEGAL	500.00	221933		WQATF			COMPLETE	

COMMIT FREQUENTLY

7,550.00

Payment Total

803643

Symrise, Inc.

Issued by: TS

Vendor: 73133615

Florida Dept. Environmental Protection
OGC File No. 22-1933
Air Facility ID No. 0310039

\$7,550.00

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

symrise



always inspiring more...

300 North Street, Teterboro, NJ 07608

Deutsche Bank Trust Company Delaware

62-38/311

134925

803643

AMOUNT

PAY

DATE

July 13, 2022

\$7,550.00

*****Seven Thousand Five Hundred Fifty Dollars 00/100 *****

TO THE ORDER OF

VOID IF AFTER 180 DAYS

Florida Dept. Environmental Protection
8800 Baymeadows Way West
Suite100
Jacksonville, FL 32256

MP

935369C-10-02



SECURITY FEATURES INCLUDED. DETAILS ON BACK.





FLORIDA DEPARTMENT OF Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

July 11, 2022

Sent electronically to: Peter.Steinhoff@symrise.com

Mr. Peter Steinhoff, Treasurer
Symrise, Inc.
300 North Street
Teterboro, New Jersey 07608

SUBJECT: Department of Environmental Protection v. Symrise, Inc.
OGC File No. 22-1933
Air Facility ID No. 0310039
Duval County

Dear Mr. Steinhoff:

Enclosed is a copy of the executed Consent Order to resolve Case Number 22-1933. The effective date of this Order is July 11, 2022, and all timeframes will be references from this date.

As a reminder, a Consent Order is a binding legal document and was voluntarily entered into by both parties.

Should you have any questions concerning the Consent Order, please contact Chris Azcuy, at Chris.Azcuy@FloridaDEP.gov, or by phone at (904) 256-1529. Your continued cooperation in the matter is appreciated.

Sincerely,

A handwritten signature in blue ink that reads "James R. Maher".

James R. Maher, PE
Assistant Director

Enclosure: Executed Consent Order

ec: FDEP-OGC: Lea Crandall, Agency Clerk
FDEP-NED: Joni Petry, Chris Azcuy, Arlene Wilkinson, DEP_NED
FDEP-DARM: Jessica Dalton, David Read
FDEP-OGC: Kathryn Lewis
Richard Hastings, richard.hastings@symrise.com
Jason King, jason.king@symrise.com



FLORIDA DEPARTMENT OF Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

June 24, 2022

Sent electronically to: Peter.Steinhoff@symrise.com

Mr. Peter Steinhoff, Treasurer
Symrise, Inc.
300 North Street
Teterboro, New Jersey 07608

SUBJECT: Department of Environmental Protection v. Symrise, Inc.
OGC File No. 22-1933
Air Facility ID No. 0310039
Duval County

Dear Mr. Steinhoff:

Enclosed is the Consent Order to resolve the issues in the subject OGC File. Please review the Consent Order and, if you find it acceptable, sign and return the original document to this office within 30 days of receipt.

If you wish to modify the Consent Order, please respond to this office in writing within 30 days, explaining your concerns including any proposed changes.

If you have any questions concerning the Consent Order, please contact Chris Azcuy, at (904) 256-1529, or via email at Chris.Azcuy@FloridaDEP.gov. Your continued cooperation in the matter is greatly appreciated.

Sincerely,

A handwritten signature in blue ink that reads "James R. Maher".

James R. Maher, PE
Assistant Director

ec: FDEP-NED: Joni Petry, Chris Azcuy, DEP_NED
Richard Hastings, richard.hastings@symrise.com
Jason King, jason.king@symrise.com

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT)	IN THE OFFICE OF THE
OF ENVIRONMENTAL PROTECTION)	NORTHEAST DISTRICT
)	
v.)	OGC FILE NO. 22-1933
)	
SYMRISE, INC.)	
_____)	

CONSENT ORDER

This Consent Order (Order) is entered into between the State of Florida Department of Environmental Protection (Department) and Symrise, Inc. (Respondent) to reach settlement of certain matters at issue between the Department and Respondent.

The Department finds and Respondent admits the following:

1. The Department is the administrative agency of the State of Florida having the power and duty to protect Florida's air and water resources and to administer and enforce the provisions of Florida Statutes (Fla. Stat.), and the rules promulgated and authorized in Title 62, Florida Administrative Code (Fla. Admin. Code). The Department has jurisdiction over the matters addressed in this Order.
2. Respondent is a "person" within the meaning of Sections 403.031(5), Fla. Stat.
3. Respondent is the owner and is responsible for the operation of the Symrise, Inc. – Jacksonville Facility, a facility that processes Crude Sulfate Turpentine, gum turpentine, and other chemicals to produce synthetic flavor and fragrance chemicals, and chemical intermediates (Facility). The Facility is a Title V source as defined in Section 62-210.200, Fla. Admin. Code, and is operated under Title V Air Operation Permit No. 0310039-032-AV (Permit) which expires on February 28, 2027. The Facility is located at 601 Crestwood Street, Jacksonville (further identified by Parcel ID Number 031949-0015), in Duval County, Florida (Property).
4. On January 26, 2022, Facility staff notified the Department of a failure of the Sulfacid System during November 2021, which is identified as emission unit (EU) No. 038. Due to the failure of the Sulfacid System, the Facility was unable to operate the Thermal Oxidizer (co-identified with the Sulfacid System as EU No. 038) and the associated Boiler No. 10 (identified as EU No. 037). This then required consistent operations of Boiler No. 9 (identified as EU No. 032) for steam production and combustion of the sulfur-rich gas stream.

a) During the Prevention of Significant Deterioration (PSD) analysis that was conducted prior to the construction and installation of the Sulfacid System (Minor Air Construction Permit No. 0310039-029-AC), the Department restricted the hours of operation to 1,200 hours per calendar year for Boiler No. 9 in order to curtail Sulfur Dioxide emissions from Facility operations.

5. On February 10, 2022, Facility representatives met virtually with Department staff from the Northeast District Office and the Division of Air Resource Management. The Facility representatives provided an estimated timeline for the completion of the required repairs to return the Sulfacid System back to normal operations, and acknowledged the estimated timeline would result in the exceedance of the annual restricted hours of operation for Boiler No. 9.

6. On February 24, 2022, the Facility exceeded the restricted hours of operation for Boiler No. 9 for calendar year 2022.

7. On April 25, 2022, the Facility notified the Department that the Sulfacid System/Thermal Oxidizer and associated Boiler No. 10 had resumed normal operations and Boiler No. 9 was taken offline. According to Facility records, Boiler No. 9 had a total runtime of approximately 2,541 hours for calendar year 2022, as of the morning of April 25, 2022 when the Sulfacid System resumed normal operations.

8. Based on the findings from Paragraphs 4 through 7, the Department finds that the following violation occurred:

a) The facility exceeded the annual restricted hours of operation for Boiler No. 9 (identified as EU No. 032), in violation of specific condition A.3. of the Permit and Rule 62-4.160, Fla. Admin. Code.

i) Furthermore, the Facility continued to operate Boiler No. 9 for an additional 60 calendar days (approximately 1,341 hours) after exceeding the restricted hours of operation for calendar year 2022.

9. Since the issuance of Warning Letter No. WL22-070, dated April 7, 2022, the facility has completed the following corrective actions, verified with the submission of documentation via email on June 6, 2022:

- a) Modified the programming of the standby recirculation pump to add delay timers before attempting to start the pump, and additional programming to keep attempting to start the pump in case the first attempt was unsuccessful.
- b) Scheduled weekly testing of the backup generator to confirm operation, as well as fully simulated power outage testing during planned routine unit maintenance shutdowns.
- c) Provided additional training to Facility staff for high temperature events in the Quench Vessel.
- d) Replaced the rubber-seated firewater automated valve with a stainless-steel ball valve, installed a manual bypass valve around the automated valve for operator intervention, and updated the list of preventative maintenance activities for the Emergency Firewater Injection to the Quench Vessel.
- e) Reached an agreement with the facility's vendor to maintain spare graphite riser tube pipes in stock.

Having reached a resolution of the matter Respondent and the Department mutually agree and it is

ORDERED:

10. Respondent shall comply with the following corrective actions within the stated time periods:

- a) **As of the effective date of this Order and for the remainder of calendar year 2022**, Respondent shall not exceed an Interim restricted hours of operation of 2,850 hours for Boiler No. 9.
 - i) The Facility shall return to the restricted hours of operation for Boiler No. 9 provided in specific condition A.3. of the Permit on the first calendar day of 2023.

11. **Within 30 days of the effective date of this Order**, Respondent shall pay the Department \$ 7,500.00 in settlement of the regulatory matters addressed in this Order. This amount includes \$ 7,000.00 for administrative penalties and \$ 500.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Order. The administrative penalties are apportioned as follows: \$ 1,000.00 for violation of Rule 62-4.160, Fla.

Admin. Code; and, \$ 6,000.00 as a multi-day penalty for continuing to operate the emission unit for an additional 60 days (February 24, 2022 to April 25, 2022) at \$ 100.00 per calendar day.

12. Respondent agrees to pay the Department stipulated penalties in the amount of \$100 per day for each and every day Respondent fails to timely comply with any of the requirements of Paragraph 10 of this Order. The Department may demand stipulated penalties at any time after violations occur. Respondent shall pay stipulated penalties owed within 30 days of the Department's issuance of written demand for payment and shall do so as further described in Paragraphs 13 and 14, below. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any terms of this Order. Any stipulated penalties assessed under this paragraph shall be in addition to the administrative penalties agreed to in Paragraph 11 of this Order.

13. Respondent shall make all payments required by this Order by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number assigned to this Order and the notation "Civil Penalty." Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this order becomes final, effective and filed with the Clerk of the Department before ability to make online payment is available.

14. Except as otherwise provided, all submittals and payments required by this Order shall be sent to the Northeast District Office, Department of Environmental Protection, at 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida 32256.

15. Respondent shall allow all authorized representatives of the Department access to the Facility and the Property at reasonable times for the purpose of determining compliance with the terms of this Order and the rules and statutes administered by the Department.

16. In the event of a sale or conveyance of the Facility or of the Property upon which the Facility is located, if all of the requirements of this Order have not been fully satisfied, Respondent shall, at least 30 days prior to the sale or conveyance of the Facility or Property, (a) notify the Department of such sale or conveyance, (b) provide the name and address of the purchaser, operator, or person(s) in control of the Facility, and (c) provide a copy of this Order with all attachments to the purchaser, operator, or person(s) in control of the Facility. The sale or conveyance of the Facility or the Property does not relieve Respondent of the obligations imposed in this Order.

17. If any event, including administrative or judicial challenges by third parties unrelated to Respondent, occurs which causes delay or the reasonable likelihood of delay in complying with the requirements of this Order, Respondent shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of Respondent and could not have been or cannot be overcome by Respondent's due diligence. Neither economic circumstances nor the failure of a contractor, subcontractor, materialman, or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines shall be considered circumstances beyond the control of Respondent (unless the cause of the contractor's late performance was also beyond the contractor's control). Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondent shall notify the Department by the next working day and shall, within seven calendar days notify the Department in writing of (a) the anticipated length and cause of the delay, (b) the measures taken or to be taken to prevent or minimize the delay, and (c) the timetable by which Respondent intends to implement these measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of Respondent, the time for performance hereunder shall be extended. The agreement to extend compliance must identify the provision or provisions extended, the new compliance date or dates, and the additional measures Respondent must take to avoid or minimize the delay, if any. Failure of Respondent to comply with the notice requirements of this paragraph in a timely manner constitutes a waiver of Respondent's right to request an extension of time for compliance for those circumstances.

18. The Department, for and in consideration of the complete and timely performance by Respondent of all the obligations agreed to in this Order, hereby conditionally waives its right to seek judicial imposition of damages or civil penalties for alleged violations up to the date of the filing of this Order. This waiver is conditioned upon Respondent's complete compliance with all of the terms of this Order.

19. This Order is a settlement of the Department's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Order is not a settlement of any criminal liabilities which may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law. Entry of this Order does not relieve Respondent of the need to comply with applicable federal, state, or local laws, rules, or ordinances.

20. The Department hereby expressly reserves the right to initiate appropriate legal action to address any violations of statutes or rules administered by the Department that are not specifically resolved by this Order.

21. Respondent is fully aware that a violation of the terms of this Order may subject Respondent to judicial imposition of damages, civil penalties up to \$15,000.00 per day per violation, and criminal penalties.

22. Respondent acknowledges and waives its right to an administrative hearing pursuant to sections 120.569 and 120.57, Fla. Stat., on the terms of this Order. Respondent also acknowledges and waives its right to appeal the terms of this Order pursuant to section 120.68, Fla. Stat.

23. Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department.

24. The terms and conditions set forth in this Order may be enforced in a court of competent jurisdiction pursuant to sections 120.69 and 403.121, Fla. Stat. Failure to comply with the terms of this Order constitutes a violation of section 403.161(1)(b), Fla. Stat.

25. This Consent Order is a final order of the Department pursuant to Section 120.52(7), Fla. Stat., and it is final and effective on the date filed with the Clerk of the Department unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, Fla. Stat. Upon the timely filing of a petition, this Consent Order will not be effective until further order of the Department.

26. Persons who are not parties to this Consent Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Consent Order means that the Department's final action may be different from the position it has taken in the Consent Order.

The petition for administrative hearing must contain all of the following information:

- a) The name and address of each agency affected and each agency's file or identification number, if known;
- b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be

the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

- c) A statement of when and how the petitioner received notice of the agency decision;
- d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at Agency_Clerk@floridadep.gov, within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida, 32256. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under sections 120.569 and 120.57, Florida Statutes. Before the deadline for filing a petition, a person whose substantial interests are affected by this Consent Order may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes. Choosing mediation will not adversely affect such person's right to request an administrative hearing if mediation does not result in a settlement. Additional information about mediation is provided in section 120.573, Florida Statutes and Rule 62-110.106(12), Florida Administrative Code.

27. Rules referenced in this Order are available at:

<http://www.dep.state.fl.us/legal/Rules/rulelist.htm>.

FOR THE RESPONDENT:



Peter Steinhoff
Treasurer, Symrise Inc.

07/01/2022

Date

DONE AND ORDERED this 11th day of July 2022, in Duval, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Gregory J. Strong
District Director
Northeast District



Filed, on this date, pursuant to section 120.52, Fla. Stat., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

July 11, 2022

Date

Copies furnished to:

Lea Crandall, Agency Clerk, Mail Station 35 [Executed Copy Only]
FDEP-NED: Joni Petry, Chris Azcuy, Arlene Wilkinson
FDEP-DARM: Jessica Dalton, David Read [Executed Copy Only]
FDEP-OGC: Kathryn Lewis [Executed Copy Only]