

**Executive Summary – Enforcement Matter – Case No. 47704  
Lucite International, Inc.  
RN102736089  
Docket No. 2013-1814-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Lucite Beaumont Site, 6350 North Twin City Highway, Nederland, Jefferson County

**Type of Operation:**

Chemical manufacturing plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket Nos.: 2014-1050-AIR-E  
and 2014-0423-IHW-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** October 3, 2014

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$56,688

**Amount Deferred for Expedited Settlement:** \$11,337

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$45,351

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**SEP Conditional Offset:** \$0

Name of SEP: N/A

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** September 2002 and September 2011

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** August 6, 2013

**Date(s) of NOE(s):** August 22, 2013

**Executive Summary – Enforcement Matter – Case No. 47704**  
**Lucite International, Inc.**  
**RN102736089**  
**Docket No. 2013-1814-AIR-E**

***Violation Information***

1. Failed to comply with maximum allowable emissions rates (“MAER”). Specifically, the Respondent exceeded the MAER of 24.72 pounds per hour (“lbs/hr”) for nitrogen oxides (“NOx”) and 121.67 lbs/hr for sulfur dioxide (“SO2”) at the Spent Acid Regeneration (“SAR”) Unit Stack, Emission Point Number (“EPN”) SAR-SARSTK, on February 7 and 14, June 4 and 7, and August 24, 2012, resulting in the unauthorized release of 81.35 lbs of NOx and 138.76 lbs of SO2 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit (“FOP”) No. O1959, General Terms & Conditions (“GTC”) and Special Terms & Conditions (“STC”) No. 19, and New Source Review (“NSR”) Permit No. 19005, Special Conditions (“SC”) No. 1].
2. Failed to comply with certified emissions limits. Specifically, the Respondent exceeded the certified NOx emissions limit of 0.89 ton per year (“tpy”) and the certified SO2 emissions limit of 0.26 tpy based on a rolling 12-month period for the Methyl Methacrylate (“MMA”) Dock Flare, EPN MMA-DKFL, for the 12-month periods ending in August 2011, September 2011, October 2011, November 2011, December 2011, January 2012, February 2012, March 2012, April 2012, May 2012, June 2012, July 2012, August 2012, and September 2012, resulting in the unauthorized release of 0.91 ton of NOx and 0.27 ton of SO2 [30 TEX. ADMIN. CODE §§ 106.6(a) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O1959, GTC and STC Nos. 19 and 20, and Permit By Rule Registration No. 89987].
3. Failed to comply with the allowable emissions limit. Specifically, the Respondent exceeded the allowable NOx emissions limit of 0.10 pound per million British thermal units (“lb/MMBtu”) based on a rolling 30-day average for Boiler 7, EPN P&S/BLR7, from February 28 through March 27, 2012 by 0.03 lb/MMBtu [30 TEX. ADMIN. CODE §§ 101.20(1), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), 40 CODE OF FEDERAL REGULATIONS §§ 60.44b(i) and (l) and 60.46b(a), FOP No. O1959, GTC and STC No. 19, and NSR Permit No. 19005, SC No. 1].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

By November 30, 2012, the Respondent implemented an improved SAR heat up procedure to establish a more efficient start-up profile to comply with the emissions rates for the SAR Unit Stack and migrated to a new Distributive Control System for the MMA Dock Flare, EPN MMA-DKFL.

**Executive Summary – Enforcement Matter – Case No. 47704  
Lucite International, Inc.  
RN102736089  
Docket No. 2013-1814-AIR-E**

**Technical Requirements:**

The Order will require the Respondent to:

- a. Within 30 days, implement measures and/or procedures to ensure compliance with the NOx allowable emissions limit based on a rolling 30-day average for EPN P&S/BLR7; and
- b. Within 45 days, submit written certification to demonstrate compliance with Ordering Provision a.

***Litigation Information***

**Date Petition(s) Filed:** N/A  
**Date Answer(s) Filed:** N/A  
**SOAH Referral Date:** N/A  
**Hearing Date(s):** N/A  
**Settlement Date:** N/A

***Contact Information***

**TCEQ Attorney:** N/A  
**TCEQ Enforcement Coordinator:** Amancio R. Gutierrez, Enforcement Division, Enforcement Team 5, MC 149, (512) 239-3921; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456  
**TCEQ SEP Coordinator:** N/A  
**Respondent:** Hootan Hidaji, Site Manager, Lucite International, Inc., 6350 North Twin City Highway, Nederland, Texas 77627  
**Respondent's Attorney:** N/A





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

<b>DATES</b>	<b>Assigned</b>	26-Aug-2013	<b>Screening</b>	20-Sep-2013	<b>EPA Due</b>	19-May-2014
	<b>PCW</b>	17-Jun-2014				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Lucite International, Inc.
<b>Reg. Ent. Ref. No.</b>	RN102736089
<b>Facility/Site Region</b>	10-Beaumont
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	47704	<b>No. of Violations</b>	1
<b>Docket No.</b>	2013-1814-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Amancio R. Gutierrez
		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$10,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** **Subtotal 1** **\$12,500**

**ADJUSTMENTS (+/-) TO SUBTOTAL 1**  
 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

**Compliance History** **161.0%** Enhancement **Subtotals 2, 3, & 7** **\$20,125**

Notes: Enhancement for two NOVs with same/similar violations, three NOVs with dissimilar violations, six orders containing a denial of liability, and one order without a denial of liability.

**Culpability** **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply Total Adjustments** **Subtotal 5** **-\$3,125**

**Economic Benefit** **0.0%** Enhancement\* **Subtotal 6** **\$0**

Total EB Amounts **\$125**  
 Estimated Cost of Compliance **\$2,000**  
 \*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** **Final Subtotal** **\$29,500**

**OTHER FACTORS AS JUSTICE MAY REQUIRE** **0.0%** **Adjustment** **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

**Final Penalty Amount** **\$29,500**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty** **\$29,500**

**DEFERRAL** **20.0%** Reduction **Adjustment** **-\$5,900**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

**PAYABLE PENALTY** **\$23,600**

Screening Date 20-Sep-2013

Docket No. 2013-1814-AIR-E

PCW

Respondent Lucite International, Inc.

Policy Revision 2 (September 2002)

Case ID No. 47704

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102736089

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

### Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	2	10%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 161%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with same/similar violations, three NOVs with dissimilar violations, six orders containing a denial of liability, and one order without a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 161%

Screening Date 20-Sep-2013

Docket No. 2013-1814-AIR-E

PCW

Respondent Lucite International, Inc.

Policy Revision 2 (September 2002)

Case ID No. 47704

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102736089

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 106.6(a) and (c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit No. O1959, General Terms and Conditions and Special Terms and Conditions Nos. 19 and 20, and Permit By Rule Registration No. 89987

Violation Description

Failed to comply with certified emissions limits. Specifically, the Respondent exceeded the certified nitrogen oxides ("NOx") emissions limit of 0.89 ton per year ("tpy") and the certified annual sulfur dioxide ("SO2") emissions limit of 0.26 tpy based on a rolling 12-month period for the Methyl Methacrylate Dock Flare, Emission Point No. MMA-DKFL, for the 12-month periods ending in August 2011, September 2011, October 2011, November 2011, December 2011, January 2012, February 2012, March 2012, April 2012, May 2012, June 2012, July 2012, August 2012, and September 2012, resulting in the unauthorized release of 0.91 ton of NOx and 0.27 ton of SO2.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual			X	25%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 5 Number of violation days 396

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	X
	semiannual	
	annual	
single event		

Violation Base Penalty \$12,500

Five quarterly events are recommended for the period of non-compliance that occurred from August 31, 2011 through September 30, 2012.

Good Faith Efforts to Comply

25.0%

Reduction \$3,125

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		(mark with x)

Notes

The Respondent completed corrective measures on November 30, 2012, before the August 22, 2013 NOE.

Violation Subtotal \$9,375

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$125

Violation Final Penalty Total \$29,500

This violation Final Assessed Penalty (adjusted for limits) \$29,500

# Economic Benefit Worksheet

**Respondent** Lucite International, Inc.  
**Case ID No.** 47704  
**Reg. Ent. Reference No.** RN102736089  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

### Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,000	31-Aug-2011	30-Nov-2012	1.25	\$125	n/a	\$125

Notes for DELAYED costs

Estimated cost to migrate to a new Distributive Control System for the MMA Dock Flare. The Date Required is the date of the non-compliance and the Final Date is the date of compliance.

### Avoided Costs

**ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

**TOTAL**

\$125



# Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

<b>DATES</b>	<b>Assigned</b>	26-Aug-2013	<b>Screening</b>	20-Sep-2013	<b>EPA Due</b>	19-May-2014
	<b>PCW</b>	17-Jun-2014				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Lucite International, Inc.
<b>Reg. Ent. Ref. No.</b>	RN102736089
<b>Facility/Site Region</b>	10-Beaumont
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>		<b>No. of Violations</b>	2
<b>Enf./Case ID No.</b>	47704	<b>Order Type</b>	1660
<b>Docket No.</b>	2013-1814-AIR-E	<b>Government/Non-Profit</b>	No
<b>Media Program(s)</b>	Air	<b>Enf. Coordinator</b>	Amancio R. Gutierrez
<b>Multi-Media</b>		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$15,000
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

<b>Compliance History</b>	100.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$15,000
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Notes: Enhancement for two NOV's with same/similar violations, three NOV's with dissimilar violations, six orders containing a denial of liability, and one order without a denial of liability.

<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	\$0
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$2,812
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts: \$364  
 Approx. Cost of Compliance: \$4,000  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$27,188
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	\$27,188
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$27,188
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<b>DEFERRAL</b>	20.0% Reduction	<b>Adjustment</b>	-\$5,437
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$21,751
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Screening Date 20-Sep-2013

Docket No. 2013-1814-AIR-E

PCW

Respondent Lucite International, Inc.

Policy Revision 3 (September 2011)

Case ID No. 47704

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102736089

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

### Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	2	10%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgements or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 161%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with same/similar violations, three NOVs with dissimilar violations, six orders containing a denial of liability, and one order without a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 161%

>> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 100%

Screening Date 20-Sep-2013

Docket No. 2013-1814-AIR-E

PCW

Respondent Lucite International, Inc.

Policy Revision 3 (September 2011)

Case ID No. 47704

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102736089

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit ("FOP") No. O1959, General Terms & Conditions ("GTC") and Special Terms & Conditions ("STC") No. 19, and New Source Review ("NSR") Permit No. 19005, Special Conditions ("SC") No. 1

Violation Description

Failed to comply with maximum allowable emissions rates ("MAER"). Specifically, the Respondent exceeded the MAER of 24.72 pounds per hour ("lbs/hr") for nitrogen oxides ("NOx") and 121.67 lbs/hr for sulfur dioxide ("SO2") at the Spent Acid Regeneration Unit Stack, Emission Point Number ("EPN") SAR-SARSTK, on February 7 and 14, June 4 and 7, and August 24, 2012, resulting in the unauthorized release of 81.35 lbs of NOx and 138.76 lbs of SO2.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 3

5 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$11,250

Three quarterly events are recommended for the instances of non-compliance from February 7, 2012 to August 24, 2012.

Good Faith Efforts to Comply

25.0% Reduction

\$2,812

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	X
N/A	(mark with x)

Notes

The Respondent completed corrective measures on November 30, 2012, before the August 22, 2013 Notice of Enforcement ("NOE").

Violation Subtotal \$8,438

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$81

Violation Final Penalty Total \$19,688

This violation Final Assessed Penalty (adjusted for limits) \$19,688

## Economic Benefit Worksheet

**Respondent** Lucite International, Inc.  
**Case ID No.** 47704  
**Reg. Ent. Reference No.** RN102736089  
**Media** Air  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

### Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,000	7-Feb-2012	30-Nov-2012	0.81	\$81	n/a	\$81

**Notes for DELAYED costs**

Estimated cost to implement an improved SAR heat up procedure to establish a more efficient start-up profile. The Date Required is the initial date of the non-compliance and the Final Date is the date of compliance.

### Avoided Costs

**ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$2,000

**TOTAL**

\$81

**Screening Date** 20-Sep-2013  
**Respondent** Lucite International, Inc.  
**Case ID No.** 47704  
**Reg. Ent. Reference No.** RN102736089  
**Media [Statute]** Air  
**Enf. Coordinator** Amancio R. Gutierrez

**Docket No.** 2013-1814-AIR-E

**PCW**

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

**Violation Number** 2

**Rule Cite(s)**

30 Tex. Admin. Code §§ 101.20(1), 116.115(c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), 40 Code of Federal Regulations §§ 60.44b(i) and (l) and 60.46b(a), FOP No. O1959, GTC and STC No. 19, and NSR Permit No. 2796A, SC No. 1

**Violation Description**

Failed to comply with the allowable emissions limit. Specifically, the Respondent exceeded the allowable NOx emissions limit of 0.10 pound per million British thermal units ("lb/MMBtu") based on a rolling 30-day average for Boiler 7, EPN P&S/BLR7, for the 30-day periods from February 28 through March 27, 2012 by 0.03 lb/MMBtu.

**Base Penalty** \$25,000

>> **Environmental, Property and Human Health Matrix**

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

**Percent** 15.0%

>> **Programmatic Matrix**

Falsification	Harm		
	Major	Moderate	Minor

**Percent** 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

**Adjustment** \$21,250

\$3,750

**Violation Events**

Number of Violation Events  Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

**Violation Base Penalty** \$3,750

One quarterly event is recommended.

**Good Faith Efforts to Comply**

**0.0%** Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes: The Respondent does not meet the good faith criteria for this violation.

**Violation Subtotal** \$3,750

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount** \$283

**Violation Final Penalty Total** \$7,500

**This violation Final Assessed Penalty (adjusted for limits)** \$7,500

# Economic Benefit Worksheet

**Respondent** Lucite International, Inc.  
**Case ID No.** 47704  
**Reg. Ent. Reference No.** RN102736089  
**Media** Air  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,000	28-Feb-2012	27-Dec-2014	2.83	\$283	n/a	\$283

**Notes for DELAYED costs**

Estimated cost to implement measures and/or procedures to ensure compliance with the NOx allowable emissions limit for EPN P&S/BLR7. The Date Required is the date of the non-compliance and the Final Date is the estimated date of compliance.

### Avoided Costs

**ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$2,000

**TOTAL**

\$283



# Compliance History Report

**PUBLISHED** Compliance History Report for CN601448764, RN102736089, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

<b>Customer, Respondent, or Owner/Operator:</b>	CN601448764, Lucite International, Inc.	<b>Classification:</b>	SATISFACTORY	<b>Rating:</b>	5.05
<b>Regulated Entity:</b>	RN102736089, LUCITE BEAUMONT SITE	<b>Classification:</b>	SATISFACTORY	<b>Rating:</b>	10.10
<b>Complexity Points:</b>	29	<b>Repeat Violator:</b>	NO		
<b>CH Group:</b>	05 - Chemical Manufacturing				
<b>Location:</b>	6350 N TWIN CITY HWY NEDERLAND, TX 77627-3157, JEFFERSON COUNTY				
<b>TCEQ Region:</b>	REGION 10 - BEAUMONT				

**ID Number(s):**

**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID TXD988088761  
**POLLUTION PREVENTION PLANNING** ID NUMBER P00334

**INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE** REGISTRATION # (SWR) 81282  
**AIR NEW SOURCE PERMITS** PERMIT 19005

**AIR NEW SOURCE PERMITS** PERMIT 19004  
**AIR NEW SOURCE PERMITS** REGISTRATION 29568  
**AIR NEW SOURCE PERMITS** REGISTRATION 53554  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX753  
**AIR NEW SOURCE PERMITS** PERMIT 2796A  
**AIR NEW SOURCE PERMITS** REGISTRATION 79737  
**AIR NEW SOURCE PERMITS** REGISTRATION 81877  
**AIR NEW SOURCE PERMITS** REGISTRATION 90567  
**AIR NEW SOURCE PERMITS** REGISTRATION 92505  
**AIR NEW SOURCE PERMITS** REGISTRATION 95805  
**AIR NEW SOURCE PERMITS** REGISTRATION 98366  
**AIR OPERATING PERMITS** PERMIT 1437  
**AIR OPERATING PERMITS** PERMIT 1959  
**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION 1230066

**AIR NEW SOURCE PERMITS** PERMIT 19003  
**AIR NEW SOURCE PERMITS** ACCOUNT NUMBER JE0425E  
**AIR NEW SOURCE PERMITS** AFS NUM 4824500136  
**AIR NEW SOURCE PERMITS** PERMIT 1743  
**AIR NEW SOURCE PERMITS** PERMIT 318  
**AIR NEW SOURCE PERMITS** REGISTRATION 80291  
**AIR NEW SOURCE PERMITS** REGISTRATION 89987  
**AIR NEW SOURCE PERMITS** REGISTRATION 92740  
**AIR NEW SOURCE PERMITS** REGISTRATION 93625  
**AIR NEW SOURCE PERMITS** REGISTRATION 96847  
**AIR NEW SOURCE PERMITS** REGISTRATION 103843  
**AIR OPERATING PERMITS** ACCOUNT NUMBER JE0425E  
**AIR OPERATING PERMITS** PERMIT 1960  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW100

**UNDERGROUND INJECTION CONTROL** PERMIT WDW101  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW390  
**WASTEWATER** PERMIT WQ0000473000

**UNDERGROUND INJECTION CONTROL** PERMIT WDW389  
**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER JE0425E  
**WASTEWATER** EPA ID TX0004669

<b>Compliance History Period:</b>	September 01, 2008 to August 31, 2013	<b>Rating Year:</b>	2013	<b>Rating Date:</b>	09/01/2013
<b>Date Compliance History Report Prepared:</b>	June 14, 2014				
<b>Agency Decision Requiring Compliance History:</b>	Enforcement				
<b>Component Period Selected:</b>	June 14, 2009 to June 14, 2014				

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**

**Name:** Amancio R. Gutierrez **Phone:** (512) 239-3921

**Site and Owner/Operator History:**

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If YES for #2, who is the current owner/operator? N/A
- 4) If YES for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If YES, when did the change(s) in owner or operator occur? N/A

## Components (Multimedia) for the Site Are Listed in Sections A - J

### **A. Final Orders, court judgments, and consent decrees:**

- 1 Effective Date: 07/20/2009 ADMINORDER 2009-0171-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-01960 General Terms and Conditions OP  
FOP O-01960 Special Condition 2F OP  
NSR Permit 1743 Special Condition 1 PERMIT  
Description: Failed to prevent unauthorized emissions during Incident No. 110434.  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-01960 General Terms and Conditions OP  
FOP O-01960 Special Condition 2 OP  
Description: Failed to identify the compound descriptive type of the individually listed compounds or mixtures of all air contaminants released during Incident No. 110434 which exceeded the reportable quantity ("RQ").
- 2 Effective Date: 10/18/2009 ADMINORDER 2009-0522-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-01437 General Terms and Conditions OP  
FOP O-01437, Special Condition 11 OP  
NSR Permit 19004, Special Condition 1 PERMIT  
Description: Failed to maintain emissions below the allowable emissions limit of 0.70 tons per year ("TPY") of volatile organic compounds ("VOCs") from the Acetone Cyanohydrin Cooling Tower, emission point number ("EPN") ACH-CTW, for calendar year 2007. Specifically, during 2007, emissions were 1.46 TPY of VOCs from EPN ACH-CTW.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-01437 General Terms and Conditions OP  
FOP O-01437, Special Condition 11 OP  
NSR Permit 19003 Special Condition 3 PERMIT  
Description: Failed to maintain emissions below allowable emissions limit of 0.42 TPY of nitrogen oxides ("NOx") from the Methyl Methacrylate Dock Flare, EPN MMA-DKFL, for calendar year 2007. Specifically, during 2007, emissions were 0.66 TPY of NOx from EPN MMA-DKFL.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-01437 General Terms and Conditions OP  
FOP O-01437, Special Condition 11 OP  
NSR Permit 19005 Special Condition 1 PERMIT  
Description: Failed to prevent emissions of 0.05 tons of VOCs in 2007 from the Spent Acid Recovery Unit Stack, EPN SAR-SARSTK, which is not authorized to release VOCs.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.354(1)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(7)(B)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01437 General Terms and Conditions OP  
FOP O-01437 Special Condition 1A OP  
FOP O-01437, Special Condition 11 OP  
FOP O-01437, Special Condition 8 OP

Description: Failed to monitor 6, 903 components in the Methyl Methacrylate Unit and 1,248 components in the Acetone Cyanohydrin Unit between July 25, 2008 and December 31, 2008.

- 3 Effective Date: 02/20/2011 ADMINORDER 2010-1079-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-01437, General Terms and Condition OP  
FOP O-01437, Special Condition 11 OP  
NSR Permit 19003, General Condition 8 PERMIT  
NSR Permit 19003, Special Condition 3 PERMIT  
NSR Permit 19005/PSD-TX-753, SC 1 PERMIT  
Description: Failure to maintain emission rate below the allowable emission limit and maintain an emission control device. EIC A8(c)(2)(A)(ii) MOD(2)(D)
- 4 Effective Date: 12/19/2011 ADMINORDER 2011-0967-IHW-E (Findings Order-Agreed Order Without Denial)  
Classification: Major  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)  
30 TAC Chapter 335, SubChapter A 335.4  
Description: Failure to prevent an unauthorized discharge of Acetone Cyanohydrin (ACH) into the Neches River.
- 5 Effective Date: 10/18/2013 ADMINORDER 2013-0224-IWD-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt Prov: EL&MR Req. No. 1&2, Tier 1, Outfall 001 PERMIT  
EL&MR Req. No. 2, Outfall 002 PERMIT  
EL&MR Req. No. 2, Outfall 011 PERMIT  
Inter. & Final EL&MR No. 1, Outfall 101 PERMIT  
Description: Failed to comply with permitted effluent limits.  
Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
30 TAC Chapter 319, SubChapter A 319.5(b)  
Rqmt Prov: Monit. and Report. Requirements No. 1 PERMIT  
Description: Failed to monitor effluent at the intervals specified in the permit.
- 6 Effective Date: 11/11/2013 ADMINORDER 2012-2622-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: General Terms and Conditions OP

Special Condition 14 OP  
Special Condition 5(a) PERMIT

Description: Failed to record AVO inspections once per 12 hour shift.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP  
Special Condition 1 PERMIT  
Special Condition 14 OP

Description: Failed to comply with the SO<sub>2</sub> maximum allowable emission rate for the SAR Main Stack.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT H 60.84(a)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP  
Special Condition 13 PERMIT  
Special Condition 14 OP

Description: Failed to continuously measure and record the in-stack concentration of SO<sub>2</sub> and nitrogen oxides ("NO<sub>x</sub>") from the SAR Main Stack.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP  
Special Condition 14 OP  
Special Condition 3 PERMIT

Description: Failed to prevent an emissions release from the MMA Dock Tank.

7 Effective Date: 05/03/2014 ADMINORDER 2013-1894-PWS-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(B)  
30 TAC Chapter 290, SubChapter F 290.110(b)(4)  
5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failed to operate the disinfection equipment to maintain a disinfectant residual of at least 0.5 milligrams per liter ("mg/L") of total chlorine throughout the distribution system at all times. Specifically, low chlorine residuals were documented May 3-4 and 19-31 and June 4-14, 16-19, 23-24, and 27-29 in 2013. In addition, at the time of the investigation, a total chlorine residual concentration of 0.13 and 0.14 mg/L was measured at the Rescar continuous flush valve location.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, the sight glass attached to the 500 gallon pressure tank was clogged with a thick yellow substance.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)

Description: Failed to maintain a thorough and up-to-date plant operations manual for operator review and reference. Specifically, the plant operations manual included outdated information which referenced the practices, operations, and facilities from the former surface water plant and did not include emergency contact information.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)

Description: Failed to properly verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations. Specifically, the chlorine solutions being used to verify the accuracy of the meter were expired.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(q)(1)

Description: Failed to issue a boil water notification to the customers of the Facility within 24 hours of a low chlorine residual using the prescribed format in 30 Tex. Admin. Code § 290.47(e). Specifically, low chlorine residuals were

documented May 3-4 and 19-31 and June 4-14, 16-19, 23-24, and 27-29 in 2013 and the Respondent did not issue a boil water notice within 24 hours of the low chlorine residual measurements.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)

30 TAC Chapter 290, SubChapter F 290.121(b)

Description: Failed to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements which is maintained at each water treatment plant and at a central location.

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

**D. The approval dates of investigations (CCEDS Inv. Track. No.):**

Item 1	July 07, 2009	(760884)
Item 2	July 15, 2009	(749165)
Item 3	August 14, 2009	(763341)
Item 4	August 20, 2009	(766630)
Item 5	August 25, 2009	(804479)
Item 6	September 02, 2009	(767311)
Item 7	September 25, 2009	(804480)
Item 8	November 13, 2009	(779887)
Item 9	November 20, 2009	(804482)
Item 10	November 25, 2009	(781623)
Item 11	December 09, 2009	(784938)
Item 12	January 22, 2010	(804484)
Item 13	March 08, 2010	(794463)
Item 14	April 08, 2010	(830816)
Item 15	April 15, 2010	(794684)
Item 16	April 25, 2010	(830817)
Item 17	May 19, 2010	(830818)
Item 18	June 11, 2010	(802969)
Item 19	July 16, 2010	(828028)
Item 20	July 22, 2010	(829426)
Item 21	September 20, 2010	(873879)
Item 22	November 22, 2010	(872095)
Item 23	November 23, 2010	(872056)
Item 24	December 21, 2010	(896213)
Item 25	February 15, 2011	(894367)
Item 26	February 23, 2011	(899534)
Item 27	March 15, 2011	(901037)
Item 28	March 17, 2011	(901598)
Item 29	May 24, 2011	(938002)
Item 30	July 06, 2011	(932728)
Item 31	August 25, 2011	(959281)
Item 32	October 14, 2011	(962160)
Item 33	February 19, 2012	(982232)
Item 34	April 27, 2012	(987168)
Item 35	May 17, 2012	(1003149)
Item 36	June 07, 2012	(1008741)
Item 37	June 22, 2012	(1024145)
Item 38	July 10, 2012	(1078919)
Item 39	August 01, 2012	(1020785)
Item 40	August 10, 2012	(1021706)
Item 41	February 05, 2013	(1054050)
Item 42	February 07, 2013	(1055653)
Item 43	February 25, 2013	(1078918)
Item 44	April 25, 2013	(1095677)

Item 45	May 09, 2013	(1088244)
Item 46	May 25, 2013	(1106601)
Item 47	May 30, 2013	(1092923)
Item 48	June 24, 2013	(1110278)
Item 49	July 11, 2013	(1092940)
Item 50	July 25, 2013	(1117162)
Item 51	August 23, 2013	(1124918)
Item 52	September 25, 2013	(1129518)
Item 53	October 03, 2013	(1121878)
Item 54	October 24, 2013	(1135248)
Item 55	November 25, 2013	(1140648)
Item 56	December 04, 2013	(1133031)
Item 57	January 21, 2014	(1153175)
Item 58	February 19, 2014	(1146286)
Item 59	February 21, 2014	(1151154)
Item 60	March 24, 2014	(1167155)
Item 61	May 15, 2014	(1166296)
Item 62	May 23, 2014	(1166417)

**E. Written notices of violations (NOV) (CEDS Inv. Track. No.):**

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	08/22/2013	(1074166)	CN601448764
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Condition 4 PERMIT Special Terms and Conditions 19 OP		
	Description:	Failure to not exceed 75 ppmv of NOx dry basis on a three hour average.		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Terms and Conditions 1 A OP		
	Description:	Failure to maintain records of daily flare observations.		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 115, SubChapter B 115.112(a)(1) 30 TAC Chapter 115, SubChapter B 115.112(a)(3) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Terms and Conditions 1 A OP Special Terms and Conditions 4 OP		
	Description:	Failure to record temperature and pilot flame monitoring data.		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 115, SubChapter B 115.121(a)(2) 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(i) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Terms and Conditions 1 A OP		
	Description:	Failure to record temperature monitoring data.		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 115, SubChapter D 115.352(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(a) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Condition 1 H PERMIT Special Terms and Conditions 1 A OP Special Terms and Conditions 19 OP		
	Description:	Failure to repair fugitive equipment on delay of repair during the next process		

unit shutdown.  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter B 117.140(e)  
30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(b)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(e)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Special Condition 10 C PERMIT  
Special Terms and Conditions 19 OP  
Special Terms and Conditions 1A OP

Description: Failure to perform cylinder gas audit with certified gas.  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Special Condition 7 PERMIT  
Special Terms and Conditions 1 A OP  
Special Terms and Conditions 19 OP

Description: Failure to maintain records of pilot flame monitoring.  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Special Condition 1 PERMIT  
Special Terms and Conditions 19 OP

Description: Failure to maintain the emission rate below the allowable emission limit for sulfur dioxide (SO2).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart H 60.82(a)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Special Condition 2 PERMIT  
Special Terms and Conditions 1 A OP  
Special Terms and Conditions 19 OP

Description: Failure to meet 4 pounds (lbs) of Sulfur dioxide (SO2) per ton of Sulfuric Acid (H2SO4) during a 3- hour average.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Special Condition 8 PERMIT  
Special Terms and Conditions 19 OP

Description: Failure to meet the 30 ppm NOx and 100 ppm CO emissions standard when at a firing rate of 76.25 MMBtu/hr or higher.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
30 TAC Chapter 122, SubChapter B 122.146(1)  
30 TAC Chapter 122, SubChapter B 122.146(5)(D)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP

Description: Failure to report all deviations and accurately certify a compliance period.

2 Date: 10/16/2013 (1121353) CN601448764

Self Report? NO Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

Description: Failure by Lucite International to prevent the unauthorized discharge of wastewater or any other waste.

Self Report? NO Classification: Moderate

Citation: M&RR 7b1, Pg. 8 PERMIT

Description: Failure by Lucite International to provide an oral or faxed report an unauthorized discharge to the Regional Office within 24 hours of becoming aware of the noncompliance and submit a written report within 5 working days of becoming aware of the noncompliance to the Regional Office and the Enforcement Division (MC 224).

Self Report? NO Classification: Moderate

Citation: PC 2g, Pg. 10 PERMIT

Description: Failure by Lucite International to prevent the unauthorized discharge of wastewater or any other waste.

Self Report? NO Classification: Minor

Citation: D&SPC 3a, Pg. 5 PERMIT

Description: Failure by Lucite International to collect a composite sample that is combined in volumes proportional to flow.

Self Report? NO Classification: Minor

Citation: EL&MR 1, Pgs 2j, 2l, 2m PERMIT

Description: Failure by Lucite International to collect samples at frequencies listed in TPDES permit WQ000473000.

Self Report? NO Classification: Moderate

Citation: M&RR 7c, Pg. 8 PERMIT

Description: Failure by Lucite International to report in writing to the Regional Office and the Enforcement Division (MC 224) within 5 working days of becoming aware of any effluent violation which deviates from the permitted effluent limitatin by more than 40%.

Self Report? NO Classification: Minor

Citation: OtR 2, Pg. 19 PERMIT

Description: Failure by Lucite International to report within 24 hours orally or by fax from the time the permittee becomes aware of the violation of the daily maximum limitations listed in Other Requirements No. 2 to the Region 10 Office followed by a written report within five working days to the TCEQ Region 10 Office and the Enforcement Division (MC 224).

Self Report? NO Classification: Minor

Citation: PC 1a, Pg. 9 PERMIT

Description: Failure by Lucite International to submit correct information in a report to the Executive Director.

3 Date: 11/30/2013 (1147105) CN601448764

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

4 Date: 01/31/2014 (1160510) CN601448764

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

5 Date: 05/16/2014 (1163656) CN601448764

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Special Condition 14 OP  
Special Condition 8 PERMIT

Description: Failure to meet the 30 ppm oxides of nitrogen (NOx) and 100 ppm carbon monoxide (CO) emissions standard when at a firing rate of 76.25 Million British Thermal Units per hour (MMbtu/hr) or higher.

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
30 TAC Chapter 122, SubChapter B 122.146(1)  
30 TAC Chapter 122, SubChapter B 122.146(5)(D)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP

Description: Failure to report all deviations and accurately certify a compliance period.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter C 122.210(a)

5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 1E OP  
 Description: Failure to submit Title V revision application to codify the requirements of 40 CFR Part 63, Subpart ZZZZ. EIC B3 MODERATE(2)(B)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 10 PERMIT  
 Special Condition 14 OP  
 Description: Failure to maintain records of audio, visual, and olfactory (AVO) inspections for fugitive equipment in ammonia service. EIC B1 MODERATE (2)(A)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 14 OP  
 Special Condition 8A PERMIT  
 Description: Failure to reach "full fire" for the Vapor Combustor within five minutes after the introduction of AOG. EIC B19(g)(1)  
 MODERATE (2)(G)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 14 OP  
 Special Condition 8A PERMIT  
 Description: Failure to maintain the minimum operating temperature of the Vapor Combustor. EIC B19(g)(1) MODERATE (2)(G)

**F. Environmental audits:**

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
LUCITE INTERNATIONAL, INC.  
RN102736089

§  
§  
§  
§  
§

BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

**AGREED ORDER**  
**DOCKET NO. 2013-1814-AIR-E**

**I. JURISDICTION AND STIPULATIONS**

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Lucite International, Inc. ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a chemical manufacturing plant at 6350 North Twin City Highway in Nederland, Jefferson County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about August 27, 2013.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Fifty-Six Thousand Six Hundred Eighty-Eight Dollars (\$56,688) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Forty-Five Thousand Three Hundred Fifty-One Dollars (\$45,351) of the administrative penalty and Eleven

Thousand Three Hundred Thirty-Seven Dollars (\$11,337) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that by November 30, 2012, the Respondent implemented an improved Spent Acid Regeneration ("SAR") heat up procedure to establish a more efficient start-up profile to comply with the emissions rates for the SAR Unit Stack and migrated to a new Distributive Control System for the Methyl Methacrylate ("MMA") Dock Flare, Emission Point Number ("EPN") MMA-DKFL.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to comply with maximum allowable emissions rates ("MAER"), in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit ("FOP") No. O1959, General Terms & Conditions ("GTC") and Special Terms & Conditions ("STC") No. 19, and New Source Review ("NSR") Permit No. 19005, Special Conditions ("SC") No. 1, as documented during a record review conducted on August 6, 2013. Specifically, the Respondent exceeded the MAER of 24.72 pounds per hour ("lbs/hr") for nitrogen oxides ("NOx") and 121.67 lbs/hr for sulfur dioxide ("SO2") at the SAR Unit Stack, EPN SAR-SARSTK, on February 7 and 14, June 4 and 7, and August 24, 2012, resulting in the unauthorized release of 81.35 lbs of NOx and 138.76 lbs of SO2.
2. Failed to comply with certified emissions limits, in violation of 30 TEX. ADMIN. CODE §§ 106.6(a) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No.

O1959, GTC and STC Nos. 19 and 20, and Permit By Rule Registration No. 89987, as documented during a record review conducted on August 6, 2013. Specifically, the Respondent exceeded the certified NOx emissions limit of 0.89 ton per year ("tpy") and the certified SO2 emissions limit of 0.26 tpy based on a rolling 12-month period for the MMA Dock Flare, EPN MMA-DKFL, for the 12-month periods ending in August 2011, September 2011, October 2011, November 2011, December 2011, January 2012, February 2012, March 2012, April 2012, May 2012, June 2012, July 2012, August 2012, and September 2012, resulting in the unauthorized release of 0.91 ton of NOx and 0.27 ton of SO2.

3. Failed to comply with the allowable emissions limit, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), 40 CODE OF FEDERAL REGULATIONS §§ 60.44b(i) and (l) and 60.46b(a), FOP No. O1959, GTC and STC No. 19, and NSR Permit No. 19005, SC No. 1, as documented during a record review conducted on August 6, 2013. Specifically, the Respondent exceeded the allowable NOx emissions limit of 0.10 pound per million British thermal units ("lb/MMBtu") based on a rolling 30-day average for Boiler 7, EPN P&S/BLR7, from February 28 through March 27, 2012 by 0.03 lb/MMBtu.

### III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Lucite International, Inc., Docket No. 2013-1814-AIR-E" to:

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. It is further ordered that the Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order, implement measures and/or procedures to ensure compliance with the NOx allowable emissions limit based on a rolling 30-day average for EPN P&S/BLR7; and

- b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team  
Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Air Section Manager  
Beaumont Regional Office  
Texas Commission on Environmental Quality  
3870 Eastex Freeway  
Beaumont, Texas 77703-1892

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

Pamela Maner  
For the Executive Director

12/31/14  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions;
- and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Hootan Hidaji  
Signature

8-28-2014  
Date

Hootan Hidaji  
Name (Printed or typed)  
Authorized Representative of  
Lucite International, Inc.

Site Manager  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.