

Executive Summary – Enforcement Matter – Case No. 50485
Eastman Chemical Company
RN100219815
Docket No. 2015-0691-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Eastman Chemical Texas Operations, 300 Kodak Boulevard, Longview, Harrison County

Type of Operation:

Gas and aldehydes plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: October 2, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$25,624

Amount Deferred for Expedited Settlement: \$5,124

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$10,250

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$10,250

Name of SEP: Texas Association of Resource Conservation and Development Areas, Inc. (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - High

Site/RN - High

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002 and April 2014

Executive Summary – Enforcement Matter – Case No. 50485
Eastman Chemical Company
RN100219815
Docket No. 2015-0691-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: March 2, 2015

Date(s) of NOE(s): April 29, 2015

Violation Information

1. Failed to comply with certified emissions rates. Specifically, the Respondent exceeded the certified carbon monoxide (“CO”) emissions rates of 0.29 pound per hour (“lb/hr”) by 0.18 lb/hr and 1.27 tons per year (“tpy”) by 0.38 tpy for Emission Point Number 053GA1 from May 5, 2010 through August 11, 2014, resulting in the unauthorized release of approximately 2.12 tons of CO [30 TEX. ADMIN. CODE §§ 106.6(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit (“FOP”) No. O1982, Special Terms and Conditions (“STC”) No. 12, and Permit By Rule (“PBR”) Registration No. 82646].

2. Failed to conduct Leak Detection and Repair (“LDAR”) monitoring of all components at least once every four quarters. Specifically, the Respondent monitored 2,069 components during the third quarter of 2012 and the next LDAR monitoring was due by the end of the third quarter of 2013, but the components were not monitored until the fourth quarter of 2013 [30 TEX. ADMIN. CODE §§ 101.20(2), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), 40 CODE OF FEDERAL REGULATIONS § 63.168(d)(4), and FOP No. O1982, STC No. 11].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent performed the following corrective actions:

- a. On October 7, 2013, began conducting LDAR monitoring and added the components to the LDAR monitoring database; and
- b. On August 11, 2014, obtained PBR Registration No. 121337 that certified the increase in the CO emissions rates.

Technical Requirements:

The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).

**Executive Summary – Enforcement Matter – Case No. 50485
Eastman Chemical Company
RN100219815
Docket No. 2015-0691-AIR-E**

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: Jennifer Nguyen, Enforcement Division, Enforcement Team 5, MC 149, (512) 239-6160; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456
TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565
Respondent: Darrell J. Rachels, Superintendent - TXO Chemicals Division, Eastman Chemical Company, P.O. Box 7444, Building 1, Longview, Texas 75607
Tim Aldredge, Manager Corporate Environmental Affairs, Eastman Chemical Company, P.O. Box 7444, Building 1, Longview, Texas 75607
Respondent's Attorney: N/A

Attachment A

Docket Number: 2015-0691-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Eastman Chemical Company
Penalty Amount:	Twenty Thousand Five Hundred Dollars (\$20,500)
SEP Offset Amount:	Ten Thousand Two Hundred Fifty Dollars (\$10,250)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Texas Association of Resource Conservation and Development Areas, Inc.
Project Name:	<i>Tire Collection Events and Cleanup of Abandoned Tire Sites</i>
Location of SEP:	Harrison County; Sabine River Basin, Carrizo- Wilcox Aquifer

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Texas Association of Resource Conservation and Development Areas, Inc. (“RC&D”)** for the *Tire Collection Events and Cleanup of Abandoned Tire Sites* project. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the SEP Offset Amount will be used to coordinate with local city and county government officials and private entities (“Partner Entities”) to conduct tire collection events where residents will be able to drop off tires for proper disposal or recycling (“Collection Events”), or to clean sites where tires have been disposed of illegally (“Site Cleanups”).

Texas RC&D shall ensure that collected tires, debris, and waste are properly transported to and disposed at an authorized disposal site, and if a licensed hauler is needed for tires or other regulated waste collected from sites, Texas RC&D shall ensure that only properly licensed haulers are used for transport and disposal of tires and regulated wastes. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of the Project, including but not limited to supplies, materials, and equipment. Any portion of this contribution that is not able to be spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

This SEP will provide an environmental benefit by providing communities with a free and convenient means for safe and proper disposal of tires and by reducing the dangers and health threats associated with illegally dumped tires.

The health risks associated with illegal dumping are significant. Areas used for illegal tire dumping may be easily accessible to people, especially children, who are vulnerable to the physical hazards posed by abandoned tires. Rodents, insects, and other vermin attracted to dump sites may also pose health risks. Tire dump sites which contain scrap tires pose an ideal breeding ground for mosquitoes, which can breed 100 times faster in the warm, stagnant water standing in scrap tire casings. Severe illnesses, including West Nile Virus, have been attributed to disease-carrying mosquitoes. The potential for tire fires is also reduced by removing illegally dumped tires. Tire fires can result in the contamination of air, surface water, ground water, and soil. In addition, neighborhoods have been evacuated and property damage has been significant due to tire dump sites that caught fire. Illegal tire dumping can also impact drainage of runoff, making areas more susceptible to flooding when wastes block waterways. Open burning at tire dump sites can cause forest fires and erosion as fires burn away trees and undergrowth. Tire dumping has a negative impact on trees and wildlife, and runoff from tire dumpsites may contain chemicals that can contaminate wells and surface water used for drinking.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Texas Association of RC&D SEP** and shall mail the contribution with a copy of the Agreed Order to:

Eastman Chemical Company
Agreed Order - Attachment A

Texas Association of RC&D Areas, Inc.
Attn.: Jerry Pearce, Executive Director
P.O. Box 2533
Victoria, Texas 77902

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount, as described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP. The Respondent shall make the check payable to "Texas Commission on Environmental Quality" and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	4-May-2015	Screening	5-May-2015	EPA Due	26-Oct-2015
	PCW	5-May-2015				

RESPONDENT/FACILITY INFORMATION	
Respondent	Eastman Chemical Company
Reg. Ent. Ref. No.	RN100219815
Facility/Site Region	5-Tyler
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	50485	No. of Violations	1
Docket No.	2015-0691-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Jennifer Nguyen
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$22,500
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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.

Compliance History	17.0% Enhancement	Subtotals 2, 3, & 7	\$3,825
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Notes
 Enhancement for 11 NOVs with same or similar violations, two NOVs with dissimilar violations, two orders with denial of liability, and one order without denial of liability. Reduction for 35 notices of intent to conduct an audit and 31 disclosures of violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$5,625
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$1,403
Estimated Cost of Compliance	\$5,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$20,700
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$20,700
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$20,700
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DEFERRAL	20.0% Reduction	Adjustment	-\$4,140
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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.

PAYABLE PENALTY	\$16,560
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Screening Date 5-May-2015

Docket No. 2015-0691-AIR-E

PCW

Respondent Eastman Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 50485

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100219815

Media [Statute] Air

Enf. Coordinator Jennifer Nguyen

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>)	11	55%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	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>)	35	-35%
	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>)	31	-62%
<i>Please Enter Yes or No</i>			
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) 27%

>> **Repeat Violator (Subtotal 3)**

No

Adjustment Percentage (Subtotal 3) 0%

>> **Compliance History Person Classification (Subtotal 7)**

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> **Compliance History Summary**

Compliance History Notes

Enhancement for 11 NOVs with same or similar violations, two NOVs with dissimilar violations, two orders with denial of liability, and one order without denial of liability. Reduction for 35 notices of intent to conduct an audit and 31 disclosures of violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 17%

Screening Date 5-May-2015

Docket No. 2015-0691-AIR-E

PCW

Respondent Eastman Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 50485

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100219815

Media [Statute] Air

Enf. Coordinator Jennifer Nguyen

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 106.6(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit No. O1982, Special Terms and Conditions No. 12, and Permit by Rule Registration No. 82646

Violation Description Failed to comply with certified emissions rates. Specifically, the Respondent exceeded the certified carbon monoxide ("CO") emissions rates of 0.29 pound per hour ("lb/hr") by 0.18 lb/hr and 1.27 tons per year ("tpy") by 0.38 tpy for Emission Point Number 053GA1 from May 5, 2010 through August 11, 2014, resulting in the unauthorized release of approximately 2.12 tons of CO.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that 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 9

1559 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	X
annual	
single event	

mark only one with an x

Violation Base Penalty \$22,500

Nine semiannual events are recommended for the period of non-compliance from May 5, 2010 through August 11, 2014.

Good Faith Efforts to Comply

25.0%

Reduction

\$5,625

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	X
N/A	(mark with x)

Notes

The Respondent completed corrective measures on August 11, 2014, before the April 29, 2015 Notice Of Enforcement.

Violation Subtotal \$16,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,403

Violation Final Penalty Total \$20,700

This violation Final Assessed Penalty (adjusted for limits) \$20,700

Economic Benefit Worksheet

Respondent Eastman Chemical Company
Case ID No. 50485
Reg. Ent. Reference No. RN100219815
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
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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	\$5,000	1-Jan-2009	11-Aug-2014	5.61	\$1,403	n/a	\$1,403
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to obtain Permit By Rule ("PBR") Registration No. 121337 that certified the increase in the CO emissions rates. The Date Required is the date of the POx analyzer installation. The Final Date is the 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

\$5,000

TOTAL

\$1,403



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	4-May-2015			
	PCW	5-May-2015	Screening	5-May-2015	EPA Due

RESPONDENT/FACILITY INFORMATION	
Respondent	Eastman Chemical Company
Reg. Ent. Ref. No.	RN100219815
Facility/Site Region	5-Tyler
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	50485	No. of Violations	1
Docket No.	2015-0691-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Jennifer Nguyen
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$3,750
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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.

Compliance History	17.0% Enhancement	Subtotals 2, 3, & 7	\$637
Notes	Enhancement for 11 NOVs with same or similar violations, two NOVs with dissimilar violations, two orders with denial of liability, one order without denial of liability. Reduction for 35 notices of intent to conduct an audit, and 31 disclosures of violations.		
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	-\$937
Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
Total EB Amounts	\$1,525	*Capped at the Total EB \$ Amount	
Estimated Cost of Compliance	\$2,345		

SUM OF SUBTOTALS 1-7	Final Subtotal	\$3,450
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OTHER FACTORS AS JUSTICE MAY REQUIRE	42.7%	Adjustment	\$1,474
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Avoided cost for monitoring 2,069 components.		
	Final Penalty Amount	\$4,924	

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$4,924
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DEFERRAL	20.0% Reduction	Adjustment	-\$984
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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.		
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PAYABLE PENALTY	\$3,940
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Screening Date 5-May-2015

Docket No. 2015-0691-AIR-E

PCW

Respondent Eastman Chemical Company

Policy Revision 4 (April 2014)

Case ID No. 50485

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100219815

Media [Statute] Air

Enf. Coordinator Jennifer Nguyen

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>)	11	55%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	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>)	35	-35%
	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>)	31	-62%
<i>Please Enter Yes or No</i>			
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) 27%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes

Enhancement for 11 NOVs with same or similar violations, two NOVs with dissimilar violations, two orders with denial of liability, one order without denial of liability. Reduction for 35 notices of intent to conduct an audit, and 31 disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 17%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 17%

Screening Date 5-May-2015 **Docket No.** 2015-0691-AIR-E **PCW**
Respondent Eastman Chemical Company *Policy Revision 4 (April 2014)*
Case ID No. 50485 *PCW Revision March 26, 2014*
Reg. Ent. Reference No. RN100219815
Media [Statute] Air
Enf. Coordinator Jennifer Nguyen

Violation Number
Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(2), 116.115(c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), 40 Code of Federal Regulations § 63.168(d)(4), and Federal Operating Permit No. O1982, Special Terms and Conditions No. 11
Violation Description Failed to conduct Leak Detection and Repair ("LDAR") monitoring of all components at least once every four quarters. Specifically, the Respondent monitored 2,069 components during the third quarter of 2012 and the next LDAR monitoring was due by the end of the third quarter of 2013, but the components were not monitored until the fourth quarter of 2013.
Base Penalty

>> Environmental, Property and Human Health Matrix
OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="15.0%"/>
Potential	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

Matrix Notes Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.
Adjustment

Violation Subtotal

Violation Events
 Number of Violation Events Number of violation days

mark only one with an x	daily	<input type="text"/>
	weekly	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input checked="" type="text" value="x"/>
single event	<input type="text"/>	

Violation Base Penalty
 One annual event are recommended for the period of non-compliance from October 1, 2012 through September 30, 2013.

Good Faith Efforts to Comply **Reduction**
 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer
 Extraordinary
 Ordinary
 N/A (mark with x)
Notes The Respondent completed corrective measures on October 7, 2013, before the April 29, 2015 Notice of Enforcement.
Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**
Estimated EB Amount **Violation Final Penalty Total**
This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Eastman Chemical Company
Case ID No. 50485
Reg. Ent. Reference No. RN100219815
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	\$1,000	1-Oct-2012	7-Oct-2013	1.02	\$51	n/a	\$51
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to conduct LDAR monitoring and add the components to the LDAR monitoring database. The Date Required is the first date of noncompliance. 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]	\$1,345	1-Oct-2012	30-Sep-2013	1.92	\$129	\$1,345	\$1,474
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated avoided cost to conduct LDAR monitoring (\$0.65 per component x 2,069 components x 1 missed annual event). The Date Required is the first date the monitoring could be conducted. The Final Date is the last date that the monitoring could have been conducted.

Approx. Cost of Compliance

\$2,345

TOTAL

\$1,525

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN601214406, RN100219815, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator:	CN601214406, Eastman Chemical Company	Classification:	HIGH	Rating:	0.00
Regulated Entity:	RN100219815, EASTMAN CHEMICAL TEXAS OPERATIONS	Classification:	HIGH	Rating:	0.00
Complexity Points:	82	Repeat Violator:	NO		
CH Group:	05 - Chemical Manufacturing				
Location:	300 KODAK BLVD LONGVIEW, TX 75602, HARRISON COUNTY				
TCEQ Region:	REGION 05 - TYLER				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HH0042M	AIR OPERATING PERMITS PERMIT 1436
AIR OPERATING PERMITS PERMIT 1968	AIR OPERATING PERMITS PERMIT 1970
AIR OPERATING PERMITS PERMIT 1971	AIR OPERATING PERMITS PERMIT 1972
AIR OPERATING PERMITS PERMIT 1973	AIR OPERATING PERMITS PERMIT 1974
AIR OPERATING PERMITS PERMIT 1975	AIR OPERATING PERMITS PERMIT 1976
AIR OPERATING PERMITS PERMIT 1977	AIR OPERATING PERMITS PERMIT 1978
AIR OPERATING PERMITS PERMIT 1979	AIR OPERATING PERMITS PERMIT 1981
AIR OPERATING PERMITS PERMIT 1982	AIR NEW SOURCE PERMITS REGISTRATION 99484
AIR NEW SOURCE PERMITS REGISTRATION 72214	AIR NEW SOURCE PERMITS REGISTRATION 99487
AIR NEW SOURCE PERMITS PERMIT 681	AIR NEW SOURCE PERMITS PERMIT 908
AIR NEW SOURCE PERMITS PERMIT 1105	AIR NEW SOURCE PERMITS PERMIT 1143
AIR NEW SOURCE PERMITS PERMIT 1329	AIR NEW SOURCE PERMITS PERMIT 2102
AIR NEW SOURCE PERMITS PERMIT 5283	AIR NEW SOURCE PERMITS PERMIT 6419
AIR NEW SOURCE PERMITS PERMIT 6772	AIR NEW SOURCE PERMITS PERMIT 6777
AIR NEW SOURCE PERMITS PERMIT 7022	AIR NEW SOURCE PERMITS PERMIT 7023
AIR NEW SOURCE PERMITS PERMIT 7416	AIR NEW SOURCE PERMITS PERMIT 7752
AIR NEW SOURCE PERMITS PERMIT 8539	AIR NEW SOURCE PERMITS PERMIT 9167
AIR NEW SOURCE PERMITS PERMIT 9301	AIR NEW SOURCE PERMITS PERMIT 9552
AIR NEW SOURCE PERMITS PERMIT 9631	AIR NEW SOURCE PERMITS REGISTRATION 11243
AIR NEW SOURCE PERMITS REGISTRATION 12367	AIR NEW SOURCE PERMITS REGISTRATION 13510
AIR NEW SOURCE PERMITS REGISTRATION 13743	AIR NEW SOURCE PERMITS REGISTRATION 14137
AIR NEW SOURCE PERMITS REGISTRATION 14558	AIR NEW SOURCE PERMITS REGISTRATION 14953
AIR NEW SOURCE PERMITS REGISTRATION 15392	AIR NEW SOURCE PERMITS REGISTRATION 15535
AIR NEW SOURCE PERMITS REGISTRATION 15691	AIR NEW SOURCE PERMITS REGISTRATION 15724
AIR NEW SOURCE PERMITS REGISTRATION 16022	AIR NEW SOURCE PERMITS REGISTRATION 16485
AIR NEW SOURCE PERMITS PERMIT 17578	AIR NEW SOURCE PERMITS PERMIT 17579
AIR NEW SOURCE PERMITS PERMIT 17833	AIR NEW SOURCE PERMITS PERMIT 18528
AIR NEW SOURCE PERMITS PERMIT 20489	AIR NEW SOURCE PERMITS PERMIT 20567
AIR NEW SOURCE PERMITS REGISTRATION 21315	AIR NEW SOURCE PERMITS PERMIT 21832
AIR NEW SOURCE PERMITS REGISTRATION 24461	AIR NEW SOURCE PERMITS PERMIT 27941
AIR NEW SOURCE PERMITS REGISTRATION 26307	AIR NEW SOURCE PERMITS REGISTRATION 27086
AIR NEW SOURCE PERMITS REGISTRATION 26973	AIR NEW SOURCE PERMITS REGISTRATION 28548
AIR NEW SOURCE PERMITS PERMIT 30130	AIR NEW SOURCE PERMITS REGISTRATION 29676
AIR NEW SOURCE PERMITS REGISTRATION 30643	AIR NEW SOURCE PERMITS REGISTRATION 31038
AIR NEW SOURCE PERMITS REGISTRATION 33574	AIR NEW SOURCE PERMITS REGISTRATION 35254
AIR NEW SOURCE PERMITS REGISTRATION 35597	AIR NEW SOURCE PERMITS REGISTRATION 37813
AIR NEW SOURCE PERMITS REGISTRATION 37878	AIR NEW SOURCE PERMITS REGISTRATION 38305
AIR NEW SOURCE PERMITS REGISTRATION 39472	AIR NEW SOURCE PERMITS REGISTRATION 39774
AIR NEW SOURCE PERMITS REGISTRATION 40744	AIR NEW SOURCE PERMITS REGISTRATION 41365
AIR NEW SOURCE PERMITS REGISTRATION 43023	AIR NEW SOURCE PERMITS REGISTRATION 43150

AIR NEW SOURCE PERMITS REGISTRATION 42273

AIR NEW SOURCE PERMITS REGISTRATION 45169
AIR NEW SOURCE PERMITS REGISTRATION 45164
AIR NEW SOURCE PERMITS REGISTRATION 47044
AIR NEW SOURCE PERMITS REGISTRATION 48119
AIR NEW SOURCE PERMITS PERMIT 48588
AIR NEW SOURCE PERMITS PERMIT 48590
AIR NEW SOURCE PERMITS PERMIT 48615
AIR NEW SOURCE PERMITS PERMIT 48758
AIR NEW SOURCE PERMITS PERMIT 48655
AIR NEW SOURCE PERMITS REGISTRATION 49567
AIR NEW SOURCE PERMITS REGISTRATION 49793
AIR NEW SOURCE PERMITS REGISTRATION 49989
AIR NEW SOURCE PERMITS REGISTRATION 50110
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HH0042M
AIR NEW SOURCE PERMITS REGISTRATION 93166
AIR NEW SOURCE PERMITS REGISTRATION 55267
AIR NEW SOURCE PERMITS REGISTRATION 75578
AIR NEW SOURCE PERMITS REGISTRATION 75701
AIR NEW SOURCE PERMITS AFS NUM 4820300019
AIR NEW SOURCE PERMITS REGISTRATION 70477
AIR NEW SOURCE PERMITS PERMIT 48626
AIR NEW SOURCE PERMITS PERMIT 52985
AIR NEW SOURCE PERMITS REGISTRATION 56590
AIR NEW SOURCE PERMITS REGISTRATION 71013
AIR NEW SOURCE PERMITS REGISTRATION 71015
AIR NEW SOURCE PERMITS REGISTRATION 70823
AIR NEW SOURCE PERMITS REGISTRATION 71352
AIR NEW SOURCE PERMITS REGISTRATION 71332
AIR NEW SOURCE PERMITS REGISTRATION 50819
AIR NEW SOURCE PERMITS REGISTRATION 50649
AIR NEW SOURCE PERMITS REGISTRATION 53062
AIR NEW SOURCE PERMITS REGISTRATION 53918
AIR NEW SOURCE PERMITS REGISTRATION 51365
AIR NEW SOURCE PERMITS REGISTRATION 56239
AIR NEW SOURCE PERMITS REGISTRATION 70851
AIR NEW SOURCE PERMITS REGISTRATION 51004
AIR NEW SOURCE PERMITS REGISTRATION 54130
AIR NEW SOURCE PERMITS REGISTRATION 73184
AIR NEW SOURCE PERMITS REGISTRATION 56589
AIR NEW SOURCE PERMITS REGISTRATION 56575
AIR NEW SOURCE PERMITS REGISTRATION 56558
AIR NEW SOURCE PERMITS REGISTRATION 56540
AIR NEW SOURCE PERMITS REGISTRATION 72295
AIR NEW SOURCE PERMITS REGISTRATION 55338
AIR NEW SOURCE PERMITS REGISTRATION 72622
AIR NEW SOURCE PERMITS REGISTRATION 74094
AIR NEW SOURCE PERMITS REGISTRATION 74685
AIR NEW SOURCE PERMITS REGISTRATION 74257
AIR NEW SOURCE PERMITS REGISTRATION 74812
AIR NEW SOURCE PERMITS REGISTRATION 76412
AIR NEW SOURCE PERMITS REGISTRATION 77693
AIR NEW SOURCE PERMITS REGISTRATION 88579
AIR NEW SOURCE PERMITS REGISTRATION 76860
AIR NEW SOURCE PERMITS REGISTRATION 78090
AIR NEW SOURCE PERMITS REGISTRATION 78585
AIR NEW SOURCE PERMITS REGISTRATION 78603
AIR NEW SOURCE PERMITS REGISTRATION 78517
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AIR NEW SOURCE PERMITS REGISTRATION 44705

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AIR NEW SOURCE PERMITS REGISTRATION 47232
AIR NEW SOURCE PERMITS REGISTRATION 46672
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AIR NEW SOURCE PERMITS PERMIT 48617
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AIR NEW SOURCE PERMITS REGISTRATION 49497
AIR NEW SOURCE PERMITS PERMIT 49363
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AIR NEW SOURCE PERMITS REGISTRATION 50321
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AIR NEW SOURCE PERMITS REGISTRATION 70543
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AIR NEW SOURCE PERMITS REGISTRATION 76807
AIR NEW SOURCE PERMITS REGISTRATION 77203
AIR NEW SOURCE PERMITS REGISTRATION 77367
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AIR NEW SOURCE PERMITS REGISTRATION 79302
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AIR NEW SOURCE PERMITS REGISTRATION 80164
AIR NEW SOURCE PERMITS REGISTRATION 80208
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AIR NEW SOURCE PERMITS REGISTRATION 130922
AIR NEW SOURCE PERMITS REGISTRATION 115649
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AIR NEW SOURCE PERMITS REGISTRATION 82127
AIR NEW SOURCE PERMITS REGISTRATION 91821
AIR NEW SOURCE PERMITS REGISTRATION 83679
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AIR NEW SOURCE PERMITS REGISTRATION 87380
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AIR NEW SOURCE PERMITS REGISTRATION 86987
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AIR NEW SOURCE PERMITS REGISTRATION 87433
AIR NEW SOURCE PERMITS REGISTRATION 90312
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AIR NEW SOURCE PERMITS REGISTRATION 87018
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AIR NEW SOURCE PERMITS REGISTRATION 91571
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AIR NEW SOURCE PERMITS REGISTRATION 104465
AIR NEW SOURCE PERMITS REGISTRATION 101817
AIR NEW SOURCE PERMITS REGISTRATION 103834
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AIR NEW SOURCE PERMITS REGISTRATION 121337
AIR NEW SOURCE PERMITS REGISTRATION 123439
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AIR NEW SOURCE PERMITS REGISTRATION 111642
AIR NEW SOURCE PERMITS REGISTRATION 123951

AIR NEW SOURCE PERMITS REGISTRATION 130921
AIR NEW SOURCE PERMITS REGISTRATION 130202

AIR NEW SOURCE PERMITS REGISTRATION 132240
AIR NEW SOURCE PERMITS REGISTRATION 131930

AIR NEW SOURCE PERMITS REGISTRATION 120631
AIR NEW SOURCE PERMITS REGISTRATION 111790
AIR NEW SOURCE PERMITS REGISTRATION 114612
AIR NEW SOURCE PERMITS REGISTRATION 119769
AIR NEW SOURCE PERMITS REGISTRATION 112357
AIR NEW SOURCE PERMITS REGISTRATION 117451
AIR NEW SOURCE PERMITS REGISTRATION 114823
AIR NEW SOURCE PERMITS REGISTRATION 118623
AIR NEW SOURCE PERMITS REGISTRATION 125598
AIR NEW SOURCE PERMITS REGISTRATION 124171
AIR NEW SOURCE PERMITS REGISTRATION 121905
AIR NEW SOURCE PERMITS REGISTRATION 131451
WASTEWATER PERMIT WQ0000471000
WASTEWATER LICENSING LICENSE WQ0000471000
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1020092
USED OIL REGISTRATION A85413
AIR EMISSIONS INVENTORY ACCOUNT NUMBER HH0042M
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD007330202
POLLUTION PREVENTION PLANNING ID NUMBER P00684

AIR NEW SOURCE PERMITS REGISTRATION 120499
AIR NEW SOURCE PERMITS REGISTRATION 122501
AIR NEW SOURCE PERMITS REGISTRATION 131511
AIR NEW SOURCE PERMITS REGISTRATION 125571
AIR NEW SOURCE PERMITS REGISTRATION 111192
AIR NEW SOURCE PERMITS REGISTRATION 115647
AIR NEW SOURCE PERMITS REGISTRATION 123685
AIR NEW SOURCE PERMITS REGISTRATION 115897
AIR NEW SOURCE PERMITS REGISTRATION 115375
AIR NEW SOURCE PERMITS REGISTRATION 122762
AIR NEW SOURCE PERMITS REGISTRATION 131356
AIR NEW SOURCE PERMITS REGISTRATION 120553
WASTEWATER EPA ID TX0000949
STORMWATER PERMIT TXR05W961
IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION # (SWR) 30137
USED OIL EPA ID TXD007330202
INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50043
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 30137

Compliance History Period: September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014

Date Compliance History Report Prepared: May 05, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: May 05, 2010 to May 05, 2015

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

Name: Jennifer Nguyen

Phone: (512) 239-6160

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: 05/22/2011 ADMINORDER 2010-1834-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GTC OP
Description: Failure to prevent unauthorized emissions during an emissions event (Incident # 144227) that occurred on August 31, 2010 at 05:26 hours. The final notification states that the cause of the emissions event was due to the misalignment of the product flow valves associated with a storage tank. The misalignment caused the storage tank to overflow. Further clarification provided by Eastman stated that an operator inadvertently misaligned two manual valves, opening one and closing the other.
- 2 Effective Date: 06/08/2012 ADMINORDER 2011-1691-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: Special Condition 1 PERMIT

STC 8 OP

Description: Failed to prevent unauthorized emissions during an emissions event (Incident No. 154284) that was discovered on May 8, 2011. Specifically, during startup on February 19, 2011, a vent valve was not aligned to vent the Ethylene Oxide Refining Column emissions to the residual system and back to the process. The emissions are estimated to be 16,969 pounds of ethylene oxide. Because the event could have been avoided by better operating practices, the Respondent did not meet the affirmative defense

3 Effective Date: 07/06/2012 ADMINORDER 2011-2228-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)

30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: STC 2F OP

Description: Failure to determine within 24 hours of discovery of an emissions event if the event was reportable and submit an emissions event notification. An emissions event in the HCC-4 Plant started on October 2, 2011 at 1145 hours, but was not reported until October 5, 2011 at 1531 hours. 30 TAC 101.201(a)(1)(A) requires that within 24 hours of discovery of an emissions event, the owner or operator must determine if the event is a reportable event.

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: SC 1 PERMIT

STC 11 OP

Description: Failure to prevent unauthorized emissions during an emissions event (Incident # 160152) that started on October 2, 2011 at 1145 hours. The incident was not reported until October 5, 2011 at 1531 hours. Since Eastman failed within 24 hours to determine if the incident was reportable and submit the notification, the affirmative defense was lost and Eastman is being cited for the unauthorized emissions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	May 26, 2010	(803567)
Item 2	May 28, 2010	(803651)
Item 3	June 09, 2010	(803618)
Item 4	June 10, 2010	(824558)
Item 5	June 18, 2010	(846179)
Item 6	June 22, 2010	(827069)
Item 7	July 14, 2010	(829042)
Item 8	July 15, 2010	(860776)
Item 9	July 29, 2010	(841673)
Item 10	August 23, 2010	(866741)
Item 11	August 24, 2010	(849468)
Item 12	September 17, 2010	(873812)
Item 13	October 15, 2010	(881419)
Item 14	October 28, 2010	(866673)
Item 15	November 01, 2010	(872379)
Item 16	November 17, 2010	(872401)
Item 17	December 03, 2010	(873554)
Item 18	December 08, 2010	(873528)
Item 19	December 13, 2010	(880988)
Item 20	December 20, 2010	(896142)
Item 21	January 11, 2011	(886184)
Item 22	January 19, 2011	(902219)
Item 23	January 31, 2011	(893417)
Item 24	February 21, 2011	(908995)

Item 25	February 23, 2011	(899343)
Item 26	February 25, 2011	(899354)
Item 27	March 16, 2011	(916260)
Item 28	April 19, 2011	(924567)
Item 29	May 09, 2011	(915572)
Item 30	June 20, 2011	(945249)
Item 31	June 23, 2011	(934120)
Item 32	June 27, 2011	(934121)
Item 33	July 01, 2011	(936416)
Item 34	July 19, 2011	(952535)
Item 35	July 26, 2011	(943212)
Item 36	July 28, 2011	(943346)
Item 37	August 01, 2011	(943241)
Item 38	August 09, 2011	(941949)
Item 39	August 11, 2011	(943243)
Item 40	August 18, 2011	(829485)
Item 41	August 19, 2011	(948931)
Item 42	August 22, 2011	(944299)
Item 43	September 20, 2011	(965220)
Item 44	September 22, 2011	(955858)
Item 45	September 26, 2011	(955946)
Item 46	October 03, 2011	(957775)
Item 47	October 11, 2011	(957796)
Item 48	October 19, 2011	(971289)
Item 49	November 17, 2011	(977446)
Item 50	November 18, 2011	(968948)
Item 51	November 21, 2011	(969227)
Item 52	November 29, 2011	(969124)
Item 53	November 30, 2011	(968812)
Item 54	December 15, 2011	(984217)
Item 55	January 18, 2012	(990509)
Item 56	January 31, 2012	(982854)
Item 57	February 08, 2012	(983642)
Item 58	February 16, 2012	(997879)
Item 59	February 22, 2012	(988270)
Item 60	March 19, 2012	(1003393)
Item 61	April 19, 2012	(1009959)
Item 62	May 16, 2012	(1016356)
Item 63	May 30, 2012	(1007780)
Item 64	June 19, 2012	(1024080)
Item 65	July 19, 2012	(1020576)
Item 66	August 13, 2012	(1023284)
Item 67	August 20, 2012	(1037850)
Item 68	September 14, 2012	(1046572)
Item 69	October 19, 2012	(1060586)
Item 70	November 20, 2012	(1060587)
Item 71	November 29, 2012	(1049770)
Item 72	December 04, 2012	(1049662)
Item 73	December 12, 2012	(1049723)
Item 74	December 18, 2012	(1060588)
Item 75	January 16, 2013	(1054021)
Item 76	January 17, 2013	(1078789)
Item 77	January 24, 2013	(1053853)
Item 78	January 29, 2013	(1054612)
Item 79	February 07, 2013	(1056563)
Item 80	February 19, 2013	(1078788)
Item 81	February 20, 2013	(1057837)
Item 82	March 20, 2013	(1089217)
Item 83	April 18, 2013	(1078696)
Item 84	April 23, 2013	(1078586)
Item 85	May 02, 2013	(1078658)

Item 86	June 17, 2013	(1110213)
Item 87	July 18, 2013	(1117092)
Item 88	August 19, 2013	(1114335)
Item 89	August 20, 2013	(1114415)
Item 90	August 21, 2013	(1114634)
Item 91	September 12, 2013	(1116426)
Item 92	September 13, 2013	(1120416)
Item 93	September 17, 2013	(1120396)
Item 94	September 18, 2013	(1120545)
Item 95	September 30, 2013	(1120543)
Item 96	October 16, 2013	(1135181)
Item 97	November 15, 2013	(1140583)
Item 98	November 19, 2013	(1129026)
Item 99	December 17, 2013	(1147038)
Item 100	January 10, 2014	(1153110)
Item 101	February 10, 2014	(1146884)
Item 102	February 13, 2014	(1160444)
Item 103	February 14, 2014	(1146917)
Item 104	March 11, 2014	(1167091)
Item 105	March 24, 2014	(1157097)
Item 106	March 26, 2014	(1157130)
Item 107	March 31, 2014	(1158448)
Item 108	April 10, 2014	(1158797)
Item 109	April 17, 2014	(1174224)
Item 110	May 27, 2014	(1166475)
Item 111	June 03, 2014	(1171578)
Item 112	June 18, 2014	(1187309)
Item 113	June 19, 2014	(1165465)
Item 114	July 01, 2014	(1177222)
Item 115	July 11, 2014	(1198368)
Item 116	August 15, 2014	(1198369)
Item 117	August 25, 2014	(1191274)
Item 118	September 02, 2014	(1170680)
Item 119	September 15, 2014	(1193202)
Item 120	September 19, 2014	(1205717)
Item 121	October 10, 2014	(1197027)
Item 122	October 17, 2014	(1212124)
Item 123	November 18, 2014	(1218374)
Item 124	December 08, 2014	(1209350)
Item 125	December 15, 2014	(559378)
Item 126	December 18, 2014	(1211664)
Item 127	January 07, 2015	(1211475)
Item 128	January 14, 2015	(1216767)
Item 129	January 16, 2015	(1230687)
Item 130	February 02, 2015	(1217084)
Item 131	February 17, 2015	(1222440)
Item 132	April 09, 2015	(1239071)
Item 133	April 22, 2015	(1245513)
Item 134	April 27, 2015	(1246744)

E. Written notices of violations (NOV) (CCEDS 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: 05/22/2014 (1166217) CN601214406
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Failure to equip two open-ended lines with a cap, blind flange, plug, or second valve. The components have federal applicability only. Eastman reported that missing plugs were found and replaced on the following days: January 17, 2013 and February 20, 2013. 40 CFR 63.1033(b)(1) [40 CFR 63, Subpart UU], requires that each open-ended line must be equipped with a cap, blind flange, plug, or second valve.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Failure to perform monthly monitoring on two occasions for one pump in light liquid service. Eastman reported that pump with Tag # 11853 was not monitored in the months of February and June 2013. 40 CFR 63.1026(b)(1) [40 CFR 63, Subpart UU], requires monthly monitoring for pumps in light liquid service. 40 CFR 63.1103(e)(3) [40 CFR 63, Subpart YY] requires compliance with 40 CFR 63, Subpart UU. 30 TAC 113.560 requires compliance with the requirements of 40 CFR 63, Subpart YY.

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)
SC 9 PERMIT
STC 11A OP

Description: Failure to monitor or record fuel gas flow to waste heat boiler B-5B in Hydrocarbon Cracking Plant 3. Eastman reported that from June 4, 2012 through March 10, 2013 the fuel gas flow was not monitored or recorded when the wires were not connected to the monitor upon installation. NSR Permit 48590 Special Condition 9 requires that the fuel gas flow be monitored and recorded. 30 TAC 116.115(c) and FOP O-01979 STC 11.A. requires compliance with the conditions of an NSR permit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Failure to repair a leaking connector no later than 15 days after the connector was discovered leaking. Eastman reported that connector with Tag # 9365.2 was found leaking on March 18, 2013, but was not repaired until April 3, 2013, 16 days after the leak was discovered. 40 CFR 63.1024(a) [40 CFR 63, Subpart UU], requires that leaking components be repaired no later than 15 days after the leak is discovered.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.100
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(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
SC 6A PERMIT
STC 11A OP
STC 1A OP

Description: Failure to maintain a minimum net heating value of 300 Btu/scf when sending emissions to an assisted flare. During the investigation, the investigator determined that the net heating value dropped below the minimum net heating value on flare with EPN 116FL2H as follows: April 6, 2014 from 11:00 AM through 4:00 PM, April 6, 2014 from 10:00 PM through 4:00 AM on April 7, 2014, April 7, 2014 the hour of 6:00 AM, and April 7, 2014 2:00 PM through 4:00 PM.

2 Date: 05/28/2014 (1166486) CN601214406

Self Report? NO Classification: Minor

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 Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)(7)
5C THSC Chapter 382 382.085(b)
SC 6B PERMIT
STC 1A OP

STC 7A OP
Description: Failure to report the recalculation of the TRE index value when a distillation column became subject to 40 CFR 60, Subpart NNN. Eastman reported that distillation column 27D-28 became subject to 40 CFR 60, Subpart NNN on October 10, 2012, which requires that the TRE index value be recalculated and reported on the next semiannual report. 40 CFR 60.665(l)(7) requires that the recalculated TRE index value be reported on the semiannual report.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Failure to equip nine open-ended lines with a cap, blind flange, plug, or second valve. Eight of the components have state applicability and one has federal applicability. Eastman reported that missing plugs were found and replaced on the following days: April 11, 2013 (six), April 15, 2013 (one), June 26, 2013 (one), and July 19, 2013 (one).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.890
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(1)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Failure to perform monthly monitoring on two occasions for one pump in light liquid service. Eastman reported that a pump in the NPG Plant was not monitored in the months of February and June 2013. 40 CFR 63.1026(b)(1) [40 CFR 63, Subpart UU], requires monthly monitoring for pumps in light liquid service. 40 CFR 63.2480(a) [40 CFR 63, Subpart FFFF] requires compliance with 40 CFR 63, Subpart UU. 30 TAC 113.890 requires compliance with the requirements of 40 CFR 63, Subpart FFFF.

Self Report? NO Classification: Minor

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)
SC 10E PERMIT
STC 7A OP

Description: Failure to record the weekly AVO inspection for the NPG solids area. Eastman reported that during the weeks of April 15, 2013 through April 21, 2013, June 24, 2013 through June 30, 2013, and August 5, 2013 through August 11, 2013, that there was no record that the weekly AVO inspections were completed. NSR Permit 18528 SC 10.E. requires the weekly AVO inspections be performed and recorded. 30 TAC 116.115(c) and FOP O-01968 STC 7.A. requires compliance with the conditions of an NSR permit.

3 Date: 05/30/2014 (1166774) CN601214406

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.890
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Failure to equip two open-ended lines with a cap, blind flange, plug, or second valve. The components have federal applicability only. Eastman reported that missing plugs were found and replaced on the following days: April 5, 2013 and May 17, 2013. 40 CFR 63.1033(b)(1) [40 CFR 63, Subpart UU], requires that each open-ended line must be equipped with a cap, blind flange, plug, or second valve. 40 CFR 63.2480(a) [40 CFR 63, Subpart FFFF] requires compliance with 40 CFR 63, Subpart UU.

4 Date: 07/23/2014 (1172455) CN601214406

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 6 PERMIT
Special Terms and Conditions 6 OP

Description: Failure to properly conduct cooling tower sampling on 037U501.

Date: 07/31/2014 (1177279) CN601214406

Self Report? NO Classification: Minor

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)
8539 SC 12 PERMIT
STC 11 OP

Description: Failure to perform combined fuel gas analysis for sulfur content every six months for Pyrolysis Furnace EPN 229H7. Eastman reported that the analysis was due October 1, 2013 and the fuel gas was sampled, but was not analyzed. NSR Permit 8539 SC 12 requires that the analysis be performed every six months. 30 TAC 116.115(c) and FOP O-01973 STC 11 require compliance with the conditions of NSR permits. 30 TAC 122.143(4) requires compliance with the conditions of the FOP.

Self Report? NO Classification: Minor

Citation: 1A OP
1F OP
30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)

Description: Failure to equip five open-ended lines and valves with a cap, blind flange, plug, or second valve. Eastman reported that on the following days plugs were found missing and were replaced: April 30, 2013 (1), December 7, 2013 (1), January 10, 2014 (2), and January 31, 2014 (1). These components only have federal applicability under 40 CFR 63, Subpart YY. 40 CFR 63.1103(e)(3) [40 CFR 63, Subpart YY] requires compliance with 40 CFR 63, Subpart UU.

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)
SC 11 OP
SC 13F PERMIT

Description: Failure to generate quality assured NOx emissions data for Pyrolysis Furnace EPN 229H7 from July 24, 2013 through June 2014. Eastman reported that the NOx analyzer downtime was greater than the 5% (12-month rolling average) downtime allowed from July 2013 through June 2014 due to a faulty ozone lamp. The faulty ozone lamp was replaced on July 27, 2013. NSR Permit 8539 SC 13.F. requires loss of quality-assured data for no more than 5% of the operating time of the furnace.

Self Report? NO Classification: Minor

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)
SC 10 OP
SC 11 OP
SC 9 PERMIT

Description: Failure to perform a measurement for NOx concentration from boiler EPN 225B1B with a portable analyzer at least once during the month of July 2013. Eastman reported that the boiler operated through July 6, 2013 and an attempt to perform the monitoring was conducted on July 12, 2013 when the boiler was not operating and the boiler remained down the remainder of the month.

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)
SC 13B(2) PERMIT
STC 11 OP

Description: Failure to perform corrective action when the span drift exceeded two times the amount specified in the applicable performance specification on 14 occasions for the NOx monitor and 10 occasions for the CO monitor for Pyrolysis Furnace EPN 229H7. Eastman reported that corrective action was not taken on 14 occasions for the NOx monitor from April 9, 2013 through July 21, 2013 and 10 occasions for the CO monitor from March 22, 2013 through April 15, 2013.

Self Report? NO Classification: Minor

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)
SC 11 OP
SC 9 PERMIT

Description: Failure to maintain a record of the annual flow meter calibration on the Pyrolysis

Furnace (EPN 229H7). During the investigation, the investigator requested the

annual flow meter calibration, but Eastman personnel could not produce the record for 2013. NSR Permit 8539 SC 9 requires that the flow meter be calibrated annually or in accordance with the manufacturer's specifications (recommended every three years), whichever is more frequent.

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Date: 08/14/2014 (1183539) CN601214406
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 Db 60.48b(b)(1)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 19 PERMIT
Special Terms and Conditions 8 OP
Description: Failure to properly challenge the O2 during a CGA on the Boiler 15 CEMS. B19 (g)(1) Mod (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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(j)(4)(i)(D)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 19(A)(3) PERMIT
Special Terms and Conditions 8 OP
Description: Failure to properly conduct CGAs on the Boiler 15 CO CEMS. B19 (g)(1) Mod (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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(b)(1)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition PERMIT
Special Terms and Conditions OP
Description: Failure to use an O2 Cylinder that met the performance specifications during daily spans. B19 (g)(1) Mod (2)(G)
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)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Description: Failure to report all deviations. EIC B3 MOD (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 PERMIT
Special Condition 5 PERMIT
Special Terms and Conditions 8 PERMIT
Description: Failure to maintain the CO ppm limit for the HRA. B19 (g)(1) Mod (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 5 PERMIT
Special Terms and Conditions 8 OP
Description: Failure to maintain the 3-hr NH3 limit. B19 (g)(1) Mod (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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.49b(g)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 8 OP
Description: Failure to conduct NOx, CO, and O2 daily zero and span checks. B19 (g)(1) Mod (2)(G)

7

Date: 08/26/2014 (1191419) CN601214406
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(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 10 PERMIT
Special Terms and Conditions 11 OP
Special Terms and Conditions 1A OP

Description: Failure to meet the 200 BTU/scf limit for non-assisted flares on flare OX011FL1C.
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 5 PERMIT
Special Terms and Conditions 11 OP
Special Terms and Conditions 1A OP

Description: Failure to maintain flow below the flare tip speed velocity on the flare OX048FL1.
Self Report? NO Classification: Minor

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 Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 3E PERMIT
Special Terms and Conditions 11 OP
Special Terms and Conditions 1A OP

Description: Failure to cap open ended lines with a cap, blind flange plug, or second valve on 5 lines in VOC service.

8

Date: 08/26/2014 (1190894) CN601214406

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.890
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 1A OP

Description: Failure to complete monthly monitoring for a pump in light liquid service.
Self Report? NO Classification: Moderate

Citation: 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 3(A)(iv)(1) OP

Description: Failure to conduct quarterly visible emissions observation for a generator.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 1A OP

Description: Failure to equip open ended lines with a cap, blind flange plug, or second valve on two lines in VOC service.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.620
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(c)(4)(ii)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 1A OP

Description: Failure to update the analysis in the Digital Control System during waste disposal in the Rotary Kiln Incinerator.

9

Date: 10/01/2014 (1196605) CN601214406

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(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
SC 2A PERMIT

STC 9A OP

Description: Failure to maintain a minimum net heating value of 200 Btu/scf when sending

emissions to the flare. Eastman reported that the net heating value dropped below the minimum net heating value on flare with EPN 054FL2 as follows: September 24, 2013 from 8:00 AM to 9:00 AM (176 Btu/scf) and from 9:00 AM to 10:00 AM (198 Btu/scf). NSR Permit 20567 SC 2.A. requires that the flare maintain the minimum heating value as specified in 40 CFR 60.18.

- 10 Date: 01/31/2015 (1242196) CN601214406
 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
- 11 Date: 02/19/2015 (1222885) CN601214406
 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)
 SC 4E PERMIT
 STC 12 OP
 Description: Failure to properly install a vacuum/pressure gauge in order to verify a vacuum in the container when conducting railcar washing operations. Eastman reported that the vacuum/pressure gauge that was installed was not sensitive enough to verify a vacuum in the container during railcar washing operations. NSR Permit 48758 SC 4E requires that a vacuum/pressure gauge be installed in order to verify a vacuum in the container. 30 TAC 116.115(c) and FOP O-01436 STC 12 require compliance with the con
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)
 30 TAC Chapter 113, SubChapter C 113.500
 30 TAC Chapter 113, SubChapter C 113.560
 30 TAC Chapter 113, SubChapter C 113.890
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2475(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.982(a)(3)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.987(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1105(a)(1)
 5C THSC Chapter 382 382.085(b)
 STC 1A OP
 Description: Failure to limit visible emissions from the flare for less than five minutes in a two hour period from the HCC-4 plant flare. Eastman reported that on June 26, 2014 from 08:12 to 08:15 and 09:51 hours to 09:55 hours, on June 27, 2014 from 12:15 to 12:28 hours, and on July 15, 2014 from 08:17 to 08:25 hours, the HCC-4 flare was smoking during railcar loading and from one railcar to another.
 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)
 SC 3 PERMIT
 STC 12 OP
 Description: Failure to limit residual railcar waste to the chemical groups or chemicals listed in Attachment 1 of Permit 17578. Eastman reported that they drained acetic anhydride residual railcar waste on November 16, 2012, June 21, 2013, and July 2, 2013 without authorization. NSR Permit 17578 SC 3 limits the residual railcar waste to the chemical groups or chemicals in Attachment 1 of the permit. 30 TAC 116.115(c) and FOP O-01436 STC 12 requires compliance with the conditions of NSR permits.
- 12 Date: 04/23/2015 (1228371) CN601214406
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(n)
 5C THSC Chapter 382 382.085(b)
 STC 1A OP
 STC 4A OP
 Description: Failure to submit a notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date. Failure to submit a notification of any physical or operational change to an existing facility which may increase

the emission rate of any air pollutant to which a standard applies and shall be postmarked 60 days or as soon as practicable before the change is commenced.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 3(A)(iv)(1) OP
Description: Failure to perform the quarterly visible emissions (VE) observations. Eastman reported that they failed to perform the quarterly VE observation on a natural gas-fired heater used to clean glassware from the R & D laboratories. The unit was required to be observed quarterly since September 1, 2004, but was not observed until the third quarter of 2013. FOP O-01975 STC 3(A)(iv)(1) requires that the VE observation be performed at least once during each calendar quarter.

Self Report? NO Classification: Minor
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)
SC 2(B) PERMIT
STC 8 OP
Description: Failure to continuously monitor the pilot flame on the flare. Eastman reported that the temperature transmitter was damaged by a lightning strike on June 12, 2014 and a new transmitter was installed on August 21, 2014. NSR Permit 30130 SC 2(B) requires continuous monitoring of the flare pilot flame. 30 TAC 116.115(c) and FOP O-01975 STC 8 requires compliance with the conditions of NSR permits. 30 TAC 122.143(4) requires compliance with the conditions of the FOP.

13 Date: 04/29/2015 (1221590) CN601214406
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(l)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP
Description: Failure to submit initial and subsequent reports under 40 CFR 60 RRR.

Self Report? NO Classification: Moderate
Citation: 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 3A OP
Description: Failure to conduct quarterly visible emissions observation for a generator.

F. Environmental audits:

Notice of Intent Date: 09/17/2009 (777732)

Disclosure Date: 09/23/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261
30 TAC Chapter 106, SubChapter K 106.262
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1062(b)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.483-2(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1030(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)

Description: Failure to conduct initial, initial annual, annual, semi-annual, quarterly, and/or monthly monitoring for various connectors and valves throughout the Texas Operations facility.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1030(c)(1)

Description: Failure to make a final repair or place on Delay of Repair within five days or confirm repair within five days for one relief valve at HCC-3. The relief valve was found leaking on November 6, 2007 and not placed on Delay of Repair until November 20, 2007. Additionally, Eastman failed to make a final repair within 15 days or place the component on Delay of Repair for one pump that was found leaking on June 9, 2006 and not confirmed as repaired until July 5, 2006.

Notice of Intent Date: 05/12/2010 (873014)
Disclosure Date: 01/19/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(1)
40 CFR Part 61, Subpart FF 61.355(c)(3)

Description: Failure to ensure that the monthly samples of the E-507 wastewater stripper are collected and analyzed in triplicate instead of the duplicate samples that have been collected.

Notice of Intent Date: 08/31/2010 (760326)

Disclosure Date: 09/06/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Rqmt Prov: PERMIT Title V Permit No. O1973, SC-2E

Description: Failed to submit a complete emissions inventory for EPN 226T920A, 226T920B, and 226T920C lube oil tanks, 226T904, and vendor totes/portable tanks, all of which will be reported under EPN 226PORT1. Emissions were not reported on the annual emissions inventory for some small vendor totes/containers and for some lube oil tanks.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Rqmt Prov: PERMIT Title V Permit No. O1436, SC-2E

PERMIT Title V Permit No. O1973, SC-2E

Description: Failed to report correct values for the 2008, 2009 and 2010 emissions inventories. Incorrect values for EPNs 236LR1, 236LT120, and F227FG1 were reported.

Viol. Classification: Moderate

Rqmt Prov: PERMIT Permit 8539, SC-1

PERMIT Title V Permit No. O1973, SC-11

Description: Failure to properly represent a permit. When Permit No. 908 (Olefins No. 2) was being renewed, PBR registration 49874 was rolled into the permit. The PBR contained authorization for both Olefins No. 1 and 2. Eastman discovered during the audit privilege period that the entire PBR registration 49874 was voided when it was Eastman's intention to void only one EPN from the PBR voided. FIN OL226TADD was inadvertently voided since it was not represented on the MAERT at the time Permit No. 908 was

Notice of Intent Date: 06/24/2011 (936762)

Disclosure Date: 03/30/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT NSR Permit Special Conditions 8F, 9F, G

Description: Failed to conduct quarterly monitoring on 2 compressors, 7 pumps, 7 relief valves, and 71 valves under NSR Permit 49363; 1 compressor, 12 pumps, 6 relief valves and 115 valves under NSR Permit 1329; 2 pumps, 4 relief valves, 57 valves, and during the 4th quarter of 2011, 2 relief valves under NSR Permit 52985; and 2 pumps, 4 relief valves, and 10 valves under NSR Permit 6419.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(i)(3)

Description: Failed to annual monitor 1,173 valves and 70 difficult to monitor ("DTM") valves in the 3rd quarter of 2007, 1,040 valves and 51 DTM valves in the 3rd quarter of 2008, 892 valves and 50 DTM valves in the 3rd quarter of 2009, 902 valves and 48 DTM valves in the 3rd quarter of 2010, and 1,050 valves and 51 DTM valves in the 3rd quarter of 2011. Failed to quarterly monitor 6 valves during the 4th quarter of 2011.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)

Rqmt Prov: PERMIT NSR Permit 6419, SC 4

Description: Failed to annually monitor 3,537 connectors (194 in ES-2) in 2007, 3,540 connectors (217 in ES-2) in 2008, 3,507 connectors (218 in ES-2), 3,401 connectors (195 in ES-2), and 14 connectors in 2011.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)

Description: Failed to monthly monitor 24 pumps during the period of January 1, 2007 through November 30, 2011.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(3)

Description: Failed to conduct follow-up monitoring within 3 months days after a component is repaired. Specifically, one component was repaired on 1/22/07, but not monitored until 5/16/07 and one component was repaired on 4/30/08, but was not monitored until 10/27/08.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)

Description: Failed to identify components prior to retagging, so records on these components were not maintained as required and information was not reported in the periodic semi-annual reports as required.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(3)(i)

Description: Failed to confirm repair within 15 days after discovering a leak. Specifically the repair to HON LLS/GV Valve was made on day 15 (8/19/11), but confirmation Method 21 monitoring was not completed until day 16 (8/20/11).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181

Description: Failed to provide a record to indicate that a leak found on a HON heavy liquid flange was repaired as required by 40 CFR § 63.169 standards.

Notice of Intent Date: 07/21/2011 (936955)

Disclosure Date: 11/28/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to emissions inventories and/or related data as required.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT S.C. 6.B.

PERMIT S.C. 8.B.

Description: Failure to comply with a special condition of the facility's NSR Permit.

Notice of Intent Date: 09/22/2011 (962995)

Disclosure Date: 05/11/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT NSR Permit No. 48591, SC 1

Description: Failed to accurately represent loading operations in the NSR permit. Specifically, the NSR permit application described a standard open-domed loading of 2-Ethylhexaldehyde into tank trucks, while actual operations involved a continuous nitrogen sweep at the truck hatch for the duration of the loading operation, creating more emissions than the standard open-domed system.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT NSR Permit No. 78809, SC 1

Description: Failed to accurately represent the loading of MTE Solvent in the NSR permit application. Specifically, the application described the operations occurring at Truck Loading Spot 41, EPN 004LT41, but it was actually occurring at Truck Loading Spot 61, EPN 010LT61.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failed to accurately report loading emissions in the Annual Emissions Inventory Questionnaire in reporting year 2008.

Notice of Intent Date: 11/28/2011 (983582)

Disclosure Date: 07/18/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT NSR Permit 21832, SC 1

Description: Failed to maintain VOC emissions below the hourly allowable maximum rate from EPNs 093T10, due to incorrectly calculating emissions for the permit using floating roof emission factors for a double vapor seal instead of a single wiper seal, and from 011ST2, 011ST5, 048T205, 048T206, F011FG3, and F048FG1, due to either the Acetone and VOC being reversed in the permit application, or the Acetone emissions being included in the VOC limit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT NSR Permit No. 6777, SC 1

Description: Failed to maintain Chlorine emissions from EPN 015MNT2 and Acetone emissions from EPN 015TSINK below the maximum hourly emission rate.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failed to accurately report emissions from EPN 015T901 in the emissions inventory for 2009 - 2011. Emissions were reported higher than actual emissions due to use of old calculation documents (the tank is vented to the flare and has no emissions directly to the atmosphere).

Notice of Intent Date: 02/22/2012 (997777)

Disclosure Date: 10/24/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT NSR Permit 48758, SC 1

Description: Failed to reference the correct EPN in Permit 48758 permit application when describing the the sparging of 40/60 blends of Acetic Acid and Acetic Anhydride. Specifically, in the application it was stated that this occurred at truck loading spot 76, EPN 015LT76EPN, but it actually occurs at truck loading spot 41, EPN 004LT41.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)(2)

Description: Failed to properly report emissions in the Annual Emissions Inventory Questionnaire ("AEIQ"). Specifically, sparging emissions for 40/60 vblends of Acetic Acid and Acetic Anhydride product were reported on FIN/EPN SD015SP76/015LT76 instead of SD004SP41/004LT41; emissions for Ethyl Acetate were reported under FIN/EPN SD015LR1/104FL1 instead of SD015LR1/048FL1; loading emissions for high purity Isobutyl Isobutyrate were not reported under FIN/EPNSD015LR1/015LR1 and/or SD015LT76/015LT76; annual lo

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT NSR Permit 21832, SC 1

Description: Failed to limit the loading rate of n-Butyric Acid into storage tank 36T-84 to 3,000 gallons per hour ("GPH"). Specifically, the loading rate was recorded at approximately 8,300 GPH.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter U 106.473

Description: Failed to properly authorize high purity Isobutyl Isobutyrate emissions. Specifically, an unregistered PBR § 106.473 dated January 27, 2009 authorized the loading of 1.0 M pounds at the B-36 railcar loading spot (EPN 015LR1), but not at the Truck Spot 76 (EPN 015LT76). In addition, the quantities authorized in the internal documents were only 0.21 lbs/hr and 0.0006 tpy, which were less than actual calculated emissions for each of the calendar years from 2009 through 2011.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter U 106.472

Description: Failed to properly document under unregistered PBR § 106.472 the loading of Tri-Methyl Pentanediol at FIN/EPN SD015LR1/015LR1.

Notice of Intent Date: 04/03/2012 (997803)

Disclosure Date: 07/18/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 48655, SC-4E

PERMIT Title V Permit No. O1972, STC-7

Description: Failed to record AVO inspections. It was discovered that there was a period greater than one week an AVO inspection was not recorded (3-15-12 - 3-29-12).

Notice of Intent Date: 08/03/2012 (1030503)

Disclosure Date: 03/22/2013

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failed to properly report emissions. During the audit privilege it was discovered that emissions for F098FG 1 were incorrectly reported on the 2010 and 2011 Air Emissions Inventory because of incorrect emission factors.

Viol. Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT FOP No. O1974, STC 3

Description: Failed to conduct quarterly monitoring. Quarterly VE monitoring is not being completed for the two cooling towers, EPNs 036U1 & 037U501.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)

Rqmt Prov: PERMIT FOP No. O1974 STC 1A

Description: Failed to conduct flare monitoring. In 2011, flare monitoring for EPN Flare I 04FL1 was missed for 8 days (exceeds the allowable 7 missed days).

Notice of Intent Date: 08/01/2012 (1041987)

Disclosure Date: 07/26/2013

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failed to accurately report the Air Emissions Inventory for 2011. Specifically, emissions from EPN

229TNAL7 and EPN 229TADD9 were inaccurately reported.

Notice of Intent Date: 09/18/2012 (1035982)

Disclosure Date: 04/02/2013

Viol. Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: OP FOP O1979, STC 1.A.
OP FOP, STC 3.A.iii.

Description: Failed to conduct the weekly visible emissions observation on the stack for Title V Unit ID No. OL032B5A between October 23 to October 29, 2011; and failed to conduct quarterly visible emissions observations on the stack for EPN 033DCF (decoking tank for heater H-1F) during the 4th quarter of 2012.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: OP FOP, STC 2.E.

Description: Failed to accurately report emissions for EPNs 116FL2H (due to incorrect emission factors that were used); and failed to report the emissions for EPNs 006TADD and 041TNAL3 (the emissions were reported under the wrong EPNs) for the 2010 and 2011 Air Emissions Inventory Reports.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(d)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(f)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.982(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(d)(1)(ii)(B)

Rqmt Prov: OP FOP, STC 1.A.
PERMIT NSR Permit No. 20489, SC 7.B.

Description: Failed to include the actual inspection date on the monthly car seal inspection logs for Unit Nos. OL032RXSYS and OL041D550 and the Olefins Process Water Unit flare capture system.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT NSR 48590, SC 9

Description: Failed to record the fuel flow rate to Waste Heat Boiler B for Cracking Plant No. 3 due to the signal from the flowmeter No. FI-790A-4B not being hooked up to the data recording system.

Notice of Intent Date: 09/18/2012 (1035983)

Disclosure Date: 08/28/2013

Viol. Classification: Moderate

Citation: 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 UU 63.1023(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1030(b)

Rqmt Prov: OP FOP O1968, STC 1.A.
OP FOP O1968, STC 7
PERMIT NSR Permit 18528, SC 10.F.

Description: Failed to utilize a response factor of 9.76 for formaldehyde when conducting Method 21 LDAR monitoring on 3 pumps, 106 valves, and 5 relief valves.

Notice of Intent Date: 12/20/2012 (1054674)

Disclosure Date: 07/24/2013

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failed to accurately report Air Emissions Inventory in 2011 and 2012. Specifically, emissions for EPN 048FL1C were not reported correctly in 2012; emissions that were reported for EPN 015LT76 should have been reported for 015LT77R in 2011 and 2012; and emissions for EPN 011BLD were not reported in 2011 and 2012.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT NSR Permit No. 18528, SC 11.B.

Description: Failed to record zero flow at least once every 15 minutes immediately downstream of each valve that if

opened would allow a vent stream to bypass the control device and be emitted, either directly or indirectly to the atmosphere.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Part 60, Subpart A 60.18

Rqmt Prov:

PERMIT NSR Permit No. 18528, SC 5.A.

Description: Failed to ensure that the assist gas/vent flow was above the minimum net heating value.

Notice of Intent Date: 12/19/2012 (1054827)

Disclosure Date: 07/19/2013

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP O1978, STC 3.A.

Description: Failed to conduct quarterly visible emissions observations for loading of molten Eastoflex.

Notice of Intent Date: 02/15/2013 (1058959)

Disclosure Date: 04/19/2013

Viol. 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 VV 60.482-10(f)

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 60.482-2(a)(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(3)

40 CFR Part 60, Subpart VV 60.483-2

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(a)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(d)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)(3)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(f)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(f)(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(g)

Rqmt Prov: PERMIT FOP O1977, STC 1.A.

PERMIT NSR Permit 21832, SC 6.B.

Description: Failed to include (identify and monitor or inspect) two pumps, 27 relief valves, 563 valves, 16 closed vent system valves, and 74 closed vent system connectors in the LDAR program.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT NSR Permit 21832, SC 12.F.

PERMIT NSR permit 21832, SC. 12.G.

PERMIT NSR Permit 21832, SC. 12.K.

Description: Failed to include (identify and monitor or inspect) two pumps, 31 relief valves, and 579 valves in the LDAR program.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1052(a)(1)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1052(a)(2)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(a)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(h)(3)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1062

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1064(b)(1)

Description: Failed to include (identify and monitor or inspect) 10 valves, 74 connectors, an one relief valve in the LDAR program.

Notice of Intent Date: 03/21/2013 (1077097)

Disclosure Date: 02/27/2014

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(a)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(c)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(h)(3)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1062(b)(3)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1064(a)(1)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1064(b)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.483-2(b)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(f)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(b)(1)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(i)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(7)(ii)

Rqmt Prov: OP FOP 1977, STC 1.A.

Description: Failed to include 318 valves, 28 difficult to monitor ("DTM") valves, one compressor, 379 connectors, 100 DTM connectors, and four relief valves in the state or federal LDAR program for appropriate monitoring and recordkeeping.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.483-2(b)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(f)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(b)(1)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(i)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)

Rqmt Prov: OP FOP 1977, STC 1.A.

OP FOP 1977, STC 12

PERMIT NSR Permit 27941, SC 6.D.

PERMIT NSR Permit 27941, SC 6.F.

PERMIT NSr Permit 27941, SC 6.K.

PERMIT NSR Permit 27941, SC 7

Description: Failed to annually monitor fugitive components in the Propionic Acid Plant between 2008 and 2013 as follows: one valve and eight DTM connectors from 2011 through 2013; five valves and eight DTM connectors in 2010, 13 valves and one DTM valve in 2009, and five valves and one DTM valve in 2008.

Notice of Intent Date: 03/25/2013 (1076944)

Disclosure Date: 03/26/2014

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)(2)

Description: Failed to report emissions from EPNs F052FG2 and 052TK2 in 2011 and 2012 emissions inventory. Specifically, emissions were instead reported from EPNs F052FG1 and 052T2.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)(2)

Description: Failed to report emissions from EPN 052FL1 in the emissions inventory for years prior to 2011. Specifically,

prior to 2011, the facility generating the emissions was routed to the Wash Rack Flare and therefore should have been reported from EPN 052FL1, but were instead reported from EPN 052LR1.

Notice of Intent Date: 05/21/2013 (1095491)

Disclosure Date: 02/27/2014

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(h)(3)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1064(a)(1)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1064(b)(1)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1064(g)(1)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1064(h)(2)
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(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.483-2(b)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(f)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(4)

Rqmt Prov: OP FOP 1977, STC 12
PERMIT NSR Permit 9631, SC 3D
PERMIT NSR Permit 9631, SC 3F
PERMIT NSR Permit 9631, SC 3G
PERMIT NSR Permit 9631, SC 3K
PERMIT NSR Permit 9631, SC 4

Description: Failed to include 37 valves, 15 difficult to monitor ("DTM") valves, 351 connectors, 82 DTM connectors, and two relief valves (Isobutyric Acid Process Unit) in the state or federal LDAR program for appropriate monitoring and recordkeeping. Additionally, failed to monthly or quarterly monitor one pump from May 1008 through May 2013; 73 connectors and 172 DTM connectors in 2012; one DTM relief valve, 100 connectors and 216 DTM connectors in 2011; one DTM relief valve, 97 connectors, and 219 DTM c

Notice of Intent Date: 05/31/2013 (1095109)

Disclosure Date: 06/05/2014

Viol. Classification: Moderate

Citation: 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 UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(e)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

Rqmt Prov: OP FOP 1972, STC 12
OP FOP 1972, STC 1A
PERMIT NSR 48655, SCs 5D & 6
PERMIT NSR 48655, SCs 5D, 5F & 5J

Description: Failed to identify and monitor 111 valves, five difficult to monitor (DTM) valves, one pump, 725 connectors, and 25 DTM connectors in the DAC-C Process Unit, B-68 block.

Viol. Classification: Moderate

Citation: 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 UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(e)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

Description: Failed to annually monitor nine valves, two DTM valves, 26 connectors, and 12 DTM connectors in 2010; six valves, two DTM valves, 26 connectors, and 12 DTM connectors in 2011; 11 valves, two DTM valves, 28 connectors, and 12 DTM connectors in 2012; and nine valves, one DTM valve, 29 connectors, and 13 DTM connectors in 2013 in the DAC-C Process Unit, B-68 block.

Notice of Intent Date: 07/18/2013 (1109869)

Disclosure Date: 03/27/2014

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)

Rqmt Prov: PERMIT FOP O1968, STC 1.A.

Description: Failed to plug 52 open-ended lines.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(e)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

Rqmt Prov: PERMIT FOP O1968, STC 1.A.

Description: Failed to monitor 460 valves, 37 difficult to monitor (DTM) valves, 1,656 connectors, 216 DTM connectors, and 880 closed vent system components (115 valves, 16 DTM valves, 536 connectors, 204 DTM connectors, five pressure relief devices, and four instrumentation systems).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(e)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

Rqmt Prov: OP FOP O1968, STC 1.A.

Description: Failed to identify all fugitive components in the Hydrocarbon Cracking Plant No. 4 resulting in the failure to monitor all components and/or conduct initial inspections.

Notice of Intent Date: 08/27/2013 (1121030)

Disclosure Date: 10/23/2013

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7545(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(b)(2)

Rqmt Prov: OP FOP O1982, STC 1.A.

Description: Failed to include a process heater subject to Part 63, Subpart DDDDD in the initial notification report required by 40 CFR §§ 63.9(b)(2) and 63.7545(b) and due on May 31, 2013.

Viol. Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter A 106.6(b)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP, STC 12

Description: Failed to accurately represent sotrage tank FIN OX053T509 in the PBR application for Registration No. 79302 submitted to the TCEQ on June 23, 2006. Specifically, the EPN was represented as 027FL1, but the correct EPN is 005FL1.

Notice of Intent Date: 09/05/2013 (1121040)

Disclosure Date: 01/28/2014

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201

Description: Failed to accurately calculate hourly acetaldehyde emissions from EPNs 034D203 and 035D203 between January 1, 2008 and November 12, 2013, which resulted in MAERT exceedances to be under reported. Specifically, hourly emissions from EPN 034D203 actually ranged from 44 lb to 364.1 lb rather than 3.24 lb to 83 lb that was reported and emissions from 035D203 actually ranged from 1.1 lb to 507 lb rather than 0.5 lb to 142 lb that was reported.

Notice of Intent Date: 09/25/2013 (1122314)
No DOV Associated

Notice of Intent Date: 12/19/2013 (1140493)
Disclosure Date: 06/02/2014
Viol. Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP O1974, STC 8
PERMIT NSR 1329, SC 1
PERMIT NSR 49363, SC 1

Description: Failed to obtain authorization for PM emissions for Cooling Tower EPNs 036U1 and 037U501.

Notice of Intent Date: 02/24/2014 (1077047)
Disclosure Date: 09/29/2014
Viol. Classification: Moderate
Citation: 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 UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(e)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)
Rqmt Prov: PERMIT NSR 48655, SC 5.D.
PERMIT NSR 48655, SC 5.F.
PERMIT NSR 48655, SC 5.J.
PERMIT NSR 48655, SC 6
OP SOP O1436, STC 1.A.
OP SOP O1436, STC 12
OP SOP O1972, STC 1.A.
OP SOP O1972, STC 12

Description: Failed to include 121 valves, 62 difficult to monitor (DTM) valves, 2 pumps, 1 pressure relief device, 619 connectors, and 531 DTM connectors in the State or Federal LDAR program; and therefore were not identified or monitored. Additionally, 8 valves, 20 DTM valves, 40 connectors, and 65 DTM connectors were not monitored in 2010; 6 valves 14 DTM valves, 31 connectors, and 65 DTM connectors were not monitored in 2011; 6 valves, 14 DTM valves, 33 connectors, and 68 DTM connectors were not monitor

Notice of Intent Date: 04/02/2014 (1163755)
Disclosure Date: 07/28/2014
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(c)(1)(i)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(A)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)
Rqmt Prov: OP FOP O1436, STC 1.A.
OP FOP O1971, STC 1.A.
PERMIT NSR 48626, SC 10.D.
PERMIT NSR 48626, SC 10.K.
PERMIT NSR 48626, SC 11
PERMIT NSR 48626, SC10.G.

PERMIT NSR 48626, STC 10.F.
OP SOP O1426, STC 12
OP SOP O1971, STC 12
OP SOP O1971, STC 5.A.

Description: Failed to identify 284 valves, 81 difficult to monitor (DTM) valves, nine unsafe to monitor (UTM) valves, 11 pressure relief valves (PRV) two UTM PRV, one pump, 3, 118 connectors, 1,224 DTM connectors, and 42 UTM connectors as subject to state and federal LDAR programs. As a result, several components were appropriately identified and monitored as required.

Notice of Intent Date: 04/11/2014 (1165003)
No DOV Associated

Notice of Intent Date: 06/06/2014 (1174143)
Disclosure Date: 09/29/2014

Viol. Classification: Moderate

Citation: 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 UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(e)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)

Rqmt Prov: PERMIT NSR 9552, SC 14.D.
PERMIT NSR 9552, SC 14.F.
OP SOP O1436, STC 1.A.
OP SOP O1436, STC 12
OP SOP O1972, STC 1.A.
OP SOP O1972, STC 12

Description: Failed to include 390 valves, 105 difficult to monitor (DTM) valves, 11 pressure relief devices in gas vapor service, 5 DTM pressure relief devices in gas vapor service, and 7 pressure relief devices in light liquid service in the State or Federal LDAR program, and as a result, the components were not monitored.

Notice of Intent Date: 07/10/2014 (1184681)
Disclosure Date: 11/20/2014

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT X 264.1033(l)(1)(i)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT X 264.1033(l)(1)(ii)(A)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1052(a)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1057(a)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1057(c)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1057(h)(3)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1060(a)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1062(b)(3)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1064(a)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1064(b)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1064(g)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1064(h)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(e)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

Rqmt Prov: OP SOP O1981, STC 1.A.

OP SOP O1981, STC 18

Description: Failed to include 78 valves, 31 difficult to monitor (DTM) valves, eight pressure relief devices, one pump, seven instrumentation systems, 393 connectors, and 225 DTM connectors in the LDAR monitoring program. Because these components were not identified, monitoring was not conducted and associated records maintained. Violation of FOP O1981, STC 1.A. and 18, 40 CFR §§ 264.1057(a), (c)(1), and (h)(3), 264.1062(b)(3), 264.1052(a)(1), 264.1060(a), 264.1033(1)(i) and (ii)(A), 264.1064(a)(1), (b)(1)

Notice of Intent Date: 07/11/2014 (1184682)

Disclosure Date: 02/20/2015

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP O1975, STC 9

Description: Failed to maintain documentation of PBR claimed for the SPR Bench Unit (beginning January 1, 2011) and the Piperylene Bench Unit (beginning January 3, 2012).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(a)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP O1975, STC 2.E.

Description: Failed to accurately report emissions from EPN F031FG1 in the annual emissions inventory report for 2012.

Notice of Intent Date: 08/15/2014 (1192425)

No DOV Associated

Notice of Intent Date: 08/22/2014 (1192449)

No DOV Associated

Notice of Intent Date: 09/10/2014 (1196403)

Disclosure Date: 01/28/2015

Viol. 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 VV 60.482-10(f)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(ii)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2

Rqmt Prov: OP FOP 1978, STC 1.A.

OP FOP 1978, STC 10

PERMIT NSR 20567, SC 5.D.

PERMIT NSR 20567, SC 5.F.

PERMIT NSR 20567, SC 5.J.

Description: Failed to quarterly monitor 81 valves, 44 difficult to monitor (DTM) valves, 21 pressure relief valves, and 4 DTM pressure relief valves under the State LDAR program and 323 closed vent system components consisting of 11 valves, 7 DTM valves, 8 instrument systems, 1 DTM instrument system, 222 connectors, and 74 DTM connectors under the Federal LDAR program.

Notice of Intent Date: 10/30/2014 (1209113)

Disclosure Date: 04/24/2015

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(d)
30 TAC Chapter 116, SubChapter F 116.615(3)

Description: Failed to include the Special Exemption for the loading of isobutyraldehyde into drums at EPN 058LD1 in the NSR Permit No. 1105 during a renewal issued in 2006 or the amendment issued in 2009, as required by 30 TAC § 116.116(d) for PBRs and 30 TAC § 116.615(3) for standard permits.

Notice of Intent Date: 04/02/2015 (1245962)

No DOV Associated

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

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EASTMAN CHEMICAL COMPANY
RN100219815**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2015-0691-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 Eastman Chemical Company ("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 gas and aldehydes plant located at 300 Kodak Boulevard in Longview, Harrison 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 May 4, 2015.
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 Twenty-Five Thousand Six Hundred Twenty-Four Dollars (\$25,624) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Ten Thousand Two Hundred Fifty Dollars (\$10,250) of the administrative penalty and Five Thousand One

Hundred Twenty-Four Dollars (\$5,124) 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. Ten Thousand Two Hundred Fifty Dollars (\$10,250) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

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 the Respondent:
 - a. On October 7, 2013, began conducting Leak Detection and Repair ("LDAR") monitoring and added the components to the LDAR monitoring database; and
 - b. On August 11, 2014, obtained Permit By Rule ("PBR") Registration No. 121337 that certified the increase in the carbon monoxide ("CO") emissions rates.
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 certified emissions rates, in violation of 30 TEX. ADMIN. CODE §§ 106.6(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit ("FOP") No. O1982, Special Terms and Conditions ("STC") No. 12, and PBR Registration No. 82646, as documented during a record review conducted on March 2, 2015. Specifically, the Respondent exceeded the certified CO emissions rates of 0.29 pound per hour ("lb/hr") by 0.18 lb/hr and 1.27 tons per year ("tpy") by 0.38 tpy for Emission Point Number 053GA1 from May 5, 2010 through August 11, 2014, resulting in the unauthorized release of approximately 2.12 tons of CO.

2. Failed to conduct LDAR monitoring of all components at least once every four quarters, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), 40 CODE OF FEDERAL REGULATIONS § 63.168(d)(4), and FOP No. O1982, STC No. 11, as documented during a record review conducted on March 2, 2015. Specifically, the Respondent monitored 2,069 components during the third quarter of 2012 and the next LDAR monitoring was due by the end of the third quarter of 2013, but the components were not monitored until the fourth quarter of 2013.

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: Eastman Chemical Company, Docket No. 2015-0691-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. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Ten Thousand Two Hundred Fifty Dollars (\$10,250) of the assessed administrative penalty shall be offset with the condition that the SEP defined in Attachment A, incorporated herein by reference, is implemented by the Respondent. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
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. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

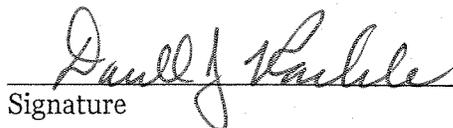
10/30/15
Date

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.


Signature

8/24/2015
Date

Darrell J. Rachels
Name (Printed or typed)
Authorized Representative of
Eastman Chemical Company

Superintendent, TXO Chemicals Division
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.

Attachment A

Docket Number: 2015-0691-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Eastman Chemical Company
Penalty Amount:	Twenty Thousand Five Hundred Dollars (\$20,500)
SEP Offset Amount:	Ten Thousand Two Hundred Fifty Dollars (\$10,250)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Texas Association of Resource Conservation and Development Areas, Inc.
Project Name:	<i>Tire Collection Events and Cleanup of Abandoned Tire Sites</i>
Location of SEP:	Harrison County; Sabine River Basin, Carrizo- Wilcox Aquifer

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Texas Association of Resource Conservation and Development Areas, Inc. (“RC&D”)** for the *Tire Collection Events and Cleanup of Abandoned Tire Sites* project. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the SEP Offset Amount will be used to coordinate with local city and county government officials and private entities (“Partner Entities”) to conduct tire collection events where residents will be able to drop off tires for proper disposal or recycling (“Collection Events”), or to clean sites where tires have been disposed of illegally (“Site Cleanups”).

Texas RC&D shall ensure that collected tires, debris, and waste are properly transported to and disposed at an authorized disposal site, and if a licensed hauler is needed for tires or other regulated waste collected from sites, Texas RC&D shall ensure that only properly licensed haulers are used for transport and disposal of tires and regulated wastes. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

Eastman Chemical Company
Agreed Order - Attachment A

All dollars contributed will be used solely for the direct cost of the Project, including but not limited to supplies, materials, and equipment. Any portion of this contribution that is not able to be spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

This SEP will provide an environmental benefit by providing communities with a free and convenient means for safe and proper disposal of tires and by reducing the dangers and health threats associated with illegally dumped tires.

The health risks associated with illegal dumping are significant. Areas used for illegal tire dumping may be easily accessible to people, especially children, who are vulnerable to the physical hazards posed by abandoned tires. Rodents, insects, and other vermin attracted to dump sites may also pose health risks. Tire dump sites which contain scrap tires pose an ideal breeding ground for mosquitoes, which can breed 100 times faster in the warm, stagnant water standing in scrap tire casings. Severe illnesses, including West Nile Virus, have been attributed to disease-carrying mosquitoes. The potential for tire fires is also reduced by removing illegally dumped tires. Tire fires can result in the contamination of air, surface water, ground water, and soil. In addition, neighborhoods have been evacuated and property damage has been significant due to tire dump sites that caught fire. Illegal tire dumping can also impact drainage of runoff, making areas more susceptible to flooding when wastes block waterways. Open burning at tire dump sites can cause forest fires and erosion as fires burn away trees and undergrowth. Tire dumping has a negative impact on trees and wildlife, and runoff from tire dumpsites may contain chemicals that can contaminate wells and surface water used for drinking.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Texas Association of RC&D SEP** and shall mail the contribution with a copy of the Agreed Order to:

Eastman Chemical Company
Agreed Order - Attachment A

Texas Association of RC&D Areas, Inc.
Attn.: Jerry Pearce, Executive Director
P.O. Box 2533
Victoria, Texas 77902

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount, as described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP. The Respondent shall make the check payable to "Texas Commission on Environmental Quality" and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.