

Bryan W. Shaw, Ph.D., *Chairman*  
Carlos Rubinstein, *Commissioner*  
Toby Baker, *Commissioner*  
Zak Covar, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 26, 2012

Bridget Bohac, Chief Clerk  
Texas Commission on Environmental Quality  
Office of the Chief Clerk (MC-105)  
P.O. Box 13087  
Austin, Texas 78711-3087

RE: INVISTA S.a.r.l., Victoria County  
TCEQ DOCKET NO. 2012-0482-AIR  
AIR QUALITY PERMIT NO. 809

Dear Ms. Bohac:

Enclosed is a copy of the following documents for inclusion in the background material for the Commissioner's Agenda scheduled for this permit application:

- A map indicating the proximate location of the INVISTA plant in Victoria County, and
- The compliance summary of the Applicant; and
- The summary of the technical review of the permit application; and
- A copy of the of air quality permit number 809 for INVISTA's nitric acid plant.

Please do not hesitate to call me at 512-239-0663 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Minter".

John Minter  
Staff Attorney  
Environmental Law Division  
Texas Commission on Environmental Quality

**INVISTA S.a.r.l. Victoria County  
Nitric Acid Plant Air Quality Permit 809  
Map Requested by TCEQ Office of Legal Services  
for Commissioners' Agenda**



Texas Commission on Environmental Quality  
GIS Team (Mail Code 197)  
P.O. Box 13087  
Austin, Texas 78711-3087

October 15, 2012



Projection: Texas Statewide Mapping System  
(TSMS)

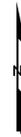
Scale: 1:79,000

**Legend**

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor. The vector data are U.S. Census Bureau 1992 TIGER/Line Data (1:100,000). The background of this map is a one-half meter photograph from the 2008 Texas Orthoimagery Project.

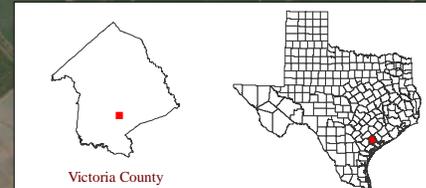
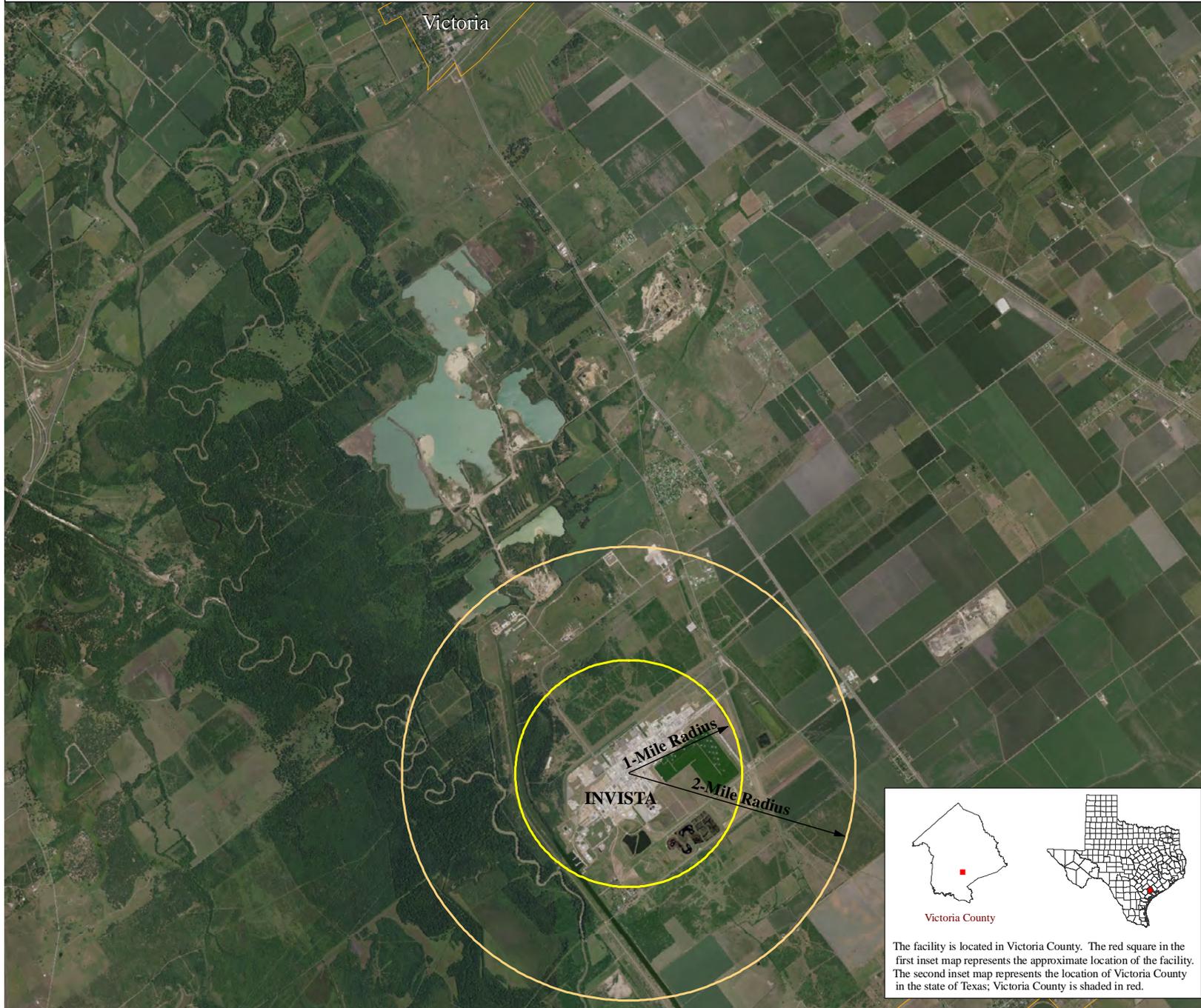
This map depicts the following:

- (1) Polygons and arrows depicting 1-mile and 2-mile radii from approximate center point of facility.



This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 239-0800.

McDonough CRF-385651



The facility is located in Victoria County. The red square in the first inset map represents the approximate location of the facility. The second inset map represents the location of Victoria County in the state of Texas; Victoria County is shaded in red.

## Permit Renewal Source Analysis & Technical Review

[399580]

Company	INVISTA S.a r.l.	Permit Number	809
City	Victoria	Project Number	96101
County	Victoria	Account Number	VC-0008-Q
Project Type	Renewal	Regulated Entity Number	RN102663671
Project Reviewer	Mr. Ramiro Cruz, P.E.	Customer Reference Number	CN602582231
Site Name	Nitric Acid Plant		

### Project Overview

The purpose of this permit action is to authorize renewal of Permit 809. EI Du Pont De Nemours And Company (Du Pont), former owner of the Nitric Acid Plant, applied on 3/07/2003 for renewal of this permit. A hearing request on this renewal was received by letter dated 6/27/2003. Invista S.a.r.l. (Invista) acquired the Nitric Acid Plant on 4/30/2004 and is the current owner. The renewal could not be processed without a companion amendment to authorize certain ongoing unauthorized emissions. Invista applied on 12/30/2005 for such an amendment. On January 7, 2008, Invista applied for a second amendment, to authorize planned maintenance, startup and shutdown (MSS) emissions. To facilitate efficient processing, both amendments were simultaneously reviewed and issued on 1/31/2011.

This project has exceeded normal permitting timeframes. Multiple deficiency cycles, additional public notifications, changes in federal and state permitting requirements, and the unavailability of commenters' counsel contributed to the lengthy review process. Since the inception of the permit time frame reduction (PTR) project in March 2002, the Air Permits Division (APD) has significantly reduced its permitting backlogs and increased permit efficiencies while the total number of projects has almost doubled. In 2002, APD completed 4985 projects and had 1150 backlog projects (which represented about 18% of the total projects under review). APD has decreased its backlog by 33% over the last ten years. So far, in Fiscal Year 2012, APD has completed 8200 projects of a total 9581 projects under review during the year. Backlog projects represent only 8% of the total projects currently under review. Part of PTR is to identify older projects (greater than 2 yrs) and ensure the correct resources are in place to resolve the issues and ultimately process the application. Currently there are approximately 54 projects within the division that are greater than 24 months old. This represents less than 1.0% of all applications completed by the division. Additionally, control measures have been put in place to identify prolonged projects early on in the review, highlight them, and focus on their completion well within APD's expected backlog timeframes.

### Compliance History Evaluation - 30 TAC Chapter 60 Rules

A compliance history report was reviewed on:	February 28, 2012
Compliance period:	3/07/2003 - 3/08/1998
Site rating & classification:	1.07 - Average
Company rating & classification:	5.23 - Average
If the rating is 40<RATING<45, what was the outcome, if any, based on the findings in the formal report:	N/A
Has the permit changed on the basis of the compliance history or rating?	No

### Public Notice Information - 30 TAC Chapter 39 Rules

Rule Citation	Requirement	
39.403	Date Application Received:	March 7, 2003
	Date Administratively Complete:	May 23, 2003
	Small Business Source?	No
	Date Leg Letters mailed:	May 23, 2003
39.603	Date Published:	06/18/2003 10/01/2010

Note: The permit renewal application was received on March 7, 2003. Notice of Receipt and Intent to Obtain an Air Quality Permit (public notice) was published on June 18, 2003. Public notice was republished on October 1, 2010, to include notification of two amendment actions issued on January 31, 2011.

**Permit Renewal  
Source Analysis & Technical Review**

Permit No. 809  
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Regulated Entity No. RN102663671

Rule Citation	Requirement		
	Publication Name:	<i>Victoria Advocate</i>	<i>Victoria Advocate</i>
	Pollutants:	nitrogen oxides, ammonia, nitrous oxide, carbon monoxide, volatile organic, sulfur dioxide, and particulate matter equal to or less than 10 microns in diameter (PM <sub>10</sub> ) [Note: PM <sub>10</sub> was published in 2003, but is not emitted under this permit.]	nitrogen oxides, ammonia, nitrous oxide, carbon monoxide, volatile organic, and sulfur dioxide [Note: PM <sub>10</sub> was not published in 2010, because it is not emitted under this permit.]
	Date Affidavits/Copies Received:	06/30/2003	10/11/2010
	Is bilingual notice required?	Yes	No
	Language:	Spanish	N/A
	Date Published:	08/13/2003	N/A
	Publication Name:	<i>Reylsta de Victoria</i>	N/A
	Date Affidavits/Copies Received:	08/26/2003	N/A
	Date Certification of Sign Posting / Application Availability Received:	09/02/2003	11/12/2010
39.604	Public Comments Received?	No	No
	Hearing Requested?	Yes	No
	Meeting Request?	No	No
	Date Meeting Held:	N/A	N/A
	Date Response to Comments sent to OCC:		N/A
	Request(s) withdrawn?		N/A
	Date Withdrawn:		N/A
	Consideration of Comments:		N/A
	Is 2nd Public Notice required?	Yes	No
39.419	Date 2nd Public Notice Mailed:		3/30/2011
	Preliminary Determination:		Issue
39.603	Date Published:		4/28/2011
	Publication Name:		<i>Victoria Advocate</i>
	Pollutants:		NO <sub>x</sub> , NH <sub>3</sub> , N <sub>2</sub> O, CO, VOC, and SO <sub>2</sub>
	Date Affidavits/Copies Received:		5/05/2011
	Is bilingual notice required?		No
	Note: The Bloomington Elementary School District reported to the applicant that, in 2003, a bilingual education program was required by the Texas Education Code in the district, but not in 2010. The statutory minimum number of students requiring a bilingual education program were present in the district in 2003, but not on 2010. Therefore, bilingual notice was required on 08/13/2003, but not on 10/01/2010.		
	Language:		N/A
	Date Published:		N/A
	Publication Name:		N/A
	Date Affidavits/Copies Received:		N/A
	Date Certification of Sign Posting / Application		6/06/2011

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Source Analysis & Technical Review**

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Regulated Entity No. RN102663671

Rule Citation	Requirement	
	Availability Received:	
	Public Comments Received?	No
	Meeting Request?	No
	Date Meeting Held:	N/A
	Hearing Request?	No
	Date Hearing Held:	N/A
	Request(s) withdrawn?	N/A
	Date Withdrawn:	N/A
	Consideration of Comments:	N/A
39.421	Date RTC, Technical Review & Draft Permit Conditions sent to OCC:	2/27/2012
	Request for Reconsideration Received?	No
	Final Action:	Renew
	Are letters Enclosed?	Yes

**Renewal Requirements - 30 TAC Chapter 116 Rules**

Rule Citation	Requirement	
116.315(a)	Date of permit expiration:	06/09/2003
116.310	Date written notice of review was mailed:	11/27/2002
116.315(a)	Date application for Renewal (PI-IR) received:	03/07/2003
116.311(a)(1)	Do dockside vessel emissions associated with the facility comply with all regulations?	N/A
116.311(a)(2)	Is the facility being operated in accordance with all requirements and conditions of the existing permit, including representations in the application for permit to construct and subsequent amendments, and any previously granted renewal, unless otherwise authorized for a qualified facility?	Yes
	If no, explain:	N/A
116.311(a)(3)	Subject to NSPS?	Yes
	Subparts A & G	
116.311(a)(4)	Subject to NESHAPS?	No
	Subparts	N/A
116.311(a)(5)	Subject to NESHAPS (MACT) for source categories?	No
	Subparts	N/A
116.311(a)(6)	Does this project require case-by-case MACT?	No
116.311(b)	Was there a condition of air pollution that had to be addressed during this project review?	No
	If yes, explain:	N/A
116.314(a)	Does the facility meet all permit renewal requirements?	Yes
116.313	Permit Renewal Fee: \$ 10,000	
	Applicable Outstanding Fees:	No

**Permit Renewal**  
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**Title V Applicability - 30 TAC Chapter 122 Rules**

Rule Citation	Requirement	
122.10(13)	<b>Title V applicability:</b> The site operates under Title V Permit No. O-01867.	
122.10(13)(A)	Is the site a major source under FCAA Section 112(b)?	No
	Does the site emit 10 tons or more of any single HAP?	No
	Does the site emit 25 tons or more of a combination?	No
122.10(13)(C)	Does the site emit 100 tons or more of any air pollutant?	Yes
122.10(13)(D)	Is the site a non-attainment major source?	No

122.602

**Periodic Monitoring (PM) applicability:**

PM, generally speaking, applies to units subject to an emission limitation or standard of an applicable requirement for an air pollutant. The site is a major source and is subject to 30 TAC Chapter 122. The conditions of this permit would be considered applicable requirements, as New Source Review permits are applicable requirements of permits under Chapter 122. Therefore, the emission limitations and standards of this permit are subject to periodic monitoring and must ultimately (either through this permit or the Title V permits) be subject to monitoring (which may consist of recordkeeping) that is sufficient to yield reliable data from a relevant time period that is representative of compliance with the applicable requirements and testing, monitoring, reporting, or recordkeeping sufficient to assure compliance with the applicable requirements.

PM is implemented through permit Special Condition (SC) Nos. 6 and 10.

Ammonia Oxidization Process (AOP) Flare, Emission Point Number (EPN) 14FLR-001A. This EPN is subject to the flare monitoring requirements under SC No. 9, as follows:

SC No. 9.B. The permit specifies in SC No. 9.B that flares shall be operated with a flame present at all times and/or have a constant pilot flame. The pilot flame shall be continuously monitored by a thermocouple. The time, date, and duration of any loss of pilot flame shall be recorded. Each monitoring device shall be accurate to, and shall be calibrated at a frequency in accordance with, the manufacturer's specifications.

SC No. 9.D. The permit also specifies in SC No. 9.D that the flare shall be equipped with a continuous flow monitor on the supplemental natural gas line. Natural gas flow readings shall be recorded at least once every 15 minutes. The natural gas flow monitor shall have their calibration checked on an annual basis.

AOP Main Stack, EPN 14STK-001. This EPN is subject to the continuous emission rate monitoring system (CERMS) monitoring requirements under SC No. 10.

**Compliance Assurance Monitoring (CAM) applicability:**

CAM applies here for one Emission Point No. (EPN). The Nitric Acid Plant is located at a site subject to the requirements of 30 TAC 122. The emission unit or units are subject to an emission limitation or standard in an applicable requirement defined in 30 TAC 122. A control device or devices are used to achieve compliance with the emission limitation or standard. The emission unit or units have a pre-control potential to emit equal to or greater than the amount required for the site to be classified as a major source under 30 TAC 122. The EPN subject to CAM is addressed in the proposed permit, in Special Condition No. 11, and is listed here:

<u>Emission Point Number</u>	<u>Source Name</u>	<u>Mandated Activities</u>
14STK-001	AOP Main Stack	Monthly audio, visual, and/or olfactory (AVO) capture system inspection. Yearly AVO vapor outlet inspection. Demonstration of control device bypass closure.

**Permit Renewal  
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Regulated Entity No. RN102663671

**Request for Comments**

Received From	Program/Area Name	Reviewed By	Comments
Region:	14	Cindy Smith	All comments implemented as requested, except for a proposal for SC No. 6B.
City:	Victoria		
County:	Victoria		
Toxicology:			
Compliance:			
Legal:			
Comment resolution and/or unresolved issues:	SC No. 6B requires that each flare monitoring device shall be accurate to, and shall be calibrated at a frequency in accordance with the manufacturer's specifications. Region requested clarification of the phrase "manufacturer's specifications". Region agreed that expansion of this phrase was not needed because the phrase is in the permit currently in effect and it is very common to use manufacturer's specifications in the field of air pollution control.		

**Process/Project Description**

Liquid ammonia (NH<sub>3</sub>) from storage is filtered, vaporized, and filtered again. Atmospheric air is filtered and mixed with the vaporized NH<sub>3</sub>. The gas mix enters the NH<sub>3</sub> converters, where the NH<sub>3</sub> is oxidized on platinum-rhodium catalyst gauzes to produce nitric oxide (NO). Some of the NH<sub>3</sub> is converted to nitrous oxide (N<sub>2</sub>O), an unwanted by-product. The cooled nitrogen oxides (NO<sub>x</sub>) rich stream goes to the cooler-condenser, where the produced water is condensed as a weak acid. The remaining gaseous stream goes to the absorption column, where additional NO oxidation takes place. The aqueous nitric acid solution goes to storage.

The absorption column tail gas stream goes to an acid mist separator, followed by the NO<sub>x</sub> Abater. At the abater, selective catalytic reduction and NH<sub>3</sub> injection control NO<sub>x</sub> emissions. The abated gas stream is discharged to the atmosphere through EPN 14STK-001.

This permitting action is to renew the NSR permit with the inclusion of the MSS emissions authorized in 2008 and the amendment changes made in 2005. As part of the 2005 amendment, du Pont (as original owners) had requested that N<sub>2</sub>O be included in the MAERT to indicate that it had been evaluated and determined to be adequately protective in accordance with Title 30 Texas Administrative Code Chapter 116.111(a)(2)(A)(i) [30 TAC §116.111(a)(2)(A)(i)]. There are no changes in N<sub>2</sub>O emissions associated with this permitting action.

**Pollution Prevention, Sources, and Controls - [30 TAC 116.311(b)(2)]**

This permit action will renew the authorized emissions from the following Emission Point Nos. (EPNs) and a best available control technology (BACT) discussion is included at each source:

Emission Point No.	Source Name	Controls
14STK-001	AOP Main Stack	Selective Catalytic reduction (SCR) with tail gas NO <sub>x</sub> concentration ≤60 ppmvd. No N <sub>2</sub> O abatement. This is economically reasonable and technically practicable considering the age of the facility and the impact of its emissions on the surrounding area. Best available control technology (BACT) applies.
14FLR-001A	AOP Flare	Flare meets Title 40 Code of Federal Regulations § 60.18 for a volatile organic compounds (VOC) removal efficiency ≥ 98%, NH <sub>3</sub> removal efficiency ≥98%. Unassisted. BACT applies.

**Permit Renewal**  
**Source Analysis & Technical Review**

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14FUG	Fugitives	Fugitive NH <sub>3</sub> controlled with the audio, visual, and olfactory program. VOC emissions are too small to require an inspection and maintenance program for VOC. BACT applies.
14LTR-001	Nitric Acid Truck Loading/Unloading Facility (fugitive only).	Loading emissions routed to control under Permit 812. Fugitives minimized by reducing connection and disconnection time. BACT applies.
14FUGMSS	Fugitives	Fugitive NH <sub>3</sub> controlled with the audio, visual, and olfactory program. VOC emissions are too small to require an inspection and maintenance program for VOC. BACT applies.
14STK-002	Sample Sink Vent Hood Stack	A vent hood collects vapors resulting from sampling various vessels and discharges them without controls through a stack outlet 30 feet above. This is economically reasonable and technically practicable considering the age of the facility and the impact of its emissions on the surrounding area. BACT applies.

**Permit Concurrence and Related Authorization Actions**

Is the applicant in agreement with special conditions?	Yes
Company representative(s):	David D. Childs
Contacted Via:	E-mail
Date of contact:	2/25/2011
Other permit(s) or permits by rule affected by this action:	No
List permit and/or PBR number(s) and actions required or taken:	None

<p><i>Lance Cruz</i> Project Reviewer</p>	<p>8/29/2012 Date</p>	<p><i>Kristin Miles Quaco</i> Team Leader/Section Manager/Backup</p>	<p>08/29/12 Date</p>
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# Compliance History Report

**PENDING** Compliance History Report for CN602582231, RN102663671, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

<b>Customer, Respondent, or Owner/Operator:</b>	CN602582231, INVISTA S.a r.l.	<b>Classification:</b> SATISFACTORY	<b>Rating:</b> 10.53
<b>Regulated Entity:</b>	RN102663671, INVISTA SARL	<b>Classification:</b> SATISFACTORY	<b>Rating:</b> 9.80
<b>Complexity Points:</b>	44	<b>Repeat Violator:</b> YES	
<b>CH Group:</b>	05 - Chemical Manufacturing		
<b>Location:</b>	2695 OLD BLOOMINGTON RD N VICTORIA, TX 77905-1840, VICTORIA COUNTY		
<b>TCEQ Region:</b>	REGION 14 - CORPUS CHRISTI		

## ID Number(s):

**AIR OPERATING PERMITS** PERMIT 1867  
**AIR OPERATING PERMITS** PERMIT 1902  
**AIR OPERATING PERMITS** PERMIT 1867  
**AIR OPERATING PERMITS** ACCOUNT NUMBER VC0008Q  
**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID TXR000057968  
**INDUSTRIAL AND HAZARDOUS WASTE** PERMIT 50056

## PETROLEUM STORAGE TANK REGISTRATION

REGISTRATION 24717  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW028  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW030  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW106  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW143  
**UNDERGROUND INJECTION CONTROL** PERMIT 5X2600662

**AIR NEW SOURCE PERMITS** PERMIT 809  
**AIR NEW SOURCE PERMITS** PERMIT 812  
**AIR NEW SOURCE PERMITS** PERMIT 7186  
**AIR NEW SOURCE PERMITS** PERMIT 9560  
**AIR NEW SOURCE PERMITS** PERMIT 20011  
**AIR NEW SOURCE PERMITS** PERMIT 31376  
**AIR NEW SOURCE PERMITS** REGISTRATION 43301  
**AIR NEW SOURCE PERMITS** REGISTRATION 43501  
**AIR NEW SOURCE PERMITS** REGISTRATION 45256  
**AIR NEW SOURCE PERMITS** REGISTRATION 47610  
**AIR NEW SOURCE PERMITS** AFS NUM 4846900001  
**AIR NEW SOURCE PERMITS** REGISTRATION 71789  
**AIR NEW SOURCE PERMITS** REGISTRATION 73896  
**AIR NEW SOURCE PERMITS** REGISTRATION 73898  
**AIR NEW SOURCE PERMITS** REGISTRATION 77089  
**AIR NEW SOURCE PERMITS** REGISTRATION 80416L  
**AIR NEW SOURCE PERMITS** REGISTRATION 82508  
**AIR NEW SOURCE PERMITS** REGISTRATION 87075  
**AIR NEW SOURCE PERMITS** REGISTRATION 91357  
**AIR NEW SOURCE PERMITS** REGISTRATION 85650  
**AIR NEW SOURCE PERMITS** REGISTRATION 92605  
**AIR NEW SOURCE PERMITS** REGISTRATION 92094  
**AIR NEW SOURCE PERMITS** REGISTRATION 91536  
**AIR NEW SOURCE PERMITS** REGISTRATION 93789  
**AIR NEW SOURCE PERMITS** REGISTRATION 94270  
**AIR NEW SOURCE PERMITS** REGISTRATION 95372  
**AIR NEW SOURCE PERMITS** REGISTRATION 95376

**AIR OPERATING PERMITS** PERMIT 1904  
**AIR OPERATING PERMITS** PERMIT 1415  
**AIR OPERATING PERMITS** PERMIT 1902  
**AIR OPERATING PERMITS** PERMIT 1904  
**INDUSTRIAL AND HAZARDOUS WASTE** PERMIT 50393  
**INDUSTRIAL AND HAZARDOUS WASTE** SOLID WASTE REGISTRATION # (SWR) 87449  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW004  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW029  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW105  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW142  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW144  
**AIR NEW SOURCE PERMITS** REGISTRATION 102807

**AIR NEW SOURCE PERMITS** PERMIT 810  
**AIR NEW SOURCE PERMITS** PERMIT 813  
**AIR NEW SOURCE PERMITS** REGISTRATION 7873  
**AIR NEW SOURCE PERMITS** REGISTRATION 14751  
**AIR NEW SOURCE PERMITS** PERMIT 23271  
**AIR NEW SOURCE PERMITS** REGISTRATION 37067  
**AIR NEW SOURCE PERMITS** REGISTRATION 43502  
**AIR NEW SOURCE PERMITS** REGISTRATION 44234  
**AIR NEW SOURCE PERMITS** REGISTRATION 45219  
**AIR NEW SOURCE PERMITS** ACCOUNT NUMBER VC0008Q  
**AIR NEW SOURCE PERMITS** REGISTRATION 71504  
**AIR NEW SOURCE PERMITS** REGISTRATION 56688  
**AIR NEW SOURCE PERMITS** REGISTRATION 74109  
**AIR NEW SOURCE PERMITS** REGISTRATION 76575  
**AIR NEW SOURCE PERMITS** EPA ID PSDTX1079  
**AIR NEW SOURCE PERMITS** REGISTRATION 83151  
**AIR NEW SOURCE PERMITS** REGISTRATION 82497  
**AIR NEW SOURCE PERMITS** REGISTRATION 84582  
**AIR NEW SOURCE PERMITS** REGISTRATION 87563  
**AIR NEW SOURCE PERMITS** REGISTRATION 89577  
**AIR NEW SOURCE PERMITS** REGISTRATION 93064  
**AIR NEW SOURCE PERMITS** REGISTRATION 92217  
**AIR NEW SOURCE PERMITS** REGISTRATION 92339  
**AIR NEW SOURCE PERMITS** REGISTRATION 94187  
**AIR NEW SOURCE PERMITS** REGISTRATION 95034  
**AIR NEW SOURCE PERMITS** REGISTRATION 94982  
**AIR NEW SOURCE PERMITS** REGISTRATION 95553



Rqmt Prov: Federal Operating Permit O-01904 STC 2F OP

Description: Failure to submit an initial notification for a reportable emissions event within 24 hours after the discovery of the event, specifically, the initial notification for Incident Number 117032 was made nine days after the 24 hour submittal period.

Classification: Moderate

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

Rqmt Prov: Federal Operating Permit O-01904 STC1&2 OP  
TCEQ NSR Permit 7186 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event, TCEQ STEERS Incident 117032 which occurred on November 14, 2008. Specifically, Invista released 969.9 lb of benzene (VOC) [adjusted emissions to ensure consistent Penalty Calculation and Speciation is 877.66 lb of VOCs] to the atmosphere. The unauthorized release was the result of a malfunction/failure of the Number 1 Digester Agitator Seal associated to the Adipo Nitrile Cooling Tower (EPN 10CLT-040).

2 Effective Date: 09/16/2011 ADMINORDER 2011-0310-AIR-E (1660 Order)

Classification: Moderate

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

Rqmt Prov: GC8 & SC1 PERMIT

Special Condition (SC) No. 1 PA

Special Terms & Conditions (ST&C) No. 21 OP

Description: Failed to prevent unauthorized emissions, in violation of Federal Operating Permit No. O1904, Special Terms and Conditions No. 21, New Source Review Permit Nos. 7186 and PSDTX1079, Special Conditions No. 1, 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted from September 21, 2010 to October 18, 2010. Specifically, the Respondent released 2,379.2 pounds ("lbs") of ammonia phosphate, 883.23 lbs

3 Effective Date: 04/08/2012 ADMINORDER 2011-1420-AIR-E (1660 Order)

Classification: Moderate

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

Rqmt Prov: NSR 7186 SC No. 1 PERMIT

Title V 1904 STC No. 21 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 654 pounds ("lbs") of pentenenitrile, 101 lbs of adiponitrile, 4.30 lbs of 2 - methylglutaronitrile, 2.80 lbs of benzonitrile, 2.40 lbs of phenol, 1.40 lbs of m-cresol, 1.10 lbs of cyclohexane, 1 lb of other organics, 0.40 lb of benzene, and 0.30 lb of hydrogen cyanide from a safety relief valve in the Adiponitrile Unit during an avoidable emissions event (Incident No. 150977) that began on February 18, 2011 and last

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

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

Item 1	September 14, 2007	(594267)
Item 2	September 26, 2007	(594958)
Item 3	October 18, 2007	(601637)
Item 4	October 23, 2007	(596420)
Item 5	November 01, 2007	(594093)
Item 6	November 15, 2007	(595985)
Item 7	November 16, 2007	(619531)
Item 8	November 19, 2007	(608779)
Item 9	November 20, 2007	(600236)
Item 10	December 19, 2007	(619532)

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Item 11	January 23, 2008	(614402)
Item 12	January 28, 2008	(615679)
Item 13	February 11, 2008	(617896)
Item 14	February 12, 2008	(617428)
Item 15	February 19, 2008	(672057)
Item 16	February 22, 2008	(619038)
Item 17	February 26, 2008	(636167)
Item 18	February 29, 2008	(619177)
Item 19	March 19, 2008	(672058)
Item 20	April 10, 2008	(672060)
Item 21	April 29, 2008	(641484)
Item 22	May 19, 2008	(689969)
Item 23	May 28, 2008	(670942)
Item 24	June 03, 2008	(681610)
Item 25	June 12, 2008	(682746)
Item 26	June 13, 2008	(636198)
Item 27	June 16, 2008	(570815)
Item 28	June 18, 2008	(689970)
Item 29	August 06, 2008	(685463)
Item 30	August 18, 2008	(710755)
Item 31	August 19, 2008	(687695)
Item 32	August 28, 2008	(685079)
Item 33	September 16, 2008	(682835)
Item 34	September 17, 2008	(710756)
Item 35	October 13, 2008	(703125)
Item 36	October 20, 2008	(710757)
Item 37	November 13, 2008	(671370)
Item 38	November 17, 2008	(705741)
Item 39	November 20, 2008	(708258)
Item 40	December 04, 2008	(709080)
Item 41	December 05, 2008	(709059)
Item 42	December 16, 2008	(750289)
Item 43	February 19, 2009	(750285)
Item 44	March 10, 2009	(726867)
Item 45	March 15, 2009	(750286)
Item 46	April 07, 2009	(741321)
Item 47	April 08, 2009	(750288)
Item 48	April 16, 2009	(750287)
Item 49	April 29, 2009	(741884)
Item 50	May 05, 2009	(743096)
Item 51	May 07, 2009	(744694)
Item 52	May 18, 2009	(768380)
Item 53	June 10, 2009	(743884)
Item 54	June 11, 2009	(768381)
Item 55	June 12, 2009	(747644)
Item 56	June 17, 2009	(745213)
Item 57	July 06, 2009	(744541)
Item 58	July 09, 2009	(759851)
Item 59	July 23, 2009	(760840)
Item 60	July 29, 2009	(762893)
Item 61	August 10, 2009	(762823)
Item 62	August 11, 2009	(762901)
Item 63	August 20, 2009	(804701)
Item 64	August 25, 2009	(760849)
Item 65	September 16, 2009	(804702)
Item 66	September 21, 2009	(776248)
Item 67	October 01, 2009	(804703)
Item 68	November 09, 2009	(767740)
Item 69	November 12, 2009	(782121)
Item 70	November 19, 2009	(804704)

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Item 71	November 20, 2009	(781559)
Item 72	December 10, 2009	(784690)
Item 73	December 17, 2009	(804705)
Item 74	December 29, 2009	(782482)
Item 75	January 14, 2010	(804706)
Item 76	January 29, 2010	(789998)
Item 77	February 18, 2010	(804700)
Item 78	March 16, 2010	(830901)
Item 79	April 05, 2010	(792860)
Item 80	April 19, 2010	(830902)
Item 81	April 21, 2010	(799851)
Item 82	May 11, 2010	(830903)
Item 83	May 25, 2010	(824296)
Item 84	July 07, 2010	(827543)
Item 85	July 19, 2010	(860869)
Item 86	July 27, 2010	(841403)
Item 87	July 28, 2010	(828124)
Item 88	July 29, 2010	(842337)
Item 89	August 03, 2010	(798917)
Item 90	August 18, 2010	(866836)
Item 91	August 24, 2010	(844890)
Item 92	August 25, 2010	(845969)
Item 93	August 26, 2010	(848907)
Item 94	August 31, 2010	(738159)
Item 95	September 10, 2010	(843915)
Item 96	September 15, 2010	(850212)
Item 97	September 20, 2010	(873907)
Item 98	September 29, 2010	(850379)
Item 99	October 01, 2010	(865236)
Item 100	October 20, 2010	(881508)
Item 101	November 12, 2010	(873553)
Item 102	November 16, 2010	(888035)
Item 103	November 30, 2010	(879413)
Item 104	December 20, 2010	(896248)
Item 105	January 24, 2011	(886744)
Item 106	January 26, 2011	(887766)
Item 107	February 23, 2011	(900149)
Item 108	March 17, 2011	(905852)
Item 109	March 21, 2011	(905282)
Item 110	April 06, 2011	(908710)
Item 111	April 14, 2011	(911863)
Item 112	April 19, 2011	(924818)
Item 113	May 23, 2011	(906511)
Item 114	June 15, 2011	(920384)
Item 115	June 17, 2011	(945401)
Item 116	June 22, 2011	(924360)
Item 117	July 19, 2011	(952630)
Item 118	August 09, 2011	(941136)
Item 119	August 16, 2011	(937589)
Item 120	August 17, 2011	(959311)
Item 121	August 22, 2011	(948918)
Item 122	August 26, 2011	(950131)
Item 123	August 31, 2011	(951024)
Item 124	September 28, 2011	(956376)
Item 125	October 04, 2011	(958324)
Item 126	October 17, 2011	(962788)
Item 127	October 18, 2011	(962907)
Item 128	October 20, 2011	(971384)
Item 129	October 26, 2011	(962950)
Item 130	November 18, 2011	(977543)

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Item 131	December 13, 2011	(974277)
Item 132	December 20, 2011	(984311)
Item 133	January 18, 2012	(980293)
Item 134	January 20, 2012	(990612)
Item 135	January 25, 2012	(976711)
Item 136	February 08, 2012	(983181)
Item 137	February 17, 2012	(976722)
Item 138	February 20, 2012	(997973)
Item 139	March 09, 2012	(982412)
Item 140	March 22, 2012	(993937)
Item 141	April 18, 2012	(1010061)
Item 142	April 30, 2012	(1024175)
Item 143	May 02, 2012	(1001255)
Item 144	May 21, 2012	(1006990)
Item 145	June 05, 2012	(1003250)
Item 146	July 03, 2012	(1015565)
Item 147	July 05, 2012	(1015091)
Item 148	July 11, 2012	(1002627)
Item 149	July 20, 2012	(1031570)
Item 150	August 01, 2012	(1020501)
Item 151	August 10, 2012	(1021845)
Item 152	August 21, 2012	(1024051)
Item 153	August 24, 2012	(1028569)
Item 154	August 29, 2012	(1028268)

**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: 08/31/2011 (965344) CN602582231  
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
  
- 2 Date: 08/31/2011 (951693) CN602582231  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THSC Chapter 382 382.085(b)  
FOP No. 1902, GTC OP  
Description: Failure to submit a Permit Compliance Certification (PCC) for Federal Operating Permit No. O 01902 no later than 30 days after the end of the certification period, for the certification period of May 1, 2010 through April 30, 2011. Specifically, Invista S.a.r.l. registered to operate the Hexamethylenediamine (HMD) Plant/Biotreatment (BIO)/Out Lying Areas (OLA) units, which requires the facility to comply with state requirements for reporting.
  
- 3 Date: 09/01/2011 (951881) CN602582231  
Self Report? NO Classification: Minor  
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)  
Description: Falulre to report all instances of devlatons in the first reporting period.
  
- 4 Date: 12/16/2011 (968797) CN602582231  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 331, SubChapter D 331.64(b)  
40 CFR Chapter 146, SubChapter D, PT 146, SubPT G 146.68(a)  
Description: The facility failed to continuously sample for the specific gravity and pH of the injected waste at least once every 24 hours pursuant to 40 CFR 146.68(a) and 30 TAC 331.64(b), PP.VIII.G.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 331, SubChapter D 331.67(a)  
WDW-143 PP.IX.A.B. PERMIT  
Description: The facility failed to keep complete and accurate records as required by permit

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and pursuant to 30 TAC 331.67(a), PP.IX.A.B.

- 5 Date: 12/16/2011 (968228) CN602582231  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.15(d)  
Sec III.D. General Insp. Requirements PERMIT  
Description: Failure to indicate the time of inspection on the inspection log.
- 6 Date: 12/16/2011 (968316) CN602582231  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 331, SubChapter D 331.67(a)  
PERMIT WDW142, PP.IX.A.B. PERMIT  
Description: The facility failed to keep complete and accurate records as required by permit and pursuant to 30 TAC 331.67(a), PP.IX.A.B.
- 7 Date: 02/06/2012 (982938) CN602582231  
Self Report? NO Classification: Moderate  
Citation: [FOP No. O-01902] STC 2F OP  
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)  
Description: Failure to notify the TCEQ Corpus Christi Region Office of a reportable emissions event within 24 hours after the discovery. Specifically, an emissions event, TCEQ/STEERS Incident No. 161623, occurred on November 10, 2011 at 17:20 hours; however, Invista S.a.r.l. reported the event late on November 11, 2011 at 18:14 hours.  
Self Report? NO Classification: Moderate  
Citation: [FOP No. O-01902] STC 2F OP  
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)  
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Description: Failure to submit an accurate final report for a reportable emissions event, TCEQ/STEERS Incident No. 161623. Specifically, Invista S.a.r.l. failed to report all individually listed compounds of air contaminants (i.e., combustion emissions NOx and CO) released from the HMD Flare (EPN 04FLR-032) during the emissions event that occurred on November 10, 2011.  
Self Report? NO Classification: Moderate  
Citation: [FOP No. O-01902] STC 15 OP  
[PMT 23271] GC & SC 1 PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(b)  
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)  
Description: Failure to prevent unauthorized emissions during two emissions events (Incident Nos. 161544 & 161623, respectively). (1) Specifically, 149.3 lbs NH3 was released (Incident No. 161544). The unauthorized emissions were the result of operator error. The event's duration was 1 hr, 34 mins. (2) Specifically, 120.2 lbs NH3 was released (Incident No. 161623). The unauthorized emissions were the result of operator error. The event's duration was 4 hrs, 1 min.
- 8 Date: 02/29/2012 (1003497) CN602582231  
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
- 9 Date: 03/06/2012 (982002) CN602582231  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 331, SubChapter D 331.64(b)  
40 CFR Chapter 146, SubChapter D, PT 146, SubPT G 146.68(a)  
Description: The facility failed to continuously sample for the specific gravity and pH of the injected waste at least once every 24 hours pursuant to 40 CFR 146.68(a) and 30 TAC 331.64(b), PP.VIII.G.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 331, SubChapter D 331.67(a)  
WDW-143 PP.IX.A.B. PERMIT  
Description: The facility failed to keep complete and accurate records as required by permit and pursuant to 30 TAC 331.67(a), PP.IX.A.B.

- 10 Date: 03/30/2012 (989361) CN602582231  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Eff Limit and Mon Req Outfall 101 PERMIT  
 Description: Failed to meet the permit limit for residual chlorine at Outfall 101.  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 319, SubChapter A 319.11(a)  
 30 TAC Chapter 319, SubChapter A 319.11(b)  
 Mon and Reporting Req. 2 PERMIT  
 Description: Failed to comply with procedures specified in 30 TAC Chapters 319.11-319.12 for  
 the collection and analysis of samples.  
 Self Report? NO Classification: Moderate  
 Citation: Permit Conditions 2.g. PERMIT  
 TWC Chapter 26 26.121  
 Description: Failed to prevent three unauthorized discharges.  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Eff Limit and Mon Requirements PERMIT  
 Description: Failed to meet the permit limitations for Daily Maximum TSS at Outfall 101and  
 Daily Maximum total organic carbon at Outfall 006.
- 11 Date: 04/30/2012 (1016456) CN602582231  
 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
- 12 Date: 06/28/2012 (1007349) CN602582231  
 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 No. 12 PERMIT  
 Description: The holders of permits, special permits, standard permits, and special exemptions  
 shall comply with all special conditions contained in the permit document.  
 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 No. 18 PERMIT  
 Description: Failure to maintain the differential pressure drop to a minimum of 0 inches and a  
 maximum of 10 inches of water across each baghouse.
- 13 Date: 07/06/2012 (1015452) CN602582231  
 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 No. 11(E) PERMIT  
 STC No. 1(A) OP  
 Description: Failure to equip each open-ended line with a cap, blind flange, plug, or a second  
 valve. Specifically, an open-ended line (Tag No. VP-1334A) discovered in the  
 Diamine (East) Powerhouse Unit on June 14, 2011 constitutes a violation of the  
 requirements with applicable regulations.  
 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 No. 8 PERMIT  
 STC No. 1(A) OP  
 Description: Failure to record oxygen (O2) concentrations from the CEMS unit as required.  
 Specifically, from February 1, 2011 through May 19, 2011 the Regulated Entity  
 failed to record the O2 data.
- 14 Date: 07/17/2012 (1008028) CN602582231  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP No. 1904 OP

NSR Permit No. 7186 PERMIT  
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event (Incident 155763) which occurred on June 15, 2011. The unauthorized release was the result of operator error. Specifically, the ADN operator omitted a step in the start-up process for the Converter.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP No. 1902 OP  
 NSR Permit No. 23271 PERMIT  
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event (Incident 159520) which occurred on September 21, 2011. The unauthorized release was the result of painting over a weep hole. Specifically, the blockage due to the paint allowed moisture to build and cause the formation of zinc oxide that reacted with the process vapors.

15 Date: 08/22/2012 (1022395) CN602582231  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Description: Failure to obtain regulatory authority for the operation of the East Natural Gas Distillate Tank.  
 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 No. 5 PERMIT  
 Description: Failure to limit Nitrogen oxides (NOx) emissions from the hydrogen reformer burner to 0.060 pound of NOx per MMBtu, higher heating value (HHV) basis.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6645(f)  
 5C THSC Chapter 382 382.085(b)  
 Description: Failure to obtain authorization for the operation of a portable engine (13ENG012) in permanent service.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 SC No. 3 OP  
 Description: Failure to conduct the quarterly visible emission observations on 13 engines prior to the end of the third quarter (9/30/2011).  
 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 No. 20 PERMIT  
 Description: Failure to operate Breather Pots, EPNs: 04TVS-023, 04TFX-028, 04TFX-029, 04TVS-034, and 04TFX-033 with no less than 98.5 percent removal efficiency for VOC and 80 percent removal efficiency for NH3.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Description: Failure to obtain regulatory authority for the operation of three baghouse filtration systems.

16 Date: 08/31/2012 (1027929) CN602582231  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.130  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
 5C THSC Chapter 382 382.085(b)  
 SC No. 17(E) PERMIT  
 Description: Failure to properly operate or equip each open-ended line (OEL) with a cap, blind flange, plug or a second valve. Specifically, during the Permit Compliance

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Certification period of April 1, 2011 through March 31, 2012, there were 15 OELs in VOC and/or HAP (hazardous air pollutant) service that were found not to have been equipped with a cap, blind flange, plug or a second valve.

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)

Description: Failure to include all instances of deviations in the initial semi-annual deviation report submitted on October 31, 2011 for Federal Operating Permit (FOP) No. O-01904. Specifically, in the second semi-annual deviation report submitted on April 30, 2012 there were three deviations (Nos. 15, 21, and 39) submitted which should have been included on the initial semi-annual deviation report.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter T 106.454(1)(A)(ii)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain monthly record of total solvent makeup of the ADN Mechanical Shop degreasing unit. Specifically, during July 2011 Invista Sarl personnel failed to perform the monthly inspection on the degreasing unit so that the monthly record could be maintained.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SC No. 20 PERMIT

Description: Failure to conduct monthly monitoring of the VOC (volatile organic compound) associated with the ADN cooling tower water in accordance with regulatory standards. Specifically, during the period of September 2011 - February 2012, monitoring was not conducted in accordance with Special Condition No. 20 of TCEQ NSR Permit No. 7186 since the calibration gas utilized was greater than plus/minus 2% of the specified concentration.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)  
5C THSC Chapter 382 382.085(b)  
SC No. 17 PERMIT

Description: Failure to conduct periodic monitoring for fugitive emissions in the ADN Unit as required. Specifically, during the Permit Compliance Certification period the Regulated Entity failed to conduct annual monitoring on 435 new or replaced connectors, as well as quarterly monitoring for 59 new or replaced valves (56 valves - 4th quarter 2011 and 3 valves - 4th quarter 2011/1st quarter 2012) in VOC and/or HAP (hazardous air pollutant) service.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)  
5C THSC Chapter 382 382.085(b)  
SC No. 4 PERMIT

Description: Failure to identify HAP (hazardous air pollutants) components during the Permit Compliance Certification period. Specifically, the Regulated Entity failed to identify 441 connectors, 59 valves, and 2 pressure relief devices in the ADN Unit that are subject to 40 CFR 63, Subpart H requirements.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Description: Failure to provide notification utilizing form PI-7 within 10 days following the installation or modification of a facility authorized under 30 TAC Chapter 106 requirements. Specifically, the Regulated Entity installed an Alternate Discharge Line for an ADN Reactor Project in October 2011, but did not submit the PI-7 form until April 2, 2012.

**F. Environmental audits:**

Notice of Intent Date: 01/22/2008 (639322)

Disclosure Date: 07/23/2008

Viol. Classification: Moderate

Citation: 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)

Description: Failure to estimate the block-hourly average net heating value of the vent stream combusted in the ADN Operating Flare. The ADN Operating Flare was less than 300 Btu/scf for 33 hours in May 2004, 3 hours in October 2004, 2 hours in March 2006, 11 hours in June 2006, 1 hour in June 2007, and 12 hours in July 2007.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to submit a complete Emissions Inventory in 2006. In preparing the 2006 Emissions Inventory for the INVISTA Victoria Plant, 93% destruction efficiency was not assumed for the periods in 2006 identified above under Item 1 when the ADN Operating Flare did not satisfy the minimum net heating value specified by the regulations.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)  
30 TAC Chapter 122, SubChapter B 122.146(5)(C)

Description: Failure to include all emissions deviations in Title V deviation report and compliance certifications.

Notice of Intent Date: 09/08/2010 (887568)

Disclosure Date: 03/02/2011

Viol. Classification: Minor

Citation: 40 CFR Chapter 136, SubChapter D, PT 136 136.3  
30 TAC Chapter 319, SubChapter A 319.1  
30 TAC Chapter 319, SubChapter A 319.11

Description: Composite wastewater samples for outfalls 001 and 151 were not consistently preserved at less than or equal to 6 degrees Celcius throughout the sampling and sample handling procedures and up to the point of analysis for daily, weekly, quarterly, and annual samples of Ammonia, Cyanide, semi-volatile organic and BOD. This has impacted sample results submitted in DMR reports and potentially, permit applications.

Viol. Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.1  
30 TAC Chapter 319, SubChapter A 319.9(c)

Description: The 24-hour composite samples collected from the two samplers for outfalls 001 and 151 were not properly composited. This has impacted sample results submitted in DMR reports and, potentially, permit applications.

Viol. Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.1  
30 TAC Chapter 319, SubChapter A 319.9(c)

Description: At high flow rates, the ISCO autosampler at the 001 outfall may have filled the sample collection bottles prior to the end of the 24 hr. sampling cycle.

Viol. Classification: Minor

Citation: 40 CFR Chapter 136, SubChapter D, PT 136 136.3  
30 TAC Chapter 319, SubChapter A 319.1  
30 TAC Chapter 319, SubChapter A 319.11

Description: Plastic bottles have been used rather than glass within the composite sampler for sample collection for quarterly semi-volatile analysis.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.140  
40 CFR Part 63, Subpart G 63.142  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.145  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146

- 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.147  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.151  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152
- Description: Failed to identify the material which was wastewater with greater than 10,000 ppm HAP, as it could be considered Group 1 wastewater. The disposal companies that received the wastewater also were not notified that the material was to be treated in accordance with HON provisions.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT GGGGG 63.7881  
 40 CFR Part 63, Subpart GGGGG 63.7950(c)
- Description: Failed to submit an initial notification or maintain records demonstrating exemption from Subpart GGGGG, as the site conducts remediation in the form of soil removal projects and the soil is contaminated with 5,000 ppm of benzene and considered hazardous.  
 Viol. Classification: Major  
 Citation: 30 TAC Chapter 116, SubChapter B 116.110
- Description: Failed to have documentation demonstrating authorization for the emissions from the following sources for which emissions were reported in the annual emission inventory for CY 2009: Adipic Acid unit - 0.36 tons of process fugitive HNO3 emissions; 0.32 tons of HNO3 emissions and .0005 tons of process fugitive NH3 emissions from the C-12 unit; and 0.01 tons of HNO3 from the unit process fugitives in AOP.  
 Viol. Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
- Description: Failed to be able to verify that emissions estimations for planned maintenance, start-up, and shutdown (MSS) activities from EPN sources in the table in SC No. 25E used the methods identified in the Feb. 27, 2006 amendment application.  
 Viol. Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 Rqmt Prov: PERMIT SC 1
- Description: Exceeded the 4.86 tpy limit of VOC from the A/B Swing Tank in C-12 unit and failed to report it in the Tit. V deviation report dated 8/30/10.  
 Viol. Classification: Minor  
 Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)(G)
- Description: Failed to have a table or list or map of the location of hazardous waste accumulation areas.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 146, SubChapter D, PT 146, SubPT G 146.69(a)(2)  
 30 TAC Chapter 331, SubChapter D 331.65(c)(1)  
 Rqmt Prov: PERMIT VII.F
- Description: Failed to report the annulus differential pressure as it was below 100 psi for 4 hours and 2 minutes, as the info was not included on the the 4th qtr. 2008 Injection well report dated 1/8/09.  
 Viol. Classification: Minor  
 Citation: 30 TAC Chapter 335, SubChapter A 335.6
- Description: Failed to identify basins as solid waste management units on the plant's Solid Waste Notice of Registration.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)
- Description: Failed to ensure that Level A personnel had their annual refresher training. In addition, the training plan does not address initial training requirements for personnel required to have the Level C training.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.8(d)(3)
- Description: The lack of a consistent versioning methodology for CMS QA/QC plans resulted in insufficient documentation of superseded versions of the plan.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1207(f)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1207(j)(1)
- Description: The CPT reports for boilers 1, 3, 4, & 7 did not include the operating data for the combustion air flow rate for three of the five correlation test runs.  
 Viol. Classification: Minor  
 Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)
- Description: Laboratory procedures ENVIR-07 and ENVIR-37 and OLA procedure 3-15-4 for collecting and preserving storm water samples do not instruct the operator taking the sample and the receiving lab analyst of the time constraints associated with sample collection and preservation as specified by the analytical method.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 122, SubChapter D, PT 122, SubPT C 122.44(k)
- Description: The SWP3 plan, inspection forms and attachments in the site environmental files are dated 6/18/08. The SWP3 plan Section 5.7 addresses the requirements for revisions to the plan, but the main file copy of the plan does not include the required summary of revisions.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 122, SubChapter D, PT 122, SubPT C 122.44(k)  
 30 TAC Chapter 305, SubChapter F 305.125(11)

- Description: Failed to be able to provide records of the training required under the storm water pollution prevention plan at the time of the audit. According to the facility, each operator received the training despite the lack of a sign-in sheet of attendees for the training.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)
- Description: The SSMP plans lacked sufficient detail in that the SSMP states that the SSM procedures incorporated the Detail Operation Procedures by reference, but did not provide a reference to the specific DOP procedure that should be followed for a given SSM event.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)
- Description: MACT EEE SSMP plans lacked sufficient detail, in that corrective actions described in the table of "Potential Malfunctions of Boilers" were too general.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(7)
- Description: The MACT EEE Operation and Maintenance Plan lacked sufficient detail in that the plan refers the reader to the Operating Procedures located on the company internet site without providing any details.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(h)(2)(I)(E)
- Description: The MACT EEE Notification of Compliance documents for Boilers 1, 2, 3, 4, and 7 and 8 and their incorporated CPT reports do not include an analysis of source emissions to determine if they are major sources.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(6)(vi)
- Description: There is no documented annual refresher training for environmental compliance staff and the shipping/receiving personnel in the MACT EEE training program.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)
- Description: The automatic waste feed cutoff does not immediately activate when the span of the CMS devices is met or exceeded; and also when the span of the combustion chamber temperature and atomizing steam CMS devices is met or exceeded for boilers 7 & 8.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.8(c)
- Description: The CMS QA/QC plan did not contain the same range or span of numerous instruments, including hazardous waste feed rates, combustion chamber pressures, combustion air flow, and atomizing steam as area procedures.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6590
- Description: Failed to evaluate applicability to the RICE MACT requirements for which potentially apply to the 26 stationary RICE engines. Six engines rated greater than 500 hp and 20 engines rated less than 500 hp.  
 Viol. Classification: Minor  
 Citation: 30 TAC Chapter 319, SubChapter A 319.1
- Description: Failed to be able to produce 3 complete years of records of the 001 outfall 24-hour composite sample temperature for the analog thermometer.  
 Viol. Classification: Minor  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1207  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209
- Description: The operating limits specified in the Notifications of Compliance are based on atomizing steam pressure and not on the the atomizing steam differential pressure specified by the manufacturer, while the CPT plan and report state that the operating limit is based on the manufacturer's specifications.  
 Viol. Classification: Moderate  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(6)(v)(8)
- Description: Site specific training programs for control room operators did not include training on residue characteristics and handling procedures as required by MACT EEE.  
 Viol. Classification: Moderate  
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1215(e)(1)(I)(G)
- Description: The MACT EEE CPT report specified HRA and annual C12/HCL limits but did not provide the calculations supporting limits.

**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

*Pending Compliance History Report for CN602582231, RN102663671, Rating Year 2012 which includes Compliance History (CH) components from September 01, 2007, through August 31, 2012.*

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

Bryan W. Shaw, Ph.D., *Chairman*  
Carlos Rubinstein, *Commissioner*  
Toby Baker, *Commissioner*  
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
*Protecting Texas by Reducing and Preventing Pollution*

MR STEPHEN W HARVILL  
PLANT MANAGER  
INVISTA SARL  
PO BOX 2626  
VICTORIA TX 77902-2626

Re: Permit Renewal  
Permit Number: 809  
Nitric Acid Plant  
Victoria, Victoria County  
Regulated Entity Number: RN102663671  
Customer Reference Number: CN602582231  
Account Number: VC-0008-Q

Dear Mr. Harvill:

This is in response to your application Form PI-1R (General Application for Air Permit Renewals) concerning the proposed renewal of Permit Number 809.

As indicated in Title 30 Texas Administrative Code § 116.314(a) [30 TAC § 116.314(a)], and based on our review, Permit Number 809 is hereby renewed. Enclosed is a permit for your facility. Also enclosed are new special conditions and a maximum allowable emission rates table. We appreciate your careful review of the special conditions of the permit and assuring that all requirements are consistently met. This permit will be in effect for ten years from the date of approval (Commission's final decision). If this permit is appealed and the permittee does not commence any action authorized by this permit during judicial review, the term will not begin until judicial review is concluded.

Planned maintenance, startup, and shutdown emissions have been previously reviewed, authorized, and included in the MAERT. Any other maintenance activities are not authorized by this permit and will need to obtain a separate authorization.

As of July 1, 2008, all analytical data generated by a mobile or stationary laboratory in support of compliance with air permits must be obtained from a NELAC (National Environmental Laboratory Accreditation Conference) accredited laboratory under the Texas Laboratory Accreditation Program or meet one of several exemptions. Specific information concerning which laboratories must be accredited and which are exempt may be found in 30 TAC § 25.4 and § 25.6.

Mr. Stephen W Harvill  
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For additional information regarding the laboratory accreditation program and a list of accredited laboratories and their fields of accreditation, please see the following Web site:

[www.tceq.texas.gov/compliance/compliance\\_support/qa/env\\_lab\\_accreditation.html](http://www.tceq.texas.gov/compliance/compliance_support/qa/env_lab_accreditation.html)

For questions regarding the accreditation program, you may contact the Texas Laboratory Accreditation Program at (512) 239-3754 or by e-mail at [labprgms@tceq.texas.gov](mailto:labprgms@tceq.texas.gov).

You may file a **motion to overturn** with the Chief Clerk. A motion to overturn is a request for the commission to review the executive director's decision. Any motion must explain why the commission should review the executive director's decision. According to 30 TAC § 50.139, an action by the executive director is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

A motion to overturn must be received by the Chief Clerk within 23 days after the date of this letter. An original and 11 copies of a motion must be filed with the Chief Clerk in person, or by mail to the Chief Clerk's address on the attached mailing list. On the same day the motion is transmitted to the Chief Clerk, please provide copies to the applicant, the executive director's attorney, and the Public Interest Counsel at the addresses listed on the attached mailing list. If a motion to overturn is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the executive director's approval. According to Texas Health and Safety Code § 382.032, a person affected by the executive director's approval must file a petition appealing the executive director's approval in Travis County district court within 30 days after the effective date of the approval. Even if you request judicial review, you still must exhaust your administrative remedies, which includes filing a motion to overturn in accordance with the previous paragraphs.

Thank you for your cooperation in sending us the information necessary to evaluate your operations and for your commitment to air pollution control. If you need further information or have any questions, please contact Mr. Ramiro Cruz, P.E. at (512) 239-1302 or write to the Texas Commission on Environmental Quality, Office of Permitting and Registration, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

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Re: Permit Number: 809

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,

Michael Wilson, P.E., Director  
Air Permits Division  
Office of Air  
Texas Commission on Environmental Quality

MPW/RC/rc

Enclosures

cc: Air Section Manager, Region 14 - Corpus Christi

Project Number: 96101

## SPECIAL CONDITIONS

Permit Number 809

### Emission Caps and Individual Limitations

1. This permit authorizes emissions only from those points listed in the attached table entitled "Emission Sources - Maximum Allowable Emission Rates" (MAERT), and the facilities covered by this permit are authorized to emit subject to the emission rate limits on that table and other operating requirements specified in the special conditions.
2. Non-fugitive emissions from relief valves, safety valves, or rupture discs of gases containing volatile organic compounds (VOC) at a concentration of greater than 1 percent are not authorized by this permit unless authorized on the MAERT. Any releases directly to atmosphere from relief valves, safety valves, or rupture discs of gases containing VOC at a concentration greater than 1 weight percent are not consistent with good practice for minimizing emissions.
3. Opacity of emissions from the Ammonia Oxidization Process (AOP) Main Stack, identified as Emission Point No. (EPN) 14STK-001, may not exceed 10 percent averaged over a six-minute period except for those periods described in 30 TAC § 111.111(a)(1)(E).

### Federal Applicability

4. These facilities shall comply with all applicable requirements of the U.S. Environmental Protection Agency (EPA) regulations on Standards of Performance for New Stationary Sources promulgated for Nitric Acid (HNO<sub>3</sub>) Plants in Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Subparts A and G.

### Operational Practices

5. The production of HNO<sub>3</sub> at this facility shall not exceed an average rate of 1,150 dry tons per day during any rolling 12-month period. In order to demonstrate compliance, records shall be kept of the daily production rates and the average production rate (in tons per day) on a rolling 12-month basis. These records shall be maintained at the plant site for a period of at least five years and shall be made immediately available upon request to Texas Commission on Environmental Quality (TCEQ) personnel.
6. The flare shall be designed and operated in accordance with the following requirements:
  - A. The flare system shall comply with the following:

SPECIAL CONDITIONS

Permit Number 809

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- (1) The flare system shall be designed such that the combined assist natural gas and waste stream to each flare meets the 40 CFR § 60.18 specifications of minimum heating value and maximum tip velocity under normal, upset, and maintenance flow conditions.
  - (2) The heating value and velocity requirements shall be satisfied during operations authorized by this permit. Flare testing per 40 CFR § 60.18(f) may be requested by the appropriate regional office to demonstrate compliance with these requirements.
  - (3) As an exception to A(2) of this condition, the heating value and velocity requirements do not apply during the final stages of ammonia process clear-up. The final stages of ammonia process clear-up are defined as ammonia concentrations in the flare gas of less than 10,000 ppm when routing to the flare only vapors from the Attachment B MSS activity "Line breaks/Final depressure from equipment cleared with nitrogen, water, or other cleaning solvents". When taking advantage of this exception, the holder of this permit shall keep records as needed to demonstrate that this exception applies.
- B. The flare shall be operated with a flame present at all times and/or have a constant pilot flame. The pilot flame shall be continuously monitored by a thermocouple. Readings shall be recorded at least once every 15 minutes. Each monitoring device shall be accurate to, and shall be calibrated at a frequency in accordance with the manufacturer's specifications.
- C. The flare shall be operated with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours.
- D. The permit holder shall maintain a minimum flow of 2,350 standard cubic feet per hour (SCFH) of supplemental natural gas flow to the ring burner of the flare identified as AOP Flare, EPN 14FLR-001A.

The permit holder shall operate a continuous natural gas flow monitor documenting supplemental natural gas flow to the ring burner. Natural gas flow readings shall be recorded at least once every 15 minutes.

The supplemental natural gas flow monitor shall be calibrated on an annual basis to an accuracy of  $\pm 5.0\%$ . The flow monitor shall operate as required by this permit condition at least 95 percent of the time that the flare is in operation, averaged over a rolling 12-month period.

7. Piping, Valves, Pumps, and Compressors in Ammonia (NH<sub>3</sub>) Service

## SPECIAL CONDITIONS

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- A. Audio, olfactory, and visual checks for NH<sub>3</sub> leaks within the operating area shall be made at least once in every four hour block.
- B. Immediately, but no later than one hour upon detection of a leak, plant personnel shall take the following actions:
  - (1) Isolate the leak.
  - (2) Commence repair or replacement of the leaking component.
  - (3) Use a leak collection/containment system to prevent the leak until repair or replacement can be made if immediate repair is not possible. Water suppression may be used as a method of containment until repairs are made.

Date and time of each inspection shall be noted in the operator's log or equivalent. Records shall be maintained at the plant site of all repairs and replacements made due to leaks. These records shall be made available to representatives of the TCEQ upon request.

8. Operations at the Nitric Acid Truck Loading/Unloading Facility, identified as EPN 14LTR-001, shall result in no visible emissions, except for fugitive emissions associated with truck hook up and disconnect at the loading facility. Loading and unloading of trucks shall be limited to HNO<sub>3</sub>.

### Stack Sampling

9. The permit holder shall perform stack sampling and other testing as required to establish the actual pattern and quantities of air contaminants being emitted into the atmosphere from the AOP Main Stack, identified as EPN 14STK-001, to demonstrate compliance with the MAERT. The permit holder is responsible for providing sampling and testing facilities and conducting the sampling and testing operations at his expense. Sampling shall be conducted in accordance with the appropriate procedures of the TCEQ Sampling Procedures Manual and the U.S. EPA Reference Methods.

Requests to waive testing for any pollutant specified in this condition shall be submitted to the TCEQ Office of Air, Air Permits Division. Test waivers and alternate/equivalent procedure proposals for Title 40 Code of Federal Regulation Part 60 (40 CFR Part 60) testing which must have EPA approval shall be submitted to the TCEQ Regional Director.

- A. The appropriate TCEQ Regional Office shall be notified not less than 45 days prior to sampling. The notice shall include:

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- (1) Proposed date for pretest meeting.
- (2) Date sampling will occur.
- (3) Name of firm conducting sampling.
- (4) Type of sampling equipment to be used.
- (5) Method or procedure to be used in sampling.
- (6) Description of any proposed deviation from the sampling procedures specified in this permit or TCEQ/EPA sampling procedures.
- (7) Procedure/parameters to be used to determine worst case emissions, such as feed rate, and NH<sub>3</sub> rate to the abater during the sampling period.

The purpose of the pretest meeting is to review the necessary sampling and testing procedures, to provide the proper data forms for recording pertinent data, and to review the format procedures for the test reports. The TCEQ Regional Director must approve any deviation from specified sampling procedures.

- B. Air contaminants emitted from the AOP Main Stack, EPN 14STK-001, to be tested for include (but are not limited to) Nitrogen Oxide (NO<sub>x</sub>), NH<sub>3</sub>, and Nitrous Oxide. This requirement is not satisfied by testing performed on or before 1999.
- C. Sampling shall occur no later than December 1, 2012, and at such other times as may be required by the TCEQ Executive Director. Requests for additional time to perform sampling shall be submitted to the appropriate regional office.
- D. The facility being sampled shall operate at maximum production and/or feed rates during stack emission testing. Primary operating parameters that affect the emission rate shall be monitored and recorded during the stack test. Any additional parameters shall be determined at the pretest meeting and shall be stated in the sampling report.

Permit conditions and parameter limits may be waived during stack testing performed under this condition if the proposed condition/parameter range is identified in the test notice specified in paragraph A and accepted by the TCEQ Regional Office. Permit allowable

emissions and emission control requirements are not waived and still apply during stack testing periods.

During subsequent operations, if the production and/or feed rate is greater than that recorded during the test period, stack sampling shall be performed at the new operating conditions within 120 days. This sampling may be waived by the TCEQ Air Section Manager for the region.

- E. A copy of the final sampling report shall be forwarded to the office below within 60 days after sampling is completed. Sampling reports shall comply with the attached provisions entitled "Chapter 14, Contents of Sampling Reports" of the TCEQ Sampling Procedures Manual. The reports shall be distributed as follows:

One copy to the appropriate TCEQ Regional Office.

#### Continuous Demonstration of Compliance

10. The permit holder shall install, calibrate, and maintain a continuous emission rate monitoring system (CERMS) to measure and record the in-stack concentration of NO<sub>x</sub> from the AOP Main Stack, EPN 14STK 001. The flow rate monitoring may be conducted before the NO<sub>x</sub> abater catalyst.
- A. The CERMS shall meet the design and performance specifications, pass the field tests, and meet the installation requirements and the data analysis and reporting requirements specified in the applicable Performance Specification Nos. 1 through 9, Title 40 Code of Federal Regulation Part 60 (40 CFR Part 60), Appendix B.
- B. The system shall be zeroed and spanned daily, and corrective action taken when the 24-hour span drift exceeds two times the amounts specified in the applicable Performance Specification Nos. 1 through 9, 40 CFR Part 60, Appendix B. Zero and span is not required on weekends and plant holidays if instrument technicians are not normally scheduled on those days.

Each monitor shall be quality-assured at least quarterly using Cylinder Gas Audits (CGA) in accordance with 40 CFR Part 60, Appendix F, Procedure 1, § 5.1.2, with the following exception: a relative accuracy test audit (RATA) is not required once every four quarters (i.e., four successive quarterly CGA may be conducted), but must be conducted at least once every 5 years. An equivalent quality-assurance method approved by the TCEQ may also be used. Successive quarterly audits shall occur no closer than two months.

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All CGA exceedances of +15 percent accuracy indicate that the CERMS is out of control.

- C. The monitoring data shall be reduced to hourly average emission rates at least once each day, using a minimum of four equally-spaced data points from each one-hour period.
- D. All monitoring data and quality-assurance data shall be maintained by the source. The data from the CERMS may, at the discretion of the TCEQ, be used to determine compliance with the conditions of this permit.
- E. The appropriate TCEQ Regional Office shall be notified at least 30 days prior to any required RATA in order to provide them the opportunity to observe the testing.
- F. Quality-assured or valid data must be generated when the Nitric Acid Plant is operating except during the performance of a daily zero and span check. Loss of valid data due to periods of monitor break down, out-of-control operation (producing inaccurate data), repair, maintenance, or calibration may be exempted provided it does not exceed 5 percent of the time (in minutes) that the Nitric Acid Plant operated over the previous rolling 12-month period. The measurements missed shall be estimated using engineering judgment and the methods used recorded. Options to increase system reliability to an acceptable value, including a redundant CERMS, may be required by the TCEQ Regional Manager.

### Compliance Assurance Monitoring (CAM)

- 11. The following requirements apply to the vapor capture system for the AOP Abater, beginning at the vapor outlet of the absorber:
  - A. The holder of this permit shall conduct a once a month audio, visual, and/or olfactory (AVO) inspection of the capture system to verify there are no leaking components in the capture system.

If a leaking component is found, a first attempt to repair the leak shall be made within 5 days of discovery. Every reasonable effort shall be made to repair a leaking component within 15 days after the leak is found. Records of the repair attempts shall be maintained. If the repair of a component would require a unit shutdown that would result in more emissions than what the repair would eliminate, the repair may be delayed until the next scheduled shutdown.

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- B. For the vapor outlet of the absorber, the AVO inspection mandated in A of this condition shall be conducted at least once per calendar year, instead of monthly.
- C. If there is a bypass for the control device, comply with one of the following requirements.
  - (1) Install a flow indicator that records and verifies zero flow at least once every fifteen 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;
  - (2) Once a month, inspect the valves, verifying the position of the valves and the condition of the car seals prevent flow out the bypass; or
  - (3) For 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, install a valve position indicator that verifies the valve position and records it at least once every 15 minutes.

Maintenance, Start-up, and Shutdown (MSS)

- 12. This permit authorizes the emissions from planned MSS activities and associated facilities identified in the permit application, Form PI-1, dated January 4, 2008, and subsequent correspondence, for the MSS activities summarized in the MSS Activity Summary (Attachment C) attached to this permit.

Attachment A identifies the inherently low emitting MSS activities that may be performed at the manufacturing site. Emissions from activities identified in Attachment A shall be considered to be equal to the potential to emit represented in the permit application. The estimated emissions from the activities listed in Attachment A must be revalidated annually. This revalidation shall be limited to the estimated emissions for each type of activity and the basis for that emission estimate.

Routine maintenance activities, as identified in Attachment B may be tracked through work orders or equivalent. Emissions from activities identified in Attachment B shall be calculated using the number of work orders or equivalent that month and the emissions associated with that activity identified in the permit application.

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The performance of each planned MSS activity not identified in Attachments A or B and the emissions associated with it shall be recorded and include at least the following information:

- A. The physical location at which emissions from the MSS activity occurred, including the emission point number, common name, and any other identifier for the point at which the emissions were released into the atmosphere;
- B. The type of planned maintenance, start-up, or shutdown activity and the reason for the planned activity;
- C. The common name and the facility identification number of the facilities at which the MSS activity and emissions occurred;
- D. The date and time of the MSS activity and its duration; and
- E. The estimated quantity of each air contaminant, or mixture of air contaminants, emitted with the data and methods used to determine it. The emissions shall be estimated using the methods identified in the amendment application, PI-1 dated December 28, 2005, consistent with good engineering practice.

All MSS emissions shall be summed monthly and the rolling 12-month emissions shall be updated on a monthly basis.

13. MSS activities shall comply with the following requirements:
  - A. When MSS emissions are being emitted from the Nitric Acid Plant (AOP) Main Stack (identified as EPN 14STK-001), NOx emissions emitted from the AOP Flare (identified as EPN 14FLR-001A) may not exceed the routine (non-MSS) emissions authorized in this permit for the AOP Flare.
  - B. When MSS emissions are being emitted from the AOP Flare (identified as EPN 14FLR-001A), NOx emissions emitted from the Nitric Acid Plant (AOP) Main Stack (identified as EPN 14STK-001), may not exceed the routine emissions authorized in this permit for the AOP Main Stack.
  - C. No Nitric Acid Truck Loading/Unloading (identified as EPN 14LTR-001) may take place while MSS emissions are emitted from the AOP Main Stack (identified as EPN 14STK-001).
  - D. Fugitive MSS activities (identified as EPN 14FUGMSS) may only be conducted during times when neither the AOP Main Stack (identified as

SPECIAL CONDITIONS

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EPN 14STK-001) and the AOP Flare (identified as EPN 14FLR-001A) are engaged in MSS activities.

- E. The holder of this permit shall keep records of beginning and ending of MSS and other activities and data as needed to demonstrate compliance with A through C of this permit condition.

Dated: November 14, 2012

Attachment A  
 Inherently Low Emitting Activities  
 Permit Number 809

Activity	Emissions				
	VOC	NOx	CO	PM	H2S/ SO2
Inspection, repair, and replacement of analyzer filters/screens	x				
Inspection, repair, replacement, adjustment, testing, and calibration of CEMS analyzers, process instruments, and area monitors	x	x	x		x
Adhesive application	x				
Sample collection	x				

Dated: November 14, 2012

Attachment B  
Routine Maintenance Activities  
Permit Numbers 809

Oil changes on pumps, compressors, and other equipment.

Inspection, repair, and replacement of process filters and screens.

Water washing empty drums, totes, and small equipment.

Cold solvent degreasing.

Line breaks/Final depressure from equipment cleared with nitrogen, water, or other cleaning solvents.

Tank Conservation Vent Removal, Repair, and Replacement.

Equipment Thermal Expansion Start-up Emissions

Magnetic Debris Filter Maintenance.

Vapor Filter Element Maintenance.

Dated: November 14, 2012

Attachment C  
MSS Activity Summary  
Permit Numbers 809

EPN	Name	Activity
14STK-001	AOP Main Stack	Planned shutdown and start-up of the Nitric Acid Unit.
14FLR-001A	AOP Flare	Planned shutdown and start-up of the Nitric Acid Unit. Equipment clear-up.

Dated: November 14, 2012

Emission Sources - Maximum Allowable Emission Rates

Permit Number 809

This table lists the maximum allowable emission rates and all sources of air contaminants on the applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities, sources, and related activities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

Air Contaminants Data

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lbs/hour	TPY (4)
14STK-001	Ammonia Oxidization Process (AOP) Main Stack	NH <sub>3</sub>	14.00	31.00
		NO <sub>x</sub>	42.00	105.40
		N <sub>2</sub> O	1660.00	4360.00
14STK-001	AOP Main Stack (Maintenance, StartUp, and Shutdown [MSS] Operations)	NH <sub>3</sub>	10.00	0.30
		NO <sub>x</sub>	86.00	3.00
		N <sub>2</sub> O	1410.00	43.00
14FLR-001A	AOP Flare	CO	1.00	4.50
		NH <sub>3</sub>	0.02	0.04
		NO <sub>x</sub>	0.50	2.10
		SO <sub>2</sub>	0.20	0.02
		VOC	0.12	0.60
14FLR-001A	AOP Flare (MSS Operations)	CO	34.00	0.67
		NH <sub>3</sub>	226.38	5.00
		NO <sub>x</sub>	76.60	1.47
14FUG	Fugitives (4)	HNO <sub>3</sub>	0.07	0.32
		NH <sub>3</sub>	0.13	0.55
		NO <sub>x</sub>	0.60	2.54
		N <sub>2</sub> O	3.87	16.95
		VOC	0.18	0.78

Emission Sources - Maximum Allowable Emission Rates

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lbs/hour	TPY (4)
14LTR-001	Nitric Acid Truck Loading/Unloading Facility (fugitive only)	HNO <sub>3</sub>	0.22	0.96
		NO <sub>x</sub>	0.01	0.04
14FUGMSS	Fugitives (4)	HNO <sub>3</sub>	1.30	0.01
		NH <sub>3</sub>	1.10	0.01
		NO <sub>x</sub>	0.01	0.10
14STK-002	Sample Sink Vent Hood Stack	HNO <sub>3</sub>	0.40	0.50
		NO <sub>x</sub>	0.02	0.03

- (1) Emission point identification - either specific equipment designation or emission point number from plot plan.
- (2) Specific point source name. For fugitive sources, use area name or fugitive source name.
- (3) CO - carbon monoxide  
HNO<sub>3</sub> - nitric acid  
NH<sub>3</sub> - ammonia  
NO<sub>x</sub> - total oxides of nitrogen, limited in this permit to nitric oxide (NO) and nitrogen dioxide (NO<sub>2</sub>) and excluding nitrous oxide (N<sub>2</sub>O)  
N<sub>2</sub>O - nitrous oxide  
SO<sub>2</sub> - sulfur dioxide  
VOC - volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1
- (4) Compliance with annual emission limits (tons per year) is based on a 12-month rolling period.
- (5) Emission rate is an estimate and is enforceable through compliance with the applicable special condition(s) and permit application representations.

Date: \_\_\_\_\_, 2012