

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING  
INEOS NITRILES USA LLC  
SOAH Docket No. 582-21-3191  
TCEQ Docket No. 2021-0055-IWD  
Permit No. WQ0002181000**

**APPLICATION.**

INEOS Nitriles USA LLC, P.O. Box 659, Port Lavaca, Texas 77979, which operates INEOS Green Lake Plant, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002181000 to add water treatment wastes to Outfall 001; to correct the nonhazardous landfill wastewaters description; to remove Outfall 004; to add Outfalls 006 and 007; to renumber internal Outfalls 104 and 204 to final Outfalls 002 and 003; and to remove Other Requirement No. 4, which authorizes irrigation. The draft permit authorizes water treatment wastes, boiler blowdown, cooling tower blowdown, nonhazardous landfill leachate and stormwater from the nonhazardous landfill, treated domestic water, supernatant from lime sludge pits, and previously monitored effluent (from internal Outfall 101) at a daily average flow not to exceed 1.20 million gallons per day via Outfall 001; hydrostatic test water and stormwater via Outfalls 002 and 007; hydrostatic test water, compressor condensate, and stormwater via Outfall 003; and stormwater via Outfalls 005 and 006, all on an intermittent and flow-variable basis. The TCEQ received this application on August 1, 2019.

The facility is located at 13050 State Highway 185 North, west of the City of Port Lavaca, in Calhoun County, Texas 77979. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice:

<<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-96.833333%2C28.571111&level=12>>. For the exact location, refer to the application.

The effluent is discharged via Outfall 001 directly to the Victoria Barge Canal Tidal; via Outfall 002 to a drainage way, thence to an unnamed tributary; via Outfalls 003, 006, and 007 to an unnamed tributary; via Outfall 005 to a drainage way, thence to a ditch, thence to Jones Creek; and all to the Victoria Barge Canal Tidal in Segment No. 1701 of the Lavaca-Guadalupe Coastal Basin. The unclassified receiving water uses are minimal aquatic life use for the unnamed ditch, tributary, and drainage way and high aquatic life use for Jones Creek. The designated uses for Segment No. 1701 are non-contact recreation and high aquatic life use.

In accordance with Title 30 Texas Administrative Code (TAC) Section 307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Jones Creek and Victoria Barge Canal Tidal, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Calhoun County Library, 200 West Mahan Street, Port Lavaca, Texas.

#### **CONTESTED CASE HEARING.**

Considering directives to protect public health, the State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

**10:00 a.m. – October 4, 2021**

**To join the Zoom meeting via computer:**

**<https://soah-texas.zoomgov.com/>**

**Meeting ID: 160 758 4419**

**Password: qWY4B9**

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

**Meeting ID: 160 758 4419**

**Password: 248910**

**Visit the SOAH website for registration at: <http://www.soah.texas.gov/>  
or call SOAH at 512-475-4993.**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on June 14, 2021. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

**In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH.”**

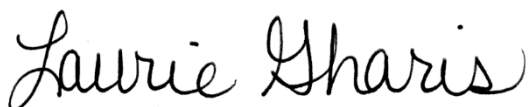
**INFORMATION.**

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 800-687-4040. General information about the TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

Further information may also be obtained from INEOS Nitriles USA LLC at the address stated above or by calling Ms. Erica Dromgoole, Environmental Engineer, at 361-552-8252.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-4993, at least one week prior to the hearing.

Issued: August 24, 2021

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality