

EXECUTIVE SUMMARY – ENFORCEMENT MATTER – CASE NO. 57642
FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION
RN100218973
Docket No. 2019-0623-IWD-E

Page 1 of 3

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions over the prior five year period for the same violations and a violation involving a release that exceeds levels that are protective of the environment.

Media:

WQ

Small Business:

N/A

Location Where Violations Occurred:

201 Formosa Drive, Point Comfort, Calhoun County

Type of Operation:

plastic, organic, and inorganic chemicals manufacturing facility

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, 2023-0337-AIR-E, 2024-0436-AIR-E,
2024-0742-IWD-E, 2024-1492-AIR-E,
2025-0312-AIR-E, 2025-0772-AIR-E

Past-Due Penalties: None

Past-Due Fees: None

Other: None

Interested Third-Parties: None

Texas Register Publication Date: August 8, 2025

Comments Received: None

Penalty Information

Total Penalty Assessed: \$274,500

Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$137,250

Total Due to General Revenue: \$0

Supplemental Environmental Project

(“SEP”) Conditional Offset: \$137,250

Name of SEP: City of Point Comfort Commercial Water Meter Replacement

Compliance History Classifications:

Person/CN – Satisfactory (CN602650954;
CN600130017)

Site/RN – Satisfactory

Major Source: Major

Statutory Limit Adjustment: None

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Dates: Multiple complaints between November 16, 2018 and January 24, 2020

Complaint Information: Alleged plastic discharge from the facility.

Dates of Investigations: December 12, 2018 through January 17, 2019; July 30, 2019; September 12, 2019; January 28, 2020

Date of NOV: N/A

Dates of NOE: April 2, 2019

Violation Information

1. Failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System (“TPDES”) Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 3, Outfall Nos. 001, 006, and 007].
2. Failed to comply with permitted effluent limitations [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 1, Outfall No. 001].
3. Failed to comply with permitted effluent limitations [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 1, Outfall No. 001].
4. Failed to comply with permitted effluent limitations [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 1, Outfall Nos. 101 and SUM].
5. Failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 3, Outfall No. 001].
6. Failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 3, Outfall Nos. 001, 004, 005, 008, and 009].

Corrective Actions/Technical Requirements

Corrective Actions Completed:

Respondents implemented the following corrective measures at the Facility:

1. By May 2022, installed control measures to filter plastic pellets and debris at Outfall No. 001, including a Biological Treatment Ultrafiltration System, Cooling Tower Blowdown Ultrafiltration System, IEM/Demin Train Ultrafiltration System, Sump Mesh Screen, In-Line Filter, Basket Strainer, Bag Filters, and WSM Net.
2. By May 31, 2023, achieved compliance with permitted effluent limitations for 2,3,7,8 TCDD equivalents, total copper, chloroform, and total suspended solids in TPDES Permit No. WQ0002436000.
3. By June 15, 2023, routed Outfall Nos. 002, 003, 004, 005, 006, 007, 008, 009, and 012 to the headworks of the filter plastic control measures that were installed by May 2022.
4. By April 17, 2025, provided an overview of the engineering evaluations and corrective measures that have been implemented at the Facility to prevent future discharges of floating solids or visible foam in other than trace amounts, including plastic pellets, at all outfalls located at the Facility.

Technical Requirements:

The Order will require Respondents to implement and complete a SEP (see SEP Attachment B).

Litigation Information

Date Petition Filed:	June 24, 2021
Date of Service:	June 28, 2021
Date Answer Filed:	July 7, 2021
SOAH Referral Date:	September 16, 2021
Hearing Dates:	
Preliminary hearing:	December 2, 2021
Evidentiary hearing:	N/A
Settlement Date:	May 27, 2025

Contact Information

TCEQ Attorneys: Taylor Pearson, Litigation Division, (512) 239-3400
Sheldon Wayne, Public Interest Counsel, (512) 239-6363

TCEQ Litigation Agenda Coordinator: Katherine McKenzie, Litigation Division, (512) 239-2575

TCEQ SEP Coordinator: Adena Crider, Litigation Division, (512) 239-0648

TCEQ Enforcement Coordinator: Laura Draper, Enforcement Division, (254) 761-3012

TCEQ Regional Contact: Melanie Edwards, Corpus Christi Regional Office, (361) 881-6900

Respondent Contact: Rick Crabtree, Vice President, FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, 201 Formosa Drive, Point Comfort, Texas 77978

Respondent's Attorney: Stephanie Bergeron Perdue, Baker Botts L.L.P, 401 South 1st Street, Suite 1300, Austin, Texas 78704

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Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	8-Apr-2019	Screening	30-Apr-2019	EPA Due	5-Jun-2019
	PCW	20-Jun-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 1 of				
Reg. Ent. Ref. No.	RN100218973				
Facility/Site Region	14-Corpus Christi	Major/Minor Source	Major		

CASE INFORMATION

Enf./Case ID No.	57642	No. of Violations	5
Docket No.	2019-0623-IWD-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Aaron Vincent
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$77,250
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	100.0%	Adjustment	Subtotals 2, 3, & 7	\$77,250
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Notes

Enhancement for three months of self-reported effluent violations, seven NOV's with dissimilar violations, five agreed orders containing a denial of liability, and two agreed orders without denial of liability; and reduction for one Notice of Intent and one Disclosure of Violations. □

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes

The Respondents do not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$14,401
Estimated Cost of Compliance	\$50,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$154,500
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$154,500
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$154,500
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$154,500
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Screening Date	30-Apr-2019	Docket No.	2019-0623-IWD-E	PCW
Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	57642			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN100218973			
Media [Statute]	Water Quality			
Enf. Coordinator	Aaron Vincent			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	3	15%
	Other written NOVs	7	14%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	5	100%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 176%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three months of self-reported effluent violations, seven NOVs with dissimilar violations, five agreed orders containing a denial of liability, and two agreed orders without denial of liability; and reduction for one Notice of Intent and one Disclosure of Violations. □

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 176%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date	30-Apr-2019	Docket No.	2019-0623-IWD-E	PCW
Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 1 of 3)			
Case ID No.	57642	<i>Policy Revision 4 (April 2014)</i>		
Reg. Ent. Reference No.	RN100218973	<i>PCW Revision March 26, 2014</i>		
Media [Statute]	Water Quality			
Enf. Coordinator	Aaron Vincent			
Violation Number	1			
Rule Cite(s)	Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 3, Outfall No. 001			
Violation Description	Failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state. Specifically, small white debris was observed floating in a sample collected from a sample spigot at Outfall No. 001.			
Base Penalty				\$25,000
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	☐	X	☐
	Potential	☐	☐	☐
				Percent 30.0%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	☐	☐	☐	☐
				Percent 0.0%
Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
Adjustment				\$17,500
				\$7,500
Violation Events				
Number of Violation Events		4	103 Number of violation days	
	daily	☐		
	weekly	☐		
	monthly	x		
	quarterly	☐		
	semiannual	☐		
	annual	☐		
	single event	☐		
				Violation Base Penalty \$30,000
Four monthly events are recommended from the January 17, 2019 investigation date to the April 30, 2019 screening date.				
Good Faith Efforts to Comply		0.0%	Reduction \$0	
	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary	☐		
	Ordinary	☐		
	N/A	x		
Notes	The Respondents do not meet the good faith criteria for this violation.			
Violation Subtotal				\$30,000
Economic Benefit (EB) for this violation				
Statutory Limit Test				
Estimated EB Amount		\$7,938	Violation Final Penalty Total \$60,000	
This violation Final Assessed Penalty (adjusted for limits)				\$60,000

Economic Benefit Worksheet

Respondent FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 1 of 3)
Case ID No. 57642
Reg. Ent. Reference No. RN100218973
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$25,000	12-Dec-2018	17-Apr-2025	6.35	\$7,938	n/a	\$7,938

Notes for DELAYED costs

Estimated cost to conduct an engineering evaluation of the Facility to identify necessary corrective actions designed to prevent future discharges of floating solids, including plastic pellets, at all outfalls located at the Facility. Date required is the date of the first documented discharge of the initial investigation and the final date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$25,000

TOTAL

\$7,938

Screening Date	30-Apr-2019	Docket No.	2019-0623-IWD-E	PCW
Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 1 of 3)			
Case ID No.	57642	<i>Policy Revision 4 (April 2014)</i>		
Reg. Ent. Reference No.	RN100218973	<i>PCW Revision March 26, 2014</i>		
Media [Statute]	Water Quality			
Enf. Coordinator	Aaron Vincent			
Violation Number	2			
Rule Cite(s)	Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 1, Outfall No. 001			
Violation Description	Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.			
Base Penalty			\$25,000	

>> Environmental, Property and Human Health Matrix

OR		Harm				
	Release	Major	Moderate	Minor		
	Actual	x				
	Potential				Percent	100.0%

>> Programmatic Matrix

		Falsification				
	Major	Moderate	Minor			
					Percent	0.0%

Matrix Notes: A simplified model was utilized to evaluate 2,3,7,8 tetrachlorodibenzo-p-dioxin to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$0

\$25,000

Violation Events

Number of Violation Events	1	31	Number of violation days
daily			
weekly			
monthly	x		
quarterly			
semiannual			
annual			
single event			

Violation Base Penalty \$25,000

One monthly event is recommended for the month of May 2018.

Good Faith Efforts to Comply

	0.0%	
		Reduction
		\$0
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondents do not meet the good faith criteria for this violation.	

Violation Subtotal \$25,000

Economic Benefit (EB) for this violation

Estimated EB Amount	\$6,462
Statutory Limit Test	
Violation Final Penalty Total	\$50,000
This violation Final Assessed Penalty (adjusted for limits)	\$50,000

Economic Benefit Worksheet

Respondent FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 1 of 3)
Case ID No. 57642
Reg. Ent. Reference No. RN100218973
Media Water Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$25,000	31-Mar-2018	31-May-2023	5.17	\$6,462	n/a	\$6,462

Notes for DELAYED costs

Estimated cost to determine the cause of noncompliance and make any necessary repairs/adjustments to the Facility to achieve compliance with permitted effluent limitations. Date required is the end date of the first month of noncompliance, and the final date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$25,000

TOTAL

\$6,462

Screening Date	30-Apr-2019	Docket No.	2019-0623-IWD-E	PCW	
Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 1 of 3)				
Case ID No.	57642	<i>Policy Revision 4 (April 2014)</i>			
Reg. Ent. Reference No.	RN100218973	<i>PCW Revision March 26, 2014</i>			
Media [Statute]	Water Quality				
Enf. Coordinator	Aaron Vincent				
Violation Number	3				
Rule Cite(s)	Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 1, Outfall No. 001				
Violation Description	Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.				
Base Penalty				\$25,000	
>> Environmental, Property and Human Health Matrix					
OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual			x	
	Potential				15.0%
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	Percent
					0.0%
Matrix Notes	A simplified model was utilized to evaluate total copper to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. Total suspended solids were also considered. Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.				
Adjustment					\$21,250
					\$3,750
Violation Events					
Number of Violation Events		2	61	Number of violation days	
	daily				
	weekly				
	monthly				
	quarterly	x			
	semiannual				
	annual				
	single event				
Violation Base Penalty					\$7,500
Two quarterly events are recommended for the quarters containing the months of July 2018 and November 2018.					
Good Faith Efforts to Comply		0.0%	Reduction		\$0
	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer				
	Extraordinary				
	Ordinary				
	N/A	x			
Notes	The Respondents do not meet the good faith criteria for this violation.				
Violation Subtotal					\$7,500
Economic Benefit (EB) for this violation			Statutory Limit Test		
Estimated EB Amount		\$0	Violation Final Penalty Total		\$15,000
This violation Final Assessed Penalty (adjusted for limits)					\$15,000

Economic Benefit Worksheet

Respondent FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 1 of 3)
Case ID No. 57642
Reg. Ent. Reference No. RN100218973
Media Water Quality
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Economic benefit for this violation is included with Violation No. 2.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date	30-Apr-2019	Docket No.	2019-0623-IWD-E	PCW
Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 1 of 3)			
Case ID No.	57642	Policy Revision 4 (April 2014)		
Reg. Ent. Reference No.	RN100218973	PCW Revision March 26, 2014		
Media [Statute]	Water Quality			
Enf. Coordinator	Aaron Vincent			
Violation Number	4			
Rule Cite(s)	Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 1, Outfall Nos. 101 and SUM			
Violation Description	Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.			
			Base Penalty	\$25,000

>> Environmental, Property and Human Health Matrix

OR		Release	Harm		
		Major	Moderate	Minor	
	Actual				
	Potential			x	Percent
					7.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent
					0.0%

Matrix Notes: A simplified model was utilized to evaluate chloroform to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. Total suspended solids were also considered. Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$23,250

\$1,750

Violation Events

Number of Violation Events	2	62	Number of violation days
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daily				
weekly				
monthly				
quarterly	x			
semiannual				
annual				
single event				

Violation Base Penalty \$3,500

Two quarterly events are recommended for the quarters containing the months of March 2018 and July 2018.

Good Faith Efforts to Comply

	0.0%	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondents do not meet the good faith criteria for this violation.	

Violation Subtotal \$3,500

Economic Benefit (EB) for this violation

Estimated EB Amount	Statutory Limit Test
\$0	Violation Final Penalty Total \$7,000
This violation Final Assessed Penalty (adjusted for limits) \$7,000	

Economic Benefit Worksheet

Respondent FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 1 of 3)
Case ID No. 57642
Reg. Ent. Reference No. RN100218973
Media Water Quality
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Economic benefit for this violation is included with Violation No. 2.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date	30-Apr-2019	Docket No.	2019-0623-IWD-E	PCW																
Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 1 of 3)																			
Case ID No.	57642	Policy Revision 4 (April 2014)																		
Reg. Ent. Reference No.	RN100218973	PCW Revision March 26, 2014																		
Media [Statute]	Water Quality																			
Enf. Coordinator	Aaron Vincent																			
Violation Number	5																			
Rule Cite(s)	Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 3, Outfall Nos. 001, 006, and 007																			
Violation Description	Failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state. Specifically, plastic pellets and white debris were observed after the stormwater gate throughout the stormwater discharge ditch and in the soil at Outfall No. 006, and plastic pellets and white debris were observed after the stormwater gate and a small amount of white debris was noted past the outfall screen at Outfall No. 007. Also, a small amount of floating debris was reported at Outfall No. 001.																			
Base Penalty				\$25,000																
>> Environmental, Property and Human Health Matrix																				
OR	<table border="1" style="margin: auto;"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <th>Release</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td>Actual</td> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> <td style="text-align: center;">x</td> </tr> <tr> <td>Potential</td> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> </tr> </table>					Harm			Release	Major	Moderate	Minor	Actual			x	Potential			
		Harm																		
	Release	Major	Moderate	Minor																
Actual			x																	
Potential																				
Percent				15.0%																
>> Programmatic Matrix																				
Matrix Notes	<table border="1" style="margin: auto;"> <tr> <td></td> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <th>Falsification</th> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> </tr> </table>					Major	Moderate	Minor	Falsification											
		Major	Moderate	Minor																
	Falsification																			
Percent				0.0%																
Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.																				
Adjustment				\$21,250																
				\$3,750																
Violation Events																				
Number of Violation Events		3	Number of violation days																	
		104																		
<table border="1" style="margin: auto;"> <tr><td>daily</td><td style="text-align: center;"> </td></tr> <tr><td>weekly</td><td style="text-align: center;"> </td></tr> <tr><td>monthly</td><td style="text-align: center;"> </td></tr> <tr><td>quarterly</td><td style="text-align: center;">x</td></tr> <tr><td>semiannual</td><td style="text-align: center;"> </td></tr> <tr><td>annual</td><td style="text-align: center;"> </td></tr> <tr><td>single event</td><td style="text-align: center;"> </td></tr> </table>		daily		weekly		monthly		quarterly	x	semiannual		annual		single event		Violation Base Penalty				
daily																				
weekly																				
monthly																				
quarterly	x																			
semiannual																				
annual																				
single event																				
		\$11,250																		
Three single events are recommended, one for each outfall.																				
Good Faith Efforts to Comply		0.0%	Reduction																	
		\$0																		
		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary																				
Ordinary																				
N/A		x																		
Notes		The Respondents do not meet the good faith criteria for this violation.																		
Violation Subtotal				\$11,250																
Economic Benefit (EB) for this violation																				
Statutory Limit Test																				
Estimated EB Amount		\$0	Violation Final Penalty Total																	
		\$22,500																		
This violation Final Assessed Penalty (adjusted for limits)				\$22,500																

Economic Benefit Worksheet							
Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 1 of 3)						
Case ID No.	57642						
Reg. Ent. Reference No.	RN100218973						
Media	Water Quality						
Violation No.	5						
						Percent Interest	Years of Depreciation
						5.0	15
Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Economic benefit for this violation is included with Violation No. 1.						
Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance					\$0	TOTAL	\$0

Attachment

Effluent Violation Table

FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS
Docket No. 2019-0623-IWD-E
TPDES Permit No. WQ0002436000

Effluent Violation Table

Monitoring Period	Outfall No. 001							Outfall No. 101		Outfall No. SUM*
	Total Copper	TSS		2,3,7,8 TCDD				TSS		Chloroform
	Daily Max. Loading	Daily Max. Conc.	Daily Max. Loading	Daily Avg. Conc.	Daily Max. Conc.	Daily Avg. Loading	Daily Max. Loading	Daily Avg. Loading	Daily Max. Loading	Daily Max. Loading
	<u>Limit</u> 3.11 lbs/d	<u>Limit</u> 80 mg/L	<u>Limit</u> 6,476 lbs/d	<u>Limit</u> 2.19 ppq	<u>Limit</u> 4.63 ppq	<u>Limit</u> 80.5 ug/d	<u>Limit</u> 170 ug/d	<u>Limit</u> 1,149 lbs/d	<u>Limit</u> 3,735 lbs/d	<u>Limit</u> 4.99 lbs/d
March 2018	c	c	c	c	c	c	c	c	c	5.62
May 2018	c	c	c	26.7	26.7	692.4	692	c	c	c
July 2018	c	135	c	c	c	c	c	1,183	5,034	c
November 2018	4.13	172	8,476	c	c	c	c	c	c	c

TSS = Total Suspended Solids

2,3,7,8 TCDD = 2,3,7,8-Tetrachlorodibenzo-p-dioxin Equivalents

Max. = Maximum

Conc. = Concentration

Avg. = Average

lbs/d = pounds per day

mg/L = milligrams per liter

ppq = parts per quadrillion

ug/d = micrograms per day

c = compliant

* Summation of Outfall Nos. 101 and 201



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	21-Jan-2020	Screening	21-Jan-2020	EPA Due	
	PCW	20-Jun-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 2 of				
Reg. Ent. Ref. No.	RN100218973				
Facility/Site Region	14-Corpus Christi	Major/Minor Source	Major		

CASE INFORMATION

Enf./Case ID No.	57642	No. of Violations	1
Docket No.	2019-0623-IWD-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Aaron Vincent
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$37,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	100.0%	Adjustment	Subtotals 2, 3, & 7	\$37,500
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Notes

Enhancement for three months of self-reported effluent violations, seven NOV's with dissimilar violations, five agreed orders containing a denial of liability, and two agreed orders without denial of liability; and reduction for one Notice of Intent and one Disclosure of Violations.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes

The Respondents do not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$7,147
Estimated Cost of Compliance	\$25,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$75,000
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$75,000
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$75,000
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$75,000
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Screening Date	21-Jan-2020	Docket No.	2019-0623-IWD-E	PCW
Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 2 of 3)			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	57642			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN100218973			
Media	Water Quality			
Enf. Coordinator	Aaron Vincent			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	3	15%
	Other written NOVs	7	14%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	5	100%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 176%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three months of self-reported effluent violations, seven NOVs with dissimilar violations, five agreed orders containing a denial of liability, and two agreed orders without denial of liability; and reduction for one Notice of Intent and one Disclosure of Violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 176%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date	21-Jan-2020	Docket No.	2019-0623-IWD-E	PCW		
Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 2 of 3)					
Case ID No.	57642	<i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>				
Reg. Ent. Reference No.	RN100218973					
Media	Water Quality					
Enf. Coordinator	Aaron Vincent					
Violation Number	1					
Rule Cite(s)	Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 3, Outfall No. 001					
Violation Description	Failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state. Specifically, small white debris was observed floating in a sample collected from a sample spigot at Outfall No. 001 and near the Outfall No. 001 discharge point in Lavaca Bay.					
Base Penalty				\$25,000		
>> Environmental, Property and Human Health Matrix						
OR	Release	Major	Harm Moderate	Minor	Percent	
	Actual		x			30.0%
	Potential					
>> Programmatic Matrix						
	Falsification	Major	Moderate	Minor	Percent	
					0.0%	
Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.					
Adjustment					\$17,500	
					\$7,500	
Violation Events						
Number of Violation Events		5	131		Number of violation days	
	daily		Violation Base Penalty			
	weekly					
	monthly	x				
	quarterly					
	semiannual					
	annual					
	single event		\$37,500			
Five monthly events are recommended, calculated from the September 12, 2019 investigation date to the January 21, 2020 screening date.						
Good Faith Efforts to Comply		0.0%	Reduction		\$0	
	Before NOE/NOV		NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary					
	Ordinary					
	N/A	x				
Notes	The Respondents do not meet the good faith criteria for this violation.					
Violation Subtotal					\$37,500	
Economic Benefit (EB) for this violation			Statutory Limit Test			
Estimated EB Amount		\$7,147	Violation Final Penalty Total		\$75,000	
This violation Final Assessed Penalty (adjusted for limits)					\$75,000	

Economic Benefit Worksheet

Respondent FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 2 of 3)
Case ID No. 57642
Reg. Ent. Reference No. RN100218973
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$25,000	31-Jul-2019	17-Apr-2025	5.72	\$7,147	n/a	\$7,147
Notes for DELAYED costs	Estimated cost to conduct an engineering evaluation of the Facility to identify necessary corrective actions designed to prevent future discharges of floating solids, including plastic pellets, at all outfalls located at the Facility. Date required is the date of the first documented discharge, and the final date is the date of compliance.						
Avoided Costs							
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance	\$25,000			TOTAL		\$7,147	



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	6-Apr-2020	Screening	8-Apr-2020	EPA Due	
	PCW	20-Jun-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 3 of 3)				
Reg. Ent. Ref. No.	RN100218973				
Facility/Site Region	14-Corpus Christi	Major/Minor Source	Major		

CASE INFORMATION

Enf./Case ID No.	57642	No. of Violations	1
Docket No.	2019-0623-IWD-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Aaron Vincent
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$22,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	100.0%	Adjustment	Subtotals 2, 3, & 7	\$22,500
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Notes

Enhancement for three months of self-reported effluent violations, seven NOV's with dissimilar violations, five agreed orders containing a denial of liability, and two agreed orders without denial of liability; and reduction for one Notice of Intent and one Disclosure of Violations.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes

The Respondents do not meet the culpability criteria.

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

\$6,527
\$25,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$45,000
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$45,000
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$45,000
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$45,000
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Screening Date	8-Apr-2020	Docket No.	2019-0623-IWD-E	PCW
Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	57642			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN100218973			
Media	Water Quality			
Enf. Coordinator	Aaron Vincent			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	3	15%
	Other written NOVs	7	14%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	5	100%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 176%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three months of self-reported effluent violations, seven NOVs with dissimilar violations, five agreed orders containing a denial of liability, and two agreed orders without denial of liability; and reduction for one Notice of Intent and one Disclosure of Violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 176%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date	8-Apr-2020	Docket No.	2019-0623-IWD-E	PCW
Respondent	FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 3 of 3)			
Case ID No.	57642	<i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>		
Reg. Ent. Reference No.	RN100218973			
Media	Water Quality			
Enf. Coordinator	Aaron Vincent			
Violation Number	1			
Rule Cite(s)	Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 3, Outfall Nos. 001, 004, 005, 008, and 009			
Violation Description	Failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state. Specifically, at Outfall No. 001, small white debris was observed discharging from Outfall No. 001 and floating in a sample collected from a mixing sump; at Outfall No. 004, small white debris was observed in the discharge ditch; at Outfall No. 005, small white debris was observed prior to discharge, after the stormwater gate, and in the discharge ditch on both sides of the Facility fence line; at Outfall No. 008, small white debris was observed on both sides of the stormwater gate; and at Outfall No. 009, small white debris was observed on both sides of the stormwater gate. Additionally, small white debris was observed outside of the Facility's fence line near Texas State Highway 35 where the discharges from Outfall Nos. 002, 004, and 005 enter Cox Creek, and on the shoreline of both sides of the Texas State Highway 35 bridge over Cox Creek.			
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Release	Major	Harm Moderate	Minor
	Actual		x	
	Potential			
				Percent 30.0%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
				Percent 0.0%
Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
Adjustment				\$17,500
				\$7,500
Violation Events				
Number of Violation Events		3	71	Number of violation days
	daily			
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			
				Violation Base Penalty \$22,500
Three monthly events are recommended, calculated from the January 28, 2020 investigation date to the April 8, 2020 screening date.				
Good Faith Efforts to Comply		0.0%		Reduction \$0
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary			
	Ordinary			
	N/A	x		
Notes	The Respondents do not meet the good faith criteria for this violation.			
Violation Subtotal				\$22,500
Economic Benefit (EB) for this violation				
Statutory Limit Test				
Estimated EB Amount	\$6,527	Violation Final Penalty Total	\$45,000	
This violation Final Assessed Penalty (adjusted for limits)				\$45,000

Economic Benefit Worksheet

Respondent FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS (PCW No. 3 of 3)
Case ID No. 57642
Reg. Ent. Reference No. RN100218973
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$25,000	28-Jan-2020	17-Apr-2025	5.22	\$6,527	n/a	\$6,527

Notes for DELAYED costs

Estimated cost to conduct an engineering evaluation of the Facility to identify necessary corrective actions designed to prevent future discharges of floating solids, including plastic pellets, at all outfalls located at the Facility. Date required is the date of the first documented discharge and the final date is the date of compliance.

Avoided Costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$25,000

TOTAL

\$6,527

The TCEQ is committed to accessibility.

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



Compliance History Report

Compliance History Report for CN602650954, RN100218973, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

Customer, Respondent, or Owner/Operator:	CN602650954, FORMOSA UTILITY VENTURE, LTD.	Classification:	SATISFACTORY	Rating:	5.95
Regulated Entity:	RN100218973, FORMOSA POINT COMFORT PLANT	Classification:	SATISFACTORY	Rating:	5.95
Complexity Points:	56	Repeat Violator:	NO		
CH Group:	05 - Chemical Manufacturing				
Location:	201 Formosa Drive in Point Comfort, Calhoun County, Texas				
TCEQ Region:	REGION 14 - CORPUS CHRISTI				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER CB0038Q

AIR OPERATING PERMITS PERMIT 1951

AIR OPERATING PERMITS PERMIT 1954

AIR OPERATING PERMITS PERMIT 1956

AIR OPERATING PERMITS PERMIT 1958

AIR OPERATING PERMITS PERMIT 3421

AIR OPERATING PERMITS PERMIT 4166

AIR OPERATING PERMITS PERMIT 4286

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0290074

AIR NEW SOURCE PERMITS PERMIT 7699

AIR NEW SOURCE PERMITS PERMIT 19166

AIR NEW SOURCE PERMITS PERMIT 19168

AIR NEW SOURCE PERMITS PERMIT 19199

AIR NEW SOURCE PERMITS PERMIT 19201

AIR NEW SOURCE PERMITS PERMIT 20203

AIR NEW SOURCE PERMITS REGISTRATION 31130

AIR NEW SOURCE PERMITS REGISTRATION 26270

AIR NEW SOURCE PERMITS REGISTRATION 26523

AIR NEW SOURCE PERMITS REGISTRATION 35292

AIR NEW SOURCE PERMITS PERMIT 40157

AIR NEW SOURCE PERMITS REGISTRATION 41145

AIR NEW SOURCE PERMITS REGISTRATION 44847

AIR NEW SOURCE PERMITS ACCOUNT NUMBER CB0038Q

AIR NEW SOURCE PERMITS REGISTRATION 52259

AIR NEW SOURCE PERMITS REGISTRATION 75974

AIR NEW SOURCE PERMITS PERMIT AMOC213

AIR NEW SOURCE PERMITS PERMIT 107520

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX699

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX760M4

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX760M6

AIR NEW SOURCE PERMITS REGISTRATION 79826

AIR NEW SOURCE PERMITS EPA PERMIT HAP7

AIR NEW SOURCE PERMITS PERMIT 83763

AIR NEW SOURCE PERMITS REGISTRATION 84788

AIR NEW SOURCE PERMITS REGISTRATION 85081

AIR NEW SOURCE PERMITS REGISTRATION 85100

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1222

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1232

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1226

AIR OPERATING PERMITS PERMIT 1484

AIR OPERATING PERMITS PERMIT 1953

AIR OPERATING PERMITS PERMIT 1955

AIR OPERATING PERMITS PERMIT 1957

AIR OPERATING PERMITS PERMIT 3409

AIR OPERATING PERMITS PERMIT 4165

AIR OPERATING PERMITS PERMIT 4212

AIR OPERATING PERMITS PERMIT 4293

AIR NEW SOURCE PERMITS AFS NUM 4805700015

AIR NEW SOURCE PERMITS PERMIT 17030

AIR NEW SOURCE PERMITS PERMIT 19167

AIR NEW SOURCE PERMITS PERMIT 19198

AIR NEW SOURCE PERMITS PERMIT 19200

AIR NEW SOURCE PERMITS PERMIT 19871

AIR NEW SOURCE PERMITS REGISTRATION 29765

AIR NEW SOURCE PERMITS REGISTRATION 26267

AIR NEW SOURCE PERMITS REGISTRATION 26351

AIR NEW SOURCE PERMITS REGISTRATION 26266

AIR NEW SOURCE PERMITS REGISTRATION 37070

AIR NEW SOURCE PERMITS REGISTRATION 40293

AIR NEW SOURCE PERMITS REGISTRATION 43265

AIR NEW SOURCE PERMITS REGISTRATION 44933

AIR NEW SOURCE PERMITS REGISTRATION 52859

AIR NEW SOURCE PERMITS EPA PERMIT HAP10

AIR NEW SOURCE PERMITS PERMIT 76305

AIR NEW SOURCE PERMITS PERMIT 76044

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1053

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX760M3

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1058

AIR NEW SOURCE PERMITS REGISTRATION 78769

AIR NEW SOURCE PERMITS EPA PERMIT HAP2

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX760M8

AIR NEW SOURCE PERMITS REGISTRATION 83990

AIR NEW SOURCE PERMITS REGISTRATION 84730

AIR NEW SOURCE PERMITS REGISTRATION 91047

AIR NEW SOURCE PERMITS PERMIT 91780

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1230

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1224

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1240

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1234
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1236
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX226M7
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1500
AIR NEW SOURCE PERMITS REGISTRATION 132905
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1383
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX47
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1384
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX46
AIR NEW SOURCE PERMITS PERMIT AMOC27
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX223
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX218
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1232M1
AIR NEW SOURCE PERMITS REGISTRATION 167823
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1224M1
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1236M1

AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX221
AIR NEW SOURCE PERMITS EPA PERMIT
 GHGPSDTX48M1

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1237M1
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1383M2
AIR NEW SOURCE PERMITS REGISTRATION 170533
AIR NEW SOURCE PERMITS REGISTRATION 171046
AIR NEW SOURCE PERMITS REGISTRATION 163451
AIR NEW SOURCE PERMITS PERMIT AMOC26
AIR NEW SOURCE PERMITS REGISTRATION 142099
AIR NEW SOURCE PERMITS REGISTRATION 145753
AIR NEW SOURCE PERMITS PERMIT AMOC66
AIR NEW SOURCE PERMITS REGISTRATION 157260
AIR NEW SOURCE PERMITS REGISTRATION 155838
AIR NEW SOURCE PERMITS REGISTRATION 160487
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1588
AIR NEW SOURCE PERMITS REGISTRATION 159793
AIR NEW SOURCE PERMITS REGISTRATION 160486
AIR NEW SOURCE PERMITS REGISTRATION 175139
AIR NEW SOURCE PERMITS PERMIT AMOC234
AIR NEW SOURCE PERMITS REGISTRATION 176819
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1588M1
AIR NEW SOURCE PERMITS REGISTRATION 175611
AIR NEW SOURCE PERMITS REGISTRATION 176849
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1610
AIR NEW SOURCE PERMITS PERMIT 170552
AIR NEW SOURCE PERMITS REGISTRATION 172660
AIR NEW SOURCE PERMITS REGISTRATION 171738
AIR NEW SOURCE PERMITS REGISTRATION 173338
AIR NEW SOURCE PERMITS REGISTRATION 172733
AIR NEW SOURCE PERMITS REGISTRATION 179481
AIR NEW SOURCE PERMITS REGISTRATION 180073
AIR NEW SOURCE PERMITS PERMIT AMOC255

IHW CORRECTIVE ACTION SOLID WASTE
 REGISTRATION # (SWR) 31945
UNDERGROUND INJECTION CONTROL PERMIT WDW478
UNDERGROUND INJECTION CONTROL PERMIT WDW403
UNDERGROUND INJECTION CONTROL PERMIT WDW477
UNDERGROUND INJECTION CONTROL PERMIT WDW472
UNDERGROUND INJECTION CONTROL PERMIT WDW473
UNDERGROUND INJECTION CONTROL PERMIT WDW476

STORMWATER PERMIT TXR15594N
STORMWATER PERMIT TXR1575OV
STORMWATER PERMIT TXR1578PB

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1238
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1237
AIR NEW SOURCE PERMITS PERMIT 107518
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX48
AIR NEW SOURCE PERMITS PERMIT 127838
AIR NEW SOURCE PERMITS PERMIT 140763
AIR NEW SOURCE PERMITS REGISTRATION 129793
AIR NEW SOURCE PERMITS PERMIT 128752
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX760M9
AIR NEW SOURCE PERMITS REGISTRATION 161950
AIR NEW SOURCE PERMITS REGISTRATION 166145
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1500M1
AIR NEW SOURCE PERMITS REGISTRATION 167459
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX222
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX224
AIR NEW SOURCE PERMITS EPA PERMIT
 GHGPSDTX46M1
AIR NEW SOURCE PERMITS REGISTRATION 162757
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX225

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1226M1
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX219
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1222M1
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1240M1
AIR NEW SOURCE PERMITS PERMIT AMOC172
AIR NEW SOURCE PERMITS REGISTRATION 150952
AIR NEW SOURCE PERMITS REGISTRATION 145955
AIR NEW SOURCE PERMITS REGISTRATION 145953
AIR NEW SOURCE PERMITS REGISTRATION 159948
AIR NEW SOURCE PERMITS PERMIT AMOC133
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1383M1
AIR NEW SOURCE PERMITS REGISTRATION 163454
AIR NEW SOURCE PERMITS REGISTRATION 155332
AIR NEW SOURCE PERMITS REGISTRATION 152521
AIR NEW SOURCE PERMITS REGISTRATION 173222
AIR NEW SOURCE PERMITS REGISTRATION 171880
AIR NEW SOURCE PERMITS REGISTRATION 176741
AIR NEW SOURCE PERMITS REGISTRATION 173194
AIR NEW SOURCE PERMITS PERMIT AMOC224
AIR NEW SOURCE PERMITS REGISTRATION 176859
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1384M1
AIR NEW SOURCE PERMITS REGISTRATION 172616
AIR NEW SOURCE PERMITS REGISTRATION 170493
AIR NEW SOURCE PERMITS REGISTRATION 173343
AIR NEW SOURCE PERMITS REGISTRATION 172930
AIR NEW SOURCE PERMITS REGISTRATION 176288
AIR NEW SOURCE PERMITS REGISTRATION 173242
AIR NEW SOURCE PERMITS REGISTRATION 179485
AIR NEW SOURCE PERMITS REGISTRATION 177140
AIR NEW SOURCE PERMITS REGISTRATION 178764
UNDERGROUND INJECTION CONTROL PERMIT WDW471

UNDERGROUND INJECTION CONTROL PERMIT WDW402
UNDERGROUND INJECTION CONTROL PERMIT WDW474
UNDERGROUND INJECTION CONTROL PERMIT WDW470
UNDERGROUND INJECTION CONTROL PERMIT WDW469
UNDERGROUND INJECTION CONTROL PERMIT WDW475
STORMWATER PERMIT TXR1525LK

STORMWATER PERMIT TXR1556ME
STORMWATER PERMIT TXR1529QA
STORMWATER PERMIT TXR1539KX

STORMWATER PERMIT TXR1588LB
WASTEWATER PERMIT WQ0002436000
AIR EMISSIONS INVENTORY ACCOUNT NUMBER
 CB0038Q
POLLUTION PREVENTION PLANNING ID NUMBER
 P08990
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
REGISTRATION # (SWR) 31945
TAX RELIEF ID NUMBER 16667
TAX RELIEF ID NUMBER 16792
TAX RELIEF ID NUMBER 22276
TAX RELIEF ID NUMBER 22282
TAX RELIEF ID NUMBER 22270
TAX RELIEF ID NUMBER 22283
TAX RELIEF ID NUMBER 23639
TAX RELIEF ID NUMBER 23640
TAX RELIEF ID NUMBER 23655
TAX RELIEF ID NUMBER 16796
TAX RELIEF ID NUMBER 16663
TAX RELIEF ID NUMBER 22286
TAX RELIEF ID NUMBER 22290
TAX RELIEF ID NUMBER 22285
TAX RELIEF ID NUMBER 22281
TAX RELIEF ID NUMBER 22277
TAX RELIEF ID NUMBER 22266
TAX RELIEF ID NUMBER 22289
TAX RELIEF ID NUMBER 22275
TAX RELIEF ID NUMBER 22264

STORMWATER PERMIT TXR05GN80
WASTEWATER EPA ID TX0085570
POLLUTION PREVENTION PLANNING ID NUMBER
 P00254
INDUSTRIAL AND HAZARDOUS WASTE EPA ID
 TXT490011293
INDUSTRIAL AND HAZARDOUS WASTE PERMIT
 PCO31945
TAX RELIEF ID NUMBER 16751
TAX RELIEF ID NUMBER 16795
TAX RELIEF ID NUMBER 22279
TAX RELIEF ID NUMBER 22269
TAX RELIEF ID NUMBER 22280
TAX RELIEF ID NUMBER 23653
TAX RELIEF ID NUMBER 23654
TAX RELIEF ID NUMBER 23651
TAX RELIEF ID NUMBER 23652
TAX RELIEF ID NUMBER 16793
TAX RELIEF ID NUMBER 22274
TAX RELIEF ID NUMBER 22265
TAX RELIEF ID NUMBER 22278
TAX RELIEF ID NUMBER 22272
TAX RELIEF ID NUMBER 22268
TAX RELIEF ID NUMBER 22287
TAX RELIEF ID NUMBER 22273
TAX RELIEF ID NUMBER 22267
TAX RELIEF ID NUMBER 22288
TAX RELIEF ID NUMBER 27309

Compliance History Period: September 01, 2010 to August 31, 2015 **Rating Year:** 2015 **Rating Date:** 09/01/2015

Date Compliance History Report Prepared: June 18, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: June 24, 2016 to June 24, 2021

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

Name: TCEQ Staff Member

Phone: (512) 239-1000

Site and Owner/Operator History:

- | | |
|--|-----|
| 1) Has the site been in existence and/or operation for the full five year compliance period? | YES |
| 2) Has there been a (known) change in ownership/operator of the site during the compliance period? | NO |

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

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

- | | |
|---|---|
| 1 | Effective Date: 04/13/2017 ADMINORDER 2016-0903-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms and Conditions OP
Special Condition No 1 PERMIT
Special Terms and Conditions No 12 OP
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on September 08, 2014, TCEQ/STEERS Incident No. 203344. Specifically, Formosa Point Comfort Plant released unauthorized emissions in the amount of 93,797.066 pounds (lbs) of total Carbon Monoxide (CO), 17,476.832 lbs Nitrogen Oxides (NOx), and 77,082.326 lbs of Volatile Organic Compounds (VOCs) from the Olefins I elevated flare (EPN 1018). The event lasted 61 hours and 26 minutes. |
| 2 | Effective Date: 05/30/2017 ADMINORDER 2014-0923-IHW-E (1660 Order-Agreed Order With Denial)
Classification: Moderate |

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
 30 TAC Chapter 335, SubChapter E 335.112(a)(8)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.171

Description: Failed to manage containers holding hazardous waste in good condition.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.261(a)
 40 CFR Chapter 273, SubChapter I, PT 273, SubPT B 273.13(d)

Description: Failed to manage universal waste lamps in containers or packages that are structurally sound, adequate to prevent breakage, compatible with the contents of the lamps, that remain closed, and that lack evidence of leakage, spillage, or damage that could cause leakage under reasonable foreseeable conditions.

Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter H 335.262(c)(2)(F)

Description: Failed to contain paint and paint-related wastes in a container, multiple container package unit, tank, transport vehicle or vessel that is labeled or marked clearly with the words "Universal Waste - Paint and Paint-Related Wastes."

Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: Failed to update the Facility's Notice of Registration ("NOR"). Specifically, spent catalyst waste generated in the High Density Polyethylene 1 ("HDPE 1") unit was not included in the waste stream and management units, and container storage area NOR 035 was inappropriately listed as a non-hazardous storage area

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(h)

Description: Failed to submit a written notice to the TCEQ to include the type(s) of industrial solid waste or municipal hazardous waste to be recycled, the method of storage prior to recycling, and the nature of the recycling activity, 90 days prior to recycling of industrial solid waste or municipal hazardous waste

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.10(a)(1)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.20(a)

Description: Failed to use the correct manifest when shipping hazardous waste for disposal, in violation of 30 TEX. ADMIN. CODE §335.10(a)(1) and 40 CFR § 262.20(a), as documented during an investigation conducted on March 10, 2014. Specifically, on November 20 and 21, 2013 the Respondent shipped a total of 59,720 pounds of spent Puraspec 3450 catalyst waste to Amlon Resources Group, LLC in New York City, New York through a waste broker, Univar Chemcare, for metals reclamation. On December 16, 2013, the

Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(2)

Description: Failed to submit a complete and accurate Annual Waste Summary. Specifically, the Respondent failed to include spent catalyst waste generated in the HDPE 1 unit on the annual waste summaries for 2011, 2012 and 2013

Classification: Major

Citation: 30 TAC Chapter 335, SubChapter A 335.2

Description: Failed to obtain a permit, amended permit, or other authorization from the Texas Commission on Environmental Quality (commission) or its predecessor agencies, the Department of State Health Services (DSHS), or other valid authorization from a Texas state agency prior to any activity of storage, processing, or disposal of any industrial solid waste or municipal hazardous.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
 30 TAC Chapter 335, SubChapter E 335.112(a)(9)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.190
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.191

Description: Failed to obtain a written assessment reviewed and certified by a qualified professional engineer attesting that the storage tanks at the Facility have sufficient structural integrity and are acceptable for the storing and treating of hazardous waste. Specifically, the HDPE 1 unit tank numbers C212A and C212B that were being utilized to manage spent catalyst waste did not have the required integrity assessment and secondary containment

3 Effective Date: 09/25/2018 ADMINORDER 2018-0011-AIR-E (1660 Order-Agreed Order With Denial)
 Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms & Conditions OP
 Special Condition 15 PERMIT

Special Condition PERMIT
Special Term & Condition 15 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on April 11, 2017, TCEQ/STEERS

4 Effective Date: 09/26/2018 ADMINORDER 2017-0884-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms & Conditions OP
Special Term & Condition 2F OP

Description: Failure to submit an initial notification for Incident No. 228622 no later than 24 hours after the discovery of the emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms & Conditions OP
Special Condition 1 PERMIT
Special Terms & Condition 8 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 6, 2015 at 00:28 hours, TCEQ/STEERS Incident No. 228622.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms & Conditions OP
PSDTX226M7 PERMIT
Special Condition 1 PERMIT
Special Term & Condition 15 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on September 19, 2016, TCEQ/STEERS Incident No. 244126.

5 Effective Date: 01/17/2019 ADMINORDER 2017-0737-IWD-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

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

Rqmt Prov: Eff. Limits and Monitoring RQMTs; No. 3 PERMIT

Description: Failed to prevent the discharge of solids in other than trace amounts into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 3, Outfall Nos. 006, 008, and 009.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(c)

Rqmt Prov: Monitoring and Reporting; No.2(a); Pg. 4 PERMIT

Description: Failed to properly analyze effluent samples, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.11(c) and TPDES Permit No. WQ0002436000, Monitoring and Reporting Requirements No. 2.a.

6 Effective Date: 03/05/2020 ADMINORDER 2018-1384-AIR-E (1660 Order-Agreed Order With Denial)

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: FOP O-03409, Special Term & Condition 8 OP
PSDTX 1058, Special Condition 14 PERMIT

Description: Failure to comply with the established six-minute average oxygen concentration limit. Specifically, the

Respondent established the six-minute average oxygen concentration limit of 5.8 parts per million ("ppm") for Incinerator/Scrubber I-01, EPN I-01, but the six-minute average oxygen concentration was an average of 3.4 ppm on five instances on February 21, 2017, and the Respondent established the six-minute average oxygen concentration limit of 5.3 for Incinerator/Scrubber I-02, EPN I-02, but

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6.B PERMIT

7.B PERMIT

FOP O-03409, Special Term & Condition 8 OP

General Terms & Conditions OP

PSDTX1058, Special Condition 1 PERMIT

Description: Failure to comply with the maximum allowable emissions rate for particulate matter (PM) at Emission Point Number (EPN) BD-B04. Specifically, the Respondent exceeded the PM10 MAER of 0.06 ton per year based on a 12-month rolling period for the Train 2 Dryer Combustion Emissions, EPN BD-B04, for the 12-month rolling periods ending from January 2017 through December 2017, resulting in the release of 2.53 tons of unauthorized PM10 emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.100
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01957, Special Term & Condition 10 OP

PSDTX1222, Special Condition 8B PERMIT

PSDTX1224, Special Condition 6B PERMIT

PSDTX1232, Special Condition 7B PERMIT

Description: Failure to operate a flare with a pilot flame present at all times. Specifically, the Respondent failed to maintain the pilot flame on the Elevated Flare, EPN 1067, on September 12, 2016, September 28, 2016, and January 14, 2017.

7 Effective Date: 02/01/2021 ADMINORDER 2019-0688-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP

NSR 7699, SC 1 PERMIT

Special Terms and Conditions No. 9 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 69.45 pounds ("lbs") of ethylene dichloride, 118.69 lbs of vinyl chloride monomer ("VCM"), and 68.40 lbs of hydrochloric acid as fugitive emissions, during an emissions event (Incident No. 260227) that began on June 12, 2017 and lasted four hours and 25 minutes. The emissions event occurred when a pinhole leak developed in a sparger tube due to corrosion, resulting in the release to the atmosphere.

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP

Special Condition 1 PERMIT

Special Terms and Conditions No. 9 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,050.21 lbs of VCM as fugitive emissions, during an emissions event (Incident No. 264689) that occurred on August 3, 2017 and lasted three hours and 40 minutes. The emissions event occurred due to a leak in a transfer line from external corrosion, resulting in the release to the atmosphere.

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP

NSR 76305 SC1 PERMIT

Special Terms and Conditions No. 8 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 395.20 lbs of VCM as fugitive emissions, during an emissions event (Incident No. 270255) that occurred on October 14, 2017 and lasted 17 minutes. The emissions event occurred when a two-inch drain valve was left open prior to startup, resulting in the release to the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: [PSDTX1058], Special Condition 1 PERMIT

[PSDTX1058], Special Condition 21 PERMIT

General Terms & Conditions OP

Special Term & Condition 8 OP

Description: Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, during stack tests conducted on February 20, 2012, October 25, 2013, December 3, 2015, and December 18, 2017, the Respondent exceeded the particulate matter equal to or less than ten microns in diameter ("PM10") MAER of 0.02 pound per hour ("lb/hr") by 0.04 lb/hr for 14,712 hours from February 20, 2012 to October 24, 2013, 0.07 lb/hr for 18,456 hours from October 25, 2013 to December 2, 2015,

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Special Terms and Conditions No. 2.F OP

Description: Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 318728 was due by August 27, 2019, but was not submitted until August 28, 2019.

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP

PSDTX1226, Special Condition 1 PERMIT

Special Terms and Conditions No. 14 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 59.94 lbs of volatile organic compounds ("VOC"), 14.92 lbs of CO, and 1.74 lbs of nitrogen oxides ("NOx") from the Olefins 2 Flare, EPN 1067, during an emissions event (Incident No. 318728) that occurred on August 13, 2019 and lasted 15 minutes. The emissions event occurred due to an O-ring failure that caused a relief valve to prematurely lift, resulting in flaring.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: [PSDTX1224] Special Condition 1 PERMIT

General Terms and Conditions OP

Special Term & Condition 10 OP

Description: Failed to comply with the MAERs. Specifically, the Respondent exceeded the VOC MAER of 1.77 lbs/hr by approximately 12.09 lbs/hr for 960 hours on 40 days from June 13, 2018 to July 27, 2018 and by approximately 0.72 lb/hr for 456 hours on 19 days from July 5, 2019 to August 19, 2019 and the VOC MAER of 7.72 tons per year based on a 12-month rolling period for the 12-month periods ending from July 2018 through May 2019 for the Linear Low Density Polyethylene Cooling Tower, EPN LL-CT,

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

NSR 19168/PSDTX1226, Special Condition 1 PERMIT

Special Terms and Conditions No. 14 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 289.93 lbs of VOC, 31.51 lbs of CO, and 6.46 lbs of NOx from the Olefins 1 Flare, EPN 1018, during an emissions event (Incident No. 312203) that occurred on June 23, 2019 and lasted four hours and 51 minutes. The emissions event occurred when a furnace tripped offline that caused a pressure relief valve to open, resulting in flaring.

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	July 20, 2016	(1360272)	Item 45	June 08, 2018	(1485339)
Item 2	August 19, 2016	(1366715)	Item 46	June 21, 2018	(1486074)
Item 3	August 26, 2016	(1338768)	Item 47	July 20, 2018	(1515168)
Item 4	September 14, 2016	(1358330)	Item 48	August 08, 2018	(1474272)
Item 5	September 20, 2016	(1373413)	Item 49	September 19, 2018	(1528403)
Item 6	September 22, 2016	(1356437)	Item 50	October 18, 2018	(1534742)
Item 8	October 20, 2016	(1379589)	Item 51	November 05, 2018	(1525836)
Item 9	November 18, 2016	(1385536)	Item 52	November 19, 2018	(1542576)
Item 10	December 02, 2016	(1363501)	Item 53	December 17, 2018	(1435354)
Item 11	December 09, 2016	(1362459)	Item 54	December 20, 2018	(1525175)
Item 12	January 03, 2017	(1381671)	Item 55	December 21, 2018	(1519940)
Item 13	January 20, 2017	(1398288)	Item 56	January 18, 2019	(1563090)
Item 14	February 27, 2017	(1395749)	Item 57	January 28, 2019	(1540334)
Item 15	February 28, 2017	(1395630)	Item 58	February 19, 2019	(1563088)
Item 16	March 06, 2017	(1394886)	Item 59	March 04, 2019	(1446831)
Item 17	March 20, 2017	(1412266)	Item 60	March 14, 2019	(1548396)
Item 18	April 11, 2017	(1396497)	Item 61	March 19, 2019	(1563089)
Item 19	April 14, 2017	(1396534)	Item 62	April 18, 2019	(1572960)
Item 20	April 20, 2017	(1418765)	Item 63	May 31, 2019	(1570782)
Item 21	May 01, 2017	(1409476)	Item 64	June 28, 2019	(1570919)
Item 22	May 19, 2017	(1414489)	Item 65	August 27, 2019	(1524661)
Item 23	May 25, 2017	(1415512)	Item 66	September 20, 2019	(1607517)
Item 24	June 20, 2017	(1432421)	Item 67	October 18, 2019	(1614395)
Item 25	July 06, 2017	(1408468)	Item 69	November 27, 2019	(1611837)
Item 26	July 20, 2017	(1440974)	Item 70	December 20, 2019	(1627533)
Item 27	August 18, 2017	(1444664)	Item 71	January 20, 2020	(1635166)
			Item 72	February 20, 2020	(1641781)
Item 29	September 20, 2017	(1451250)	Item 73	March 20, 2020	(1648295)
Item 30	October 18, 2017	(1457123)	Item 74	April 20, 2020	(1654647)
Item 31	November 10, 2017	(1443331)	Item 76	May 14, 2020	(1647055)
Item 32	November 17, 2017	(1462576)	Item 77	May 21, 2020	(1650896)
Item 33	November 27, 2017	(1448255)	Item 78	May 28, 2020	(1650788)
Item 35	December 13, 2017	(1447685)	Item 79	June 04, 2020	(1645788)
Item 36	December 20, 2017	(1468977)	Item 80	June 12, 2020	(1652426)
Item 37	January 19, 2018	(1475677)	Item 81	June 19, 2020	(1667742)
Item 38	February 05, 2018	(1458998)	Item 82	June 24, 2020	(1652420)
Item 39	February 20, 2018	(1487861)	Item 83	June 25, 2020	(1651907)
Item 40	February 26, 2018	(1472611)	Item 84	July 20, 2020	(1674689)
Item 41	March 12, 2018	(1474057)	Item 85	August 19, 2020	(1681461)
Item 42	March 27, 2018	(1491548)	Item 86	August 20, 2020	(1671072)
Item 43	May 10, 2018	(1454993)	Item 87	August 28, 2020	(1671729)
Item 44	May 17, 2018	(1501748)	Item 88	August 30, 2020	(1651856)

Item 89	September 18, 2020	(1688038)	Item 99	February 18, 2021	(1728863)
			Item 100	March 19, 2021	(1728864)
Item 90	October 20, 2020	(1694394)	Item 101	April 08, 2021	(1685490)
Item 91	November 13, 2020	(1678667)	Item 102	April 23, 2021	(1703310)
Item 92	November 17, 2020	(1686553)	Item 103	May 06, 2021	(1704585)
Item 93	November 18, 2020	(1715790)	Item 104	May 14, 2021	(1700296)
Item 94	December 02, 2020	(1678695)	Item 105	May 18, 2021	(1704928)
Item 95	January 08, 2021	(1680193)	Item 106	May 20, 2021	(1741734)
Item 96	January 14, 2021	(1697759)	Item 107	May 28, 2021	(1712106)
Item 97	January 20, 2021	(1715792)	Item 108	June 21, 2021	(1678144)

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: 07/29/2020 (1658132)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.5(b)
Effluent Monitoring Req.; No. 1, Pg. 2o PERMIT
Description: Failed to monitor the effluent parameters of Total Organic Carbon (TOC) and Oil & Grease (O&G) at least once per day by grab sample when discharging at Outfall 013.

- 2 Date: 08/28/2020 (1665844)
Self Report? NO Classification: Moderate
Citation: \PSDTX1234 SC 2E PERMIT
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)
FOP-1484 STC 11 OP
Description: Failure to perform required testing.
Self Report? NO Classification: Moderate
Citation: \PSDTX1234 SC 18 PERMIT
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)
FOP-01484 STC 11 OP
Description: Failure to perform monitoring as required.
Self Report? NO Classification: Moderate
Citation: \PSDTX1234 SC 11 PERMIT
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)
FOP-1484 STC 11 OP
Description: Failure to maintain firebox temperature above 1,608 degree Fahrenheit for the six minute average.
Self Report? NO Classification: Moderate
Citation: \PSDTX1234 SC 12 PERMIT
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)
FOP-1484 STC 11 OP
Description: Failure to maintain firebox temperature above 1,600 degree Fahrenheit for the six minute average.

- 3 Date: 11/30/2020 (1715791)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 4 Date: 12/04/2020 (1678681)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an Emissions Event that was discovered on November 11, 2019, TCEQ/STEERS Incident No. 324566.

- 5 Date: 01/15/2021 (1659745)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on March 12, 2020, TCEQ/STEERS Incident No. 332001.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to submit a final report no later than two weeks after the end of the emissions event for TCEQ/STEERS Incident No. 332001.
- 6 Date: 01/28/2021 (1591474)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 GTC OP
 PSDTX1058, SC 1 PERMIT
 STC 8 OP
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on July 20, 2019, TCEQ/STEERS Incident No. 316461.
- 7 Date: 03/05/2021 (1692864)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(7)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 GTC & STC 3.B.iii.1 OP
 Description: Failure to perform quarterly visible emissions observation as required.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
 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)
 GC 5 PERMIT
 GTC & STC 15 OP
 SC 14.A.1 PERMIT
 Description: Failure to perform annual calibrations of flow monitoring devices as required.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 GC 5 PERMIT
 GTC & STC 15 OP
 SC 14.A.1 PERMIT
 Description: Failure to perform annual calibrations of flow monitoring devices as required.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
 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)
 GC 5 PERMIT
 GTC & STC 15 OP
 SC 14.A.2 PERMIT
 Description: Failure to sample cooling tower water as required.

- 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)
 GTC & STC 15 OP
 SC 12 PERMIT
 Description: Failure to maintain pH of incinerator scrubbing solutions as required.
- 8 Date: 03/19/2021 (1698346)
 Self Report? NO Classification: Moderate
 Citation: [PSDTX226M7] Special Condition 1 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 15 OP
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on December 13, 2020, TCEQ/STEERS Incident No. 347629.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 2.F OP
 Description: Failure to submit the initial notification of an emissions event within 24 hours of discovery of the event.
- 9 Date: 03/31/2021 (1728865)
 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
- 10 Date: 05/31/2021 (1748152)
 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

F. Environmental audits:

- Notice of Intent Date: 09/27/2018 (1523151)
 Disclosure Date: 04/26/2019
 Viol. Moderate
 Classification:
 Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)(A)
 Description: Failed to include the applicable requirements under NSPS RRR in the Title V permit. Specifically, NSR Permit No. 19198 and PSDTX1234, Special Condition No. 16 requires compliance with NSPSs NNN and RRR and a letter from Richard Hyde of the TCEQ dated February 25, 2001 authorized Formosa to utilize the alternative flow monitoring requirements under NSPSs RRR. However, the Title V Permit (No. O1484) Applicable Requirements Summary does not reference any of the applicable citations under NSPS RRR
 Viol. Moderate
 Classification:
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT Special Condition No. 18.A
 PERMIT Special Condition No. 21.A
 PERMIT Special Condition No. 27.A
 Description: Failed to include all data sheets, calculations, charts (records of Continuous Emissions Monitoring Systems (CEMS)), cylinder gas concentration certificates, necessary to confirm that the CEMS performance meets the specification. Specifically, the quarterly CEMS reports for Olefins 1 and II, Ethylene Glycol (EG) [2 CEMS], the High Density Polyethylene 1 (KDPE1), and the Low linear Density Polyethylene 1 (LLDPE), did not include the required information.
 Viol. Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT Special Condition No. 18.B
 PERMIT Special Condition No. 21.B

PERMIT Special Condition No. 27.B

Description: Failed to report on a quarterly basis all CEMS accuracy results, as determined by the Relative Accuracy Test Audit (RATA), Performance Assessment (PA), and/or Cylinder Gas Audit (CGA) performed. Specifically, the quarterly CEMS for 2017 to date did not include the CGA and PA results for the EG (2 CEMS), the CGA for the HDPE1, or the LLDPE.

Viol. Minor

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

Rqmt Prov: PERMIT Special Condition 21.C

Description: Failed to multiply the measured hourly average concentration from each CEMS by the flow rate measured during the latest stack test performed in accordance with Special Condition No. 19, to determine the hourly emission rate. Specifically, the facility was using the design flow rate to perform calculations and was not aware of the results of the latest stack test result to obtain the correct flow rate of the calculation.

Viol. Minor

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

Rqmt Prov: PERMIT Special Condition No. 31.B

PERMIT Special Condition No. 31.D

PERMIT Special Condition No. 31.E

Description: Failed to meet reactor abrasive blasting requirements. Specifically, records of the blast media's hourly mass usage rate, daily records of the usage hours and location, and the particulate matter emissions have not been maintained of the most recent blasting activities for the reactors operated in the EG process unit.

Viol. Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.126(3)

Description: Failed to maintain sufficient records for each vent exempted from control requirements in accordance with 30 TAC 115.127 to demonstrate compliance with the applicable exemption limit.

Viol. Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.564(d)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.565(a)

Description: Failed to determine compliance with the individual stream exemptions and failed to use the appropriate test procedures and keep an up-to-date, readily accessible record. Specifically, records were not available to demonstrate compliance with the exemption limit for Unit ID PP1-Unit for individual vent streams that emit continuous emissions in O1956 Title V Permit.

Viol. Minor

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

Rqmt Prov: PERMIT Special Condition No. 28

Description: Failed to calibrate the GC at least once every day. Specifically, interviews with plant personnel indicated that the GC is calibrated every 30 days (Olefins I).

Viol. Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT XX 63.1086(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)

Description: Failed to appropriately monitor the cooling water at the entrance and exit of each individual heat exchanger. Specifically, current practice did not take a minimum of three sets of samples at each heat exchanger entrance and exit, calculate the average entrance and exit concentrations, nor use a one-sided statistical procedure at the 0.05 level of significance.

Viol. Moderate

Viol.

Citation:

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

Rqmt Prov: PERMIT Special Condition 27.C

Description: Failed to multiply the measured hourly concentration from each CEMS by the flow rate measured during the latest stack test. Specifically, the facility was not performing this calculation and was not aware of the results of the latest stack test results.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT Special Condition No. 27

Description: Failed to maintain records of monthly emissions and rolling 12-month MSS emissions, updated on a monthly basis, of planned MSS activities for the Ethylene Glycol process unit.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 335, SubChapter E 335.112(a)

30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)

Description: Failed to ensure that a container holding hazardous waste is closed at all times during accumulation. Specifically, tarps in 25 yard roll-offs used to cover hazardous waste containers in the Satellite Accumulation Area (SAA) in the WWTP and in the <90 day storage area had holes in them.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT D 265.53(b)
30 TAC Chapter 335, SubChapter E 335.112(a)(3)

Description: Failed to submit a copy of the contingency plan and all revisions to the plan to all local police departments, fire departments, and hospitals. Specifically, the Integrated Contingency Plan (ICP) used as the Large Quantity Generator (LQG) Plan does not include arrangements with the local police/sheriff's department.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT Part 3, Section F.1(g)(v)
PERMIT Part 3, Section F.2(a)

Description: Failed to include in the construction SWPPP the entire property as well as laydown areas, the grassy area between Outfall 009 and the Olefins III flare has become an area for used material including railing train track, and rail road ties. Additionally, there is a pile near the Olefins IIII flare that appears to be a dumping ground.

Viol. Minor

Classification:

Citation: 40 CFR Chapter 279, SubChapter I, PT 279, SubPT C 279.22(c)
30 TAC Chapter 324, SubChapter A 324.1

Description: Failed to label or mark clearly with the words "Used Oil" on approximately 15 used oil drums stored outside the used oil shed at the Poly Olefins I Maintenance Shop.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT Eff. Lim. & Mon. Req. OF 12, No. 1
PERMIT Eff. Lim. & Mon. Req. OF 12, No. 2

Description: Failed to collect one sample per day from Outfall No. 12 (OF 12) for Total Organic Carbon, Oil and Grease, and pH. The closed gate (OF 12) was leaking, there was no secondary valve downstream to retain the leaked discharge, and this discharge was not sampled.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 319, SubChapter A 319.11(e)

Description: Failed to ensure laboratories routinely use and document intra-laboratory quality control practices. Specifically, standards in the metals laboratory were difficult to trace to the original standard, the original standard had multiple bottles and the bottles were reported as empty before the next standard was made. Also, acids and solvents added to the samples were not recorded by lot number and manufacturer.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11

Rqmt Prov: PERMIT Mon. & Rep. Req. No. 2

Description: Failed to ensure that biomonitoring samples maintained chain-of-custody. Specifically, samples were collected and left on the sidewalk at the parking lot for the laboratory to pick up.

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices**Appendix A****All NOVs Issued During Component Period 6/24/2016 and 6/24/2021**

- 1 Date: 06/24/2016 (1330047)
- Self Report? NO Classification: Minor
- Citation:
- 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
FOP O3409 GTC OP
- Description: Failure to report all intances of deviations, the probable cause of the deviations, and any corrective actions or preventative measures taken for each emission unit addressed in the permit.
-
- 2 Date: 07/28/2016 (1283004)
- Self Report? NO 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)
FOP O-1957 STC (10) OP
NSR 19201 & PSDTX1232 SC (21) (B) PERMIT
- Description: Failure to drain remaining liquids into a closed vessel during maintenance, startup, and shutdown activities.
- Self Report? NO 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)
FOP O-1957 STC (10) OP
NSR 19201 & PSDTX1232 SC (1) PERMIT
- Description: Failure to prevent unauthorized emissions to the atmosphere during a non-reportable emission event that occurred on April 23, 2015.
- Self Report? NO Classification: Moderate
- Citation:
- 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535
5C THSC Chapter 382 382.085(b)
FOP O1957 (STC) (10) OP
NSR 19201 & PSDTX1232 (SC) (11) (D) PERMIT
- Description: Failure to conduct an annual floating roof seal inspection.
- Self Report? NO Classification: Moderate
- Citation:
- 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535
5C THSC Chapter 382 382.085(b)
FOP O1957 (STC) (10) OP
NSR 19201 & PSDTX1232 (SC) (11) (D) PERMIT
- Description: Failure to conduct an annual floating roof seal inspection.
- Self Report? NO Classification: Moderate
- Citation:
- 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535
5C THSC Chapter 382 382.085(b)
FOP O1957 (STC) (10) OP
NSR 19201 & PSDTX1232 (SC) (11) (D) PERMIT
- Description: Failure to conduct an annual floating roof seal inspection.
- Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535
 5C THSC Chapter 382 382.085(b)
 FOP O1957 (STC) (10) OP
 NSR 19201 & PSDTX1232 (SC) (11) (D) PERMIT

Description: Failure to conduct an annual floating roof seal inspection.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535
 5C THSC Chapter 382 382.085(b)
 FOP O1957 (STC) (10) OP
 NSR 19201 & PSDTX1232 (SC) (11) (D) PERMIT

Description: Failure to conduct an annual floating roof seal inspection.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535
 5C THSC Chapter 382 382.085(b)
 FOP O1957 (STC) (10) OP
 NSR 19201 & PSDTX1232 (SC) (11) (D) PERMIT

Description: Failure to conduct an annual floating roof seal inspection.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535
 5C THSC Chapter 382 382.085(b)
 FOP O1957 (STC) (10) OP
 NSR 19201 & PSDTX1232 (SC) (3) PERMIT

Description: Failure to conduct a 10 year and an annual floating roof seal inspection.

3

Date: 08/05/2016 (1349122)

Self Report? NO

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)
 SC No. 11 OP
 SC No. 11 PERMIT

Description: Failure to comply with permit limitations regarding the six minute, average firebox chamber temperature for the Regenerative Thermal Oxidizer.

Self Report? NO

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)
 SC No. 11 OP
 SC No. 11 PERMIT

Description: Failure to comply with permit limitations regarding the hourly average exhaust oxygen concentration for the Regenerative Thermal Oxidizer.

4

Date: 08/19/2016 (1351348)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)
 5C THSC Chapter 382 382.085(b)

General Terms and Conditions OP

Description: Failure to report all instances of deviations as required.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THSC Chapter 382 382.085(b)
 SC No. 14 OP
 SC No. 8C PERMIT

Description: Failure to comply with regulatory requirements for visible emissions from flares.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 SC No. 14 OP
 SC No. 26A PERMIT

Description: Failure to submit a certification test report within 30 days of completion of the monitor certification test.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 SC No. 14 OP
 SC No. 4B PERMIT

Description: Failure to maintain carbon monoxide (CO) emissions within permitted limits.

- 5 Date: 08/30/2016 (1357100)
- 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. 14 PERMIT
 STC No. 11 OP
- Description: Failure to conduct weekly VOC (volatile organic compound) sampling of polymer production.
- 6 Date: 10/24/2016 (1358247)
- Self Report? NO Classification: Minor
- Citation:
- 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 319, SubChapter A 319.11(c)
 Monitoring and Reporting; No.2(a); Pg. 4 PERMIT
- Description: Failed to properly analyze effluent samples, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.11(c) and TPDES Permit No. WQ0002436000, Monitoring and Reporting Requirements No. 2.a.
- 7 Date: 12/15/2016 (1376088)
- Self Report? NO Classification: Moderate
- Citation:
- 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
- 5C THSC Chapter 382 382.085(b)
 FOP OP
 NSR PERMIT
 PSD PERMIT
- Description: Failure to comply with special conditions of NSR Permit No. 19198. Specifically, on eleven instances from April 25, 2015 through October 7, 2015, Thermal Oxidizer (EPN RTO221) did not meet the minimum temperature requirements as per deviation item nos. 13 through 24.

9

10

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

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

- 11 Date: 04/18/2017 (1403182)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR PERMIT
PSD PERMIT
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on November 11, 2016, TCEQ/Steers Incident No. 246882. Specifically, Formosa Plastics Corporation Texas released unauthorized emissions in the amount of 98 lbs of vinyl chloride monomer (VCM) from Emissions Point Number (EPN) 007-1. The event lasted for 4 minutes. Permit No. 7699's 1.79 lb/hr limit for EPN 007-1(as noted on the MAERT) was exceeded. The unauthorized release was the result of
- 12 Date: 04/28/2017 (1401313)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(d)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP
Hazardous Air Pollutant PERMIT
Prevention of Significant Deterioration PERMIT
Special Condition 13(B)(1) PERMIT
Special Term & Condition 4B OP
Special Term & Condition 8 OP
Description: Failure to notify the TCEQ Corpus Christi Office within 30 days prior to any performance test. Specifically, Formosa submitted a notification of a Relative Accuracy Test Audit (RATA) for EPNs: 7D, 7E, 7F, 7G, 7H, and 7J to the TCEQ Corpus Christi Office on December 3, 2015. However, the RATA was performed on December 15 - 19, 2015.
- 13 Date: 04/30/2017 (1426428)
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
- 14 Date: 05/11/2017 (1403865)
Self Report? YES Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR PERMIT
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on October 5, 2016, TCEQ/Steers Incident No. 245104. Specifically, Formosa Plastics Corporation Texas released unauthorized emissions in the amount of 12.26 lbs of Chlorine from Emissions Point Number (EPN) 2FUG. The event lasted for 10 minutes. Permit No. 19167's 0.44 lb/hr limit for EPN 2FUG (as noted on the MAERT) was exceeded. The unauthorized release was the result of poor operation and

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
5C THSC Chapter 382 382.085(b)
SC No. 11(I) PERMIT
ST & C No. 11 OP

Description: Failure to repair a leaking component within 15 days of discovery. Specifically, on February 6, 2017, Formosa Point Comfort Plant personnel discovered a leaking valve flange (Component #26051-N-002) and did not repair the component until February 22, 2017 (DR2 - Dev. Item No. 6, PPII).

16

Date: 07/07/2017 (1416315)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR 19168, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event.

17

Date: 07/14/2017 (1422588)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(j)

Description: Failed to conducted a customer service inspection (CSI) prior to providing continuous water service to new construction, on any existing service either when the water purveyor has reason to believe that cross-connections or other potential contaminant hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities.

18

Date: 07/18/2017 (1400961)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
FOP O1957, ST&C 10 OP
NSR 40157, SC 6 PERMIT

Description: Failure to comply with the Special Conditions of New Source Review (NSR) Permit #40157.

Self Report? NO

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)
FOP 01957, ST&C 10 OP
NSR 19201, SC 16 PERMIT

Description: Failure to operate an incinerator at or above the permitted limit.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter F 116.620(a)(12)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
FOP Q1957. ST&C 5 QP

Description: Failure to operate a flare with a pilot flame present at all times, as required by a standard permit and federal regulations.

19	Date: 08/25/2017 (1408786) Self Report? NO Classification: Moderate Citation: 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 8 OP NSR Permit #76305, SC 18 PERMIT Description: Failure to record flow rate for cooling tower CT-01. Self Report? NO Classification: Moderate Citation: 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 8 OP NSR Permit #73319, SC 34(B) PERMIT Description: Liquids from process equipment was not transferred within one hour. Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 122, SubChapter B 122.146(1) 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 12 OP Description: Failure to submit a complete Permit Compliance Certification (PCC). Self Report? NO Classification: Moderate Citation: 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 8 OP NSR Permit #76305, SC 27(D) PERMIT Description: Failure to report baghouse malfunction which resulted in visible emissions. Self Report? NO Classification: Moderate Citation: 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 8 OP NSR Permit #76305, SC 15 PERMIT Description: Failure to maintain the temperature of standby incinerator above 800 degrees Fahrenheit. Self Report? NO Classification: Moderate Citation: 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 8 OP NSR Permit #76305, SC 14 PERMIT Description: Six-minute average oxygen concentration in an incinerator fell below the permitted limit. Self Report? NO Classification: Moderate Citation: 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 8 OP NSR Permit 76305, SC 8 PERMIT Description: Failure to comply with permitted concentration limits for residual Vinyl Chloride Monomer (VCM). Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 5C THSC Chapter 382 382.085(b) FOP O-03409, General Terms & Conditions OP Description: Failure to submit the Deviation Report (DR) within the required 30-day deadline. Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) FOP O-03409, General Terms & Conditions OP Description: Failure to submit the Permit Compliance Certification (PCC) within the required 30-day deadline.
20	Date: 11/17/2017 (1425025) Self Report? NO Classification: Moderate Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 NSR 19198, SC1 PERMIT

Description: Failure to prevent unauthorized emissions.

- 21 Date: 12/08/2017 (1430222)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.4
 5C THSC Chapter 382 382.085(b)
 Description: Failure to prevent a discharge from any source whatsoever one or more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.
- 22 Date: 12/08/2017 (1448567)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 111, SubChapter A 111.111(a)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
 5C THSC Chapter 382 382.085(b)
 FOP OP
 Description: Failure to conduct quarterly Method 9 visible emission observations. Specifically, during the second quarter of compliance period April 21, 2016 through April 20, 2017, due to an inadequate number of qualified observers.
- 23 Date: 12/11/2017 (1448207)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 111, SubChapter A 111.111(a)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
 5C THSC Chapter 382 382.085(b)
 FOP OP
 Description: Failure to conduct quarterly Method 9 visible emission observations. Specifically, during the first quarter of compliance period 08/14/2016 through 8/14/2017, due to an inadequate number of qualified observers.
- 24 Date: 03/23/2018 (1473883)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Eff. Limits & Mon. RQMTs No.1; pg. 2n PERMIT
 Description: Failed to ensure the discharge of only non-process area storm water, hydrostatic test water, fire water, non-contact steam condensate, non-contact wash water, potable water, and air conditioner unit condensate through
 Outfall 009.
- 25 Date: 03/31/2018 (1494795)
 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
- 26 Date: 04/09/2018 (1478645)
 Self Report? YES Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20
 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)

5C THSC Chapter 382 382.085(b)
FOP OP
NSR PERMIT
PSD PERMIT

Description: Failure to comply with regulatory requirements for visible emissions from flares. Specifically, on June 6, 2017, Formosa Point Comfort Plant experienced a smoking flare for one hour and fifteen minutes which exceeded the limit of five minutes, from Olefins 2 Flare (EPN 1067).

Self Report? YES Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
FOP OP
NSR PERMIT
PSD PERMIT

Description: Failure to comply with special conditions of NSR Permit No. 19168. Specifically, on, July 27, 2016 through January 6, 2017, the vapor combustor (EPN 1051) did not meet the minimum temperature requirements (997 degrees F).

Self Report? YES Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
FOP OP
NSR PERMIT
PSD PERMIT

Description: Failure to comply with special conditions of NSR Permit No. 19168. Specifically, on July 31, 2016 through October 7, 2016, the vapor combustor (EPN 8003B) did not meet the minimum temperature requirements (1500 degrees F).

27 Date: 05/29/2018 (1483901)

Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
SC1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 29, 2017, TCEQ/Steers Incident No. 258941.

28 Date: 05/31/2018 (1508841)

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

29 Date: 07/31/2018 (1521221)

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

30 Date: 08/02/2018 (1500197)

Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter B 122.144(1)
 5C THSC Chapter 382 382.085(b)
 GC No. 7 PERMIT
 GTC OP
 STC No. 15 OP

Description: Failure to maintain records on the Tank Farm Flare as required.

Self Report? NO

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)
 GTC OP
 SC 13.E PERMIT
 STC No. 15 OP

Description: Failure to equip storage tanks with submerged fill pipes.

Self Report? NO

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)
 GTC OP
 SC No. 25 PERMIT
 STC No. 15 OP

Description: Failure to equip storage tanks with level indicators and alarm systems.

31 Date: 08/21/2018 (1489936)

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)
 FOP O-01957, Special Term & Condition 10 OP
 PSTDTX1232, Special Condition 21B PERMIT

Description: Failure to remove all liquids from process equipment or storage vessels to the maximum extent practical prior to opening equipment or commencing depressurization, degassing, and/or maintenance; and failure to cover or transfer drained liquid to a covered vessel within one hour of being drained.

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)
 FOP O-01957, Special Term & Condition 10 OP

NSR19201/PSDTX1232, Special Condition 7C PERMIT
 NSR20203/PSDTX1224, Special Condition 6C PERMIT
 NSR40157/PSDTX1222, Special Condition 8C PERMIT

Description: Failure to ensure the operation of a flare without visible emissions, except periods not to exceed a total of five minutes during any two consecutive hours.

32 Date: 10/19/2018 (1484116)

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)
 Operational Requirements No. 1, Pg. 9 PERMIT

Description: Failed to at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained.

Self Report? NO

Classification: Major

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)(1)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 307 307.4(b)(2)
 30 TAC Chapter 307 307.4(b)(3)
 Eff. Limits and Monitoring RQMTs; No. 3 PERMIT

Description: Failed to prevent the unauthorized discharge of floating solids.

- 33 Date: 11/30/2018 (1546338)
 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
- 34 Date: 01/18/2019 (1460912)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 PSDTX1237, SPecial Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions during an emissions event.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 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 of the event.
- 35 Date: 02/28/2019 (1541236)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on December 22, 2017 (TCEQ/STEERS Incident No. 275073).
- 36 Date: 03/22/2019 (1533286)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O1954, General Terms & Conditions OP
 FOP O1954, Special Term & Condition 15 OP
 PSDTX226M7, General Condition 7 PERMIT
 Description: Failure to maintain records sufficient to demonstrate compliance with TCEQ NSR Permit No. 7699.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT KKK 60.632(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THSC Chapter 382 382.085(b)
 FOP O1954, General Terms & Conditions OP
 FOP O1954, Special Term & Condition 1 OP
 FOP O1954, Special Term & Condition 15 OP
 NSR 7699, Special Condition 17(E) PERMIT
 Description: Failure to equip each open-ended valve or line with a cap, blind flange, plug, or a second valve.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT KKK 60.632(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(2)(i)
 5C THSC Chapter 382 382.085(b)
 FOP 1954, General Terms & Conditions OP
 FOP 1954, Special Term & Condition 1 OP

Description: Failure to monitor components for the first time within 30 days after the end of their startup period.

- 37 Date: 04/24/2019 (1551927)
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)
 5C THSC Chapter 382 382.085(b)
 GTC OP
 Description: Failure to include all instances of deviations in the six-month deviation report.
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(5)(D)
 5C THSC Chapter 382 382.085(b)
 STC No. 18 OP
 Description: Failure to submit a complete and accurate annual compliance certification.
- 38 Date: 04/30/2019 (1585522)
 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
- 39 Date: 05/31/2019 (1585523)
 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
- 40 Date: 06/24/2019 (1559123)
 Self Report? NO 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)
 NSR 76305 / PSDTX1058 PERMIT
 Description: Failure to perform daily visible emissions observations.
- 41 Date: 06/30/2019 (1594321)
 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
- 42 Date: 07/19/2019 (1577673)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)
 5C THSC Chapter 382 382.085(b)
 GTC OP

Description: Failure to include all instances of deviations in the six-month deviation report.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(5)(D)
 5C THSC Chapter 382 382.085(b)
 GTC OP
 STC No. 13 OP
 Description: Failure to submit a complete and accurate annual compliance certification.

43 Date: 07/31/2019 (1600612)
 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

44 Date: 08/16/2019 (1550364)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 60, Subpart A 60.18
 5C THSC Chapter 382 382.085(b)
 NSR 19168 SC 8A PERMIT
 Description: Failure to maintain the minimum required net heating value for the Flare 1018. Specifically, Formosa failed to maintain the minimum required net heating value of 300 BTU/scf for Flare 1018 four times from July 27, 2017 through May 16, 2018.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(4)
 5C THSC Chapter 382 382.085(b)
 NSR 19168 SC8D PERMIT
 Description: Failure to perform calculations and record the flared gas actual exit velocity for Flare 1018. Specifically, Formosa failed to perform and record the required flared gas actual exit velocity per 40 CFR 60.18(f)(4) for Flare 1018 four times from July 27, 2017 through January 27, 2018
 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)
 NSR 19168 SC5 PERMIT
 Description: Failure to prevent visible emissions. Specifically, Formosa failed to prevent visible emissions from Furnace 1001B for more than five minutes in a two hour period on September 26, 2017.
 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)
 NSR 19168 SC 8C PERMIT
 Description: Failure to prevent visible emissions. Specifically, Formosa failed to prevent visible emissions from Flare 1018 three times for more than five minutes in a two hour period from August 24, 2017 through December 22, 2017.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to report all instances of deviations in the six-month deviation report. Specifically, Formosa did not report five deviations on their first semi-annual deviation report for the reporting period of July 27, 2017 through January 26, 2018. Formosa also failed to report six deviations on their second semi-annual deviation report for the reporting period of January 27, 2018

through July 26, 2018.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(5)(D)
 5C THSC Chapter 382 382.085(b)

Description:

Failure to submit a complete and accurate annual compliance certification. Specifically, Formosa did not report five deviations on their first semi-annual deviation report for the reporting period of July 27, 2017 through January 26, 2018. Formosa also failed to report six deviations on their second semi-annual deviation report for the reporting period of January 27, 2018 through July 26, 2018.

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Date: 08/28/2019 (1580255)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 PSDTX1237, GC No. 10 PERMIT
 PSDTX1237, GC No. 14 PERMIT
 PSDTX1237, SC No. 6(A) PERMIT
 PSDTX1240, GC No. 10 PERMIT
 PSDTX1240, GC No. 14 PERMIT
 PSDTX1240, SC No. 8(A) PERMIT
 STC No. 11 OP

Description:

Failure to maintain the net heating value of the gas being combusted at the flare, Emission Point No. (EPN) 1018, at 300 British thermal units per standard cubic foot (Btu/scf) or greater.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)

 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 PSDTX1237, GC No. 10 PERMIT
 PSDTX1237, GC No. 14 PERMIT
 PSDTX1237, SC No. 6(A) PERMIT
 PSDTX1240, GC No. 10 PERMIT
 PSDTX1240, GC No. 14 PERMIT
 PSDTX1240, SC No. 8(A) PERMIT
 STC No. 11 OP

Description:

Failure to maintain the net heating value of the gas being combusted at the flare, EPN 1067, at 300 Btu/scf or greater.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(4)
 5C THSC Chapter 382 382.085(b)
 PSDTX1237, GC No. 10 PERMIT
 PSDTX1237, GC No. 14 PERMIT
 PSDTX1237, GC No. 7 PERMIT
 PSDTX1237, SC No. 6(D) PERMIT
 PSDTX1240, GC No. 14 PERMIT
 PSDTX1240, GC No. 7 PERMIT
 PSDTX1240, SC No. 8(D) PERMIT
 STC No. 11 OP

Description:

Failure to record the flared gas actual exit velocity at least once every 15 minutes at the flares, EPNs 1018 and 1067.

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)
 GTC OP

Description: Failure to report all instances of deviations.

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Date: 08/29/2019 (1580494)

Self Report? NO

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)
 PSDTX760M9, SC 3 PERMIT
 STC 9 PERMIT

Description: Failure to maintain the average hourly concentration (parts per million by volume [ppmv]) in the stack gases below the permitted limit.

Self Report? NO

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)
 PSDTX760M9, SC 12.A PERMIT
 STC 9 PERMIT

Description: Failure to maintain the required steam injection rates during all periods of turbine operations.

Self Report? NO

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)

PSDTX760M9, SC 6 PERMIT
 STC 9 PERMIT

Description: Failure to comply with the Nitrogen Oxide (NOx) and CO heat duty emission limits of the boilers.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 PSDTX760M9, GC 14 PERMIT
 PSDTX760M9, GC 8 PERMIT
 PSDTX760M9, SC 1 PERMIT
 STC 9 PERMIT

Description: Failure to comply with the Maximum Allowable Emission Rate Table (MAERT) pounds per hour (lbs/hour) emission limit for carbon monoxide (CO) at EPN 7E.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 122, SubChapter B 122.143(5)
 5C THSC Chapter 382 382.085(b)
 PSDTX699, SC 6 PERMIT
 STC 9 PERMIT

Description: Failure to maintain the steam-to-fuel ratio greater than 0.515 at EPN 012.

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Date: 10/31/2019 (1620186)

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

Self Report? NO

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)
 HAP10, PSDTX760M9, Special Condition 6 PERMIT
 Special Term and Condition 9 OP

Description: Failure to comply with the permitted emissions limit (lb/MMBtu) for nitrogen oxide (NOx) as measured in the stack exhaust of each boiler.

Self Report? NO

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)
 PSDTX699, Special Condition 6 PERMIT
 Special Term and Condition 9 OP

Description: Failure to maintain the steam-to-fuel ratio greater than 0.515 for the Turbine, EPN 12.

49

Date: 11/22/2019 (1592899)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms & Conditions OP

Description: Failure to report all instances of deviations.

Self Report? NO

Classification: Minor

Citation:

[PSDTX1222] Special Condition 14 PERMIT
 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)
 Special Term & Condition 10 OP

Description: Failure to conduct weekly sampling as required by a permit special condition.

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Date: 12/13/2019 (1592878)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter F 101.222(b)(2)
 30 TAC Chapter 101, SubChapter F 101.222(b)(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 SC 1, PSDTX226M7 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that occurred on August 20, 2019 (TCEQ/STEERS Incident No. 319230).

51

Date: 01/03/2020 (1612496)

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)
 NSR Permit 19168 SC 9 PERMIT

Description: Failure to maintain the minimum in-stack temperature for VCU 1051. Specifically, Formosa failed to maintain the minimum in-stack temperature of 1254 degrees Fahrenheit which resulted in a combustor being shut down on September 22, 2018.

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)
 NSR Permit 19168 SC9 PERMIT

Description: Failure to maintain the minimum in-stack temperature for VCU 8003B. Specifically, Formosa failed to maintain the minimum in-stack temperature of 1300 degrees Fahrenheit due to an incorrect valve lineup on February 6, 2019.

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)
 NSR 19168 SC 9 PERMIT

Description: Failure to maintain the minimum in-stack temperature for VCU 8003B. Specifically, Formosa failed to maintain the minimum in-stack temperature of 1300 degrees Fahrenheit due to blown fuse on the combustor blower on April 21, 2019.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 FOP 1958 GTC OP

Description: Failure to report all instances of deviations in the six-month deviation report. Specifically, Formosa did not report seven deviations on their first semi-annual deviation report for the reporting period of July 27, 2018 through January 26, 2019.

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Date: 02/28/2020 (1622199)

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)
 GTC OP
 PSDTX226M7 SC 17(F) PERMIT
 STC 15 OP

Description: Failure to monitor the methanol and formaldehyde systems according to their quarterly monitoring schedule.

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)
 GTC OP
 PSDTX226M7 SC 21 PERMIT
 STC 15 OP

Description: Failure to comply with the provisions of a letter dated September 9, 1994 from TCEQ to Formosa regarding community ambient air sampling.

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)
 GTC OP
 PSDTX226M7 SC 14(B)(2) PERMIT
 STC 15 OP

Description: Failure to meet daily total dissolved solids (TDS) maximum.

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)
 GTC OP
 SC 14(B)(2) PERMIT
 STC 15 OP

Description: Failure to meet daily TDS maximum.

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)
 GTC OP
 PSDTX226M7 SC 12 PERMIT
 STC 15 OP

Description: Failure to maintain scrubber flow rate above required threshold.

- 53 Date: 04/30/2020 (1661213)
 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
- 54 Date: 05/08/2020 (1632814)
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 335, SubChapter A 335.6(c)
 Description: Failed to provide notice to the executive director in writing or using electronic notification software provided by the executive director, of any such changes or additional information to that reported previously within 90 days of the occurrence of such change or of becoming aware of such additional information.
- Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 335, SubChapter A 335.13(k)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT D 262.42(a)(2)
 Description: Failed to submit an exception report to the executive director if a copy of the manifest with the handwritten signature of the owner or operator of the designated facility has not been received by the registered/unregistered generator or primary exporter of hazardous waste subject to §335.76(c) of this title within 45 days of the date that the waste was accepted by the initial transporter.
- Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 335, SubChapter C 335.69(a)(2)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(2)
 Description: Failed to clearly mark the date upon which each period of accumulation begins on each container.
- Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 335, SubChapter C 335.69(a)(3)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)
 Description: Failed to label or mark clearly each container or tank with the words "Hazardous Waste" while being accumulated.
- Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 335, SubChapter H 335.262(c)(2)(A)
 Description: Failed to contain universal waste paint in a container that remains closed, except when necessary to add or remove waste.
- Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 335, SubChapter A 335.2
 Description: Failure to obtain a permit, amended permit, or other authorization from the Texas Commission on Environmental Quality (commission) or its predecessor agencies, or other valid authorization from a Texas state agency prior to any activity of storage, processing, or disposal of any industrial solid waste or municipal hazardous.
- Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 335, SubChapter A 335.10(a)
 30 TAC Chapter 335, SubChapter A 335.10(c)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.20(a)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.23(a)
 Description: Failed to prepare all manifests for hazardous and Class I wastes according to the applicable requirements in 40 CFR Part 262 and the instructions found in the Appendix to 40 CFR Part 262.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 335, SubChapter A 335.9(a)(1)		
Description:	Failed to keep records of all hazardous and industrial solid waste activities regarding the quantities generated, stored processed, and disposed of on-site or shipped off-site for storage, processing or disposal. These records may be maintained in any format, provided they are retrievable and easy to copy. The required records must be sufficiently detailed and complete to support any contentions or claims made by the generator.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 335, SubChapter E 335.112(a)(1) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16(a)(3)		
Description:	Failed to provide a training program designed to ensure effective emergency response.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 335, SubChapter E 335.112(a)(8) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.171		
Description:	Failed to ensure a container storing hazardous waste is in good condition and not leaking.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 335, SubChapter E 335.112(a)(1) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16(d)(1) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16(d)(2) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16(d)(3) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16(d)(4)		
Description:	Failed to maintain personnel records of the job title for each position at the facility related to hazardous waste management, the name of the employee filling each job, a written job description for each position listed, including the requisite skill, education, or other qualifications, duties of facility personnel assigned to each position, a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position and records		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 335, SubChapter O 335.431(c) 30 TAC Chapter 335, SubChapter O 335.431(c)(1) 30 TAC Chapter 335, SubChapter O 335.431(c)(2) 30 TAC Chapter 335, SubChapter O 335.431(c)(3) 40 CFR Chapter 268, SubChapter I, PT 268, SubPT A 268.7(a)(8)		
Description:	Failed to maintain LDR notices and certifications for restricted wastes sent off-site to treatment, storage, and disposal facilities.		

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Date:	05/21/2020	(1644159)
Self Report?	NO	Classification: Moderate
Citation:	19(D) 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) GTC OP STC 10 OP	
Description:	Failure to ensure the concentration of chlorine (Cl ₂) within the equipment was below 1 part per million (ppm) in concentration prior to opening it to the atmosphere.	
Self Report?	NO	Classification: Moderate
Citation:	20(A)(3) 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) GTC OP STC 10 OP	
Description:	Failure to measure the concentration of chlorine (Cl ₂) within equipment via	

- 56 Date: 07/29/2020 (1658132)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.5(b)
Effluent Monitoring Req.; No. 1, Pg. 2o PERMIT
Description: Failed to monitor the effluent parameters of Total Organic Carbon (TOC) and Oil & Grease (O&G) at least once per day by grab sample when discharging at Outfall 013.
- 57 Date: 08/28/2020 (1665844)
Self Report? NO Classification: Moderate
Citation:
\PSDTX1234 SC 2E PERMIT
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)
FOP-1484 STC 11 OP
Description: Failure to perform required testing.
Self Report? NO Classification: Moderate
Citation:
\PSDTX1234 SC 18 PERMIT
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)
FOP-O1484 STC 11 OP
Description: Failure to perform monitoring as required.
Self Report? NO Classification: Moderate
Citation:
\PSDTX1234 SC 11 PERMIT
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)
FOP-1484 STC 11 OP
Description: Failure to maintain firebox temperature above 1,608 degree Fahrenheit for the six minute average.
Self Report? NO Classification: Moderate
Citation:
\PSDTX1234 SC 12 PERMIT
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)
FOP-1484 STC 11 OP
Description: Failure to maintain firebox temperature above 1,600 degree Fahrenheit for the six minute average.
- 58 Date: 11/30/2020 (1715791)
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
- 59 Date: 12/04/2020 (1678681)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions to the atmosphere during an Emissions Event that was discovered on November 11, 2019, TCEQ/STEERS Incident No. 324566.

60 Date: 01/15/2021 (1659745)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on March 12, 2020, TCEQ/STEERS Incident No. 332001.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter F 101.201(c)
5C THSC Chapter 382 382.085(b)

Description: Failure to submit a final report no later than two weeks after the end of the emissions event for TCEQ/STEERS Incident No. 332001.

61 Date: 01/28/2021 (1591474)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GTC OP
PSDTX1058, SC 1 PERMIT
STC 8 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on July 20, 2019, TCEQ/STEERS Incident No. 316461.

62 Date: 03/05/2021 (1692864)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 111, SubChapter A 111.111(a)(7)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GTC & STC 3.B.iii.1 OP

Description: Failure to perform quarterly visible emissions observation as required.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
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)
GC 5 PERMIT
GTC & STC 15 OP
SC 14.A.1 PERMIT

Description: Failure to perform annual calibrations of flow monitoring devices as required.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
GC 5 PERMIT
GTC & STC 15 OP
SC 14.A.1 PERMIT

Description: Failure to perform annual calibrations of flow monitoring devices as required.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
 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)
 GC 5 PERMIT
 GTC & STC 15 OP
 SC 14.A.2 PERMIT

Description: Failure to sample cooling tower water as required.

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)
 GTC & STC 15 OP

SC 12 PERMIT

Description: Failure to maintain pH of incinerator scrubbing solutions as required.

63 Date: 03/19/2021 (1698346)

Self Report? NO Classification: Moderate

Citation: [PSDTX226M7] Special Condition 1 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 15 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on December 13, 2020, TCEQ/STEERS Incident No. 347629.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 2.F OP

Description: Failure to submit the initial notification of an emissions event within 24 hours of discovery of the event.

64 Date: 03/31/2021 (1728865)

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

65 Date: 05/31/2021 (1748152)

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

* NOV's applicable for the Compliance History rating period 9/1/2010 to 8/31/2015

Appendix B

All Investigations Conducted During Component Period June 24, 2016 and June 24, 2021

Item 1*	July 20, 2016	(1360272)
Item 2	July 28, 2016	(1283004)
Item 3	August 05, 2016	(1349122)
Item 4	August 19, 2016	(1351348)

Item 5*	August 26, 2016	(1338768)
Item 6	August 30, 2016	(1357100)
Item 7*	September 14, 2016	(1358330)
Item 8*	September 20, 2016	(1373413)
Item 9*	September 22, 2016	(1356437)
Item 10*	October 20, 2016	(1379589)
Item 11*	November 18, 2016	(1385536)
Item 12*	December 02, 2016	(1363501)
Item 13*	December 09, 2016	(1362459)
Item 14	December 15, 2016	(1376088)
Item 15	December 16, 2016	(1370809)
Item 16*	January 03, 2017	(1381671)
Item 17	January 20, 2017	(1383574)
Item 18	February 17, 2017	(1405182)
Item 19*	February 27, 2017	(1395749)
Item 20*	February 28, 2017	(1395630)
Item 21*	March 06, 2017	(1394886)
Item 22*	March 20, 2017	(1412266)
Item 23*	April 11, 2017	(1396497)
Item 24*	April 14, 2017	(1396534)
Item 25	April 17, 2017	(1407583)
Item 26	April 18, 2017	(1403182)
Item 27*	April 20, 2017	(1418765)
Item 28	May 01, 2017	(1400665)
Item 29	May 12, 2017	(1403865)
Item 30*	May 19, 2017	(1414489)
Item 31*	May 25, 2017	(1415512)
Item 32	May 26, 2017	(1401313)
Item 33	June 01, 2017	(1408175)
Item 34*	June 20, 2017	(1432421)
Item 35	July 05, 2017	(1415889)
Item 36*	July 06, 2017	(1408468)
Item 37	July 07, 2017	(1416315)
Item 38	July 14, 2017	(1422588)
Item 39	July 18, 2017	(1400961)
Item 40*	July 20, 2017	(1440974)
Item 41	July 28, 2017	(1408469)
Item 42*	August 18, 2017	(1444664)
Item 43	August 23, 2017	(1408786)
Item 44*	September 20, 2017	(1451250)
Item 45*	October 18, 2017	(1457123)
Item 46*	November 10, 2017	(1443331)
Item 47	November 17, 2017	(1425025)
Item 48*	November 27, 2017	(1448255)
Item 49	December 08, 2017	(1448567)
Item 50	December 11, 2017	(1448207)
Item 51	December 13, 2017	(1424822)
Item 52*	December 20, 2017	(1468977)

Item 53*	January 19, 2018	(1475677)
Item 54*	February 05, 2018	(1458998)
Item 55*	February 20, 2018	(1487861)
Item 56*	February 26, 2018	(1472611)
Item 57*	March 12, 2018	(1474057)
Item 58	March 15, 2018	(1473810)
Item 59*	March 27, 2018	(1491548)
Item 60	April 20, 2018	(1494795)
Item 61	April 30, 2018	(1478645)
Item 62*	May 10, 2018	(1454993)
Item 63*	May 17, 2018	(1501748)
Item 64	May 25, 2018	(1483901)
Item 65	June 08, 2018	(1484650)
Item 66	June 20, 2018	(1508841)
Item 67*	June 21, 2018	(1486074)
Item 68*	July 20, 2018	(1515168)
Item 69	July 27, 2018	(1479531)
Item 70	August 02, 2018	(1500197)
Item 71*	August 08, 2018	(1474272)
Item 72	August 17, 2018	(1521221)
Item 73	August 21, 2018	(1489936)
Item 74*	September 19, 2018	(1528403)
Item 75	September 21, 2018	(1517675)
Item 76*	October 18, 2018	(1534742)
Item 77	November 02, 2018	(1499587)
Item 78*	November 05, 2018	(1525836)
Item 79*	November 19, 2018	(1542576)
Item 80*	December 17, 2018	(1435354)
Item 81	December 18, 2018	(1546338)
Item 82*	December 20, 2018	(1525175)
Item 83*	December 21, 2018	(1519940)
Item 84*	January 18, 2019	(1563090)
Item 85*	January 28, 2019	(1540334)
Item 86	January 31, 2019	(1540748)
Item 87*	February 19, 2019	(1563088)
Item 88	February 28, 2019	(1541236)
Item 89*	March 04, 2019	(1446831)
Item 90	March 12, 2019	(1544593)
Item 91*	March 14, 2019	(1548396)
Item 92	March 15, 2019	(1460912)
Item 93*	March 19, 2019	(1563089)
Item 94	April 08, 2019	(1533286)
Item 95*	April 18, 2019	(1572960)
Item 96	April 23, 2019	(1549954)
Item 97	April 24, 2019	(1551927)
Item 98	April 29, 2019	(1436443)
Item 99	May 20, 2019	(1585522)
Item 100*	May 31, 2019	(1570782)
Item 101	June 17, 2019	(1498496)

Item 102	June 20, 2019	(1585523)
Item 103	June 24, 2019	(1559123)
Item 104*	June 28, 2019	(1570919)
Item 105	July 19, 2019	(1577673)
Item 106	July 26, 2019	(1580111)
Item 107	July 30, 2019	(1581614)
Item 108	August 16, 2019	(1550364)
Item 109	August 20, 2019	(1600612)
Item 110*	August 27, 2019	(1524661)
Item 111	August 28, 2019	(1580255)
Item 112	August 29, 2019	(1580494)
Item 113*	September 20, 2019	(1607517)
Item 114	October 07, 2019	(1597207)
Item 115*	October 18, 2019	(1614395)
Item 116	October 25, 2019	(1592648)
Item 117	November 20, 2019	(1620186)
Item 118	November 22, 2019	(1592899)
Item 119*	November 27, 2019	(1611837)
Item 120	December 05, 2019	(1611606)
Item 121	December 12, 2019	(1592878)
Item 122*	December 20, 2019	(1627533)
Item 123	January 07, 2020	(1611428)
Item 124*	January 20, 2020	(1635166)
Item 125*	February 20, 2020	(1641781)
Item 126	February 28, 2020	(1622199)
Item 127*	March 20, 2020	(1648295)
Item 128*	April 20, 2020	(1654647)
Item 129	May 06, 2020	(1639726)
Item 130	May 08, 2020	(1632814)
Item 131*	May 14, 2020	(1647055)
Item 132	May 20, 2020	(1661213)
Item 133	May 21, 2020	(1644159)
Item 134*	May 28, 2020	(1650788)
Item 135*	June 04, 2020	(1645788)
Item 136*	June 12, 2020	(1652426)
Item 137*	June 19, 2020	(1667742)
Item 138*	June 24, 2020	(1652420)
Item 139*	June 25, 2020	(1651907)
Item 140*	July 20, 2020	(1674689)
Item 141	July 29, 2020	(1658132)
Item 142*	August 19, 2020	(1681461)
Item 143*	August 20, 2020	(1671072)
Item 144	August 28, 2020	(1663696)
Item 145*	August 30, 2020	(1651856)
Item 146*	September 18, 2020	(1688038)
Item 147	September 25, 2020	(1672617)
Item 148	September 28, 2020	(1658859)
Item 149*	October 20, 2020	(1694394)
Item 150	November 13, 2020	(1622668)

Item 151*	November 17, 2020	(1686553)
Item 152*	November 18, 2020	(1715790)
Item 153*	December 02, 2020	(1678695)
Item 154	December 03, 2020	(1690830)
Item 155	December 04, 2020	(1678681)
Item 156	December 09, 2020	(1684997)
Item 157	December 11, 2020	(1690952)
Item 158	December 18, 2020	(1715791)
Item 159*	January 08, 2021	(1680193)
Item 160	January 12, 2021	(1680194)
Item 161*	January 14, 2021	(1697759)
Item 162	January 15, 2021	(1659745)
Item 163*	January 20, 2021	(1715792)
Item 164	January 28, 2021	(1591470)
Item 165	February 09, 2021	(1691866)
Item 166*	February 18, 2021	(1728863)
Item 167	March 05, 2021	(1692864)
Item 168	March 19, 2021	(1698346)
Item 169*	April 08, 2021	(1685490)
Item 170	April 13, 2021	(1678685)
Item 171	April 20, 2021	(1728865)
Item 172*	April 23, 2021	(1703310)
Item 173*	May 06, 2021	(1704585)
Item 174*	May 14, 2021	(1700296)
Item 175*	May 18, 2021	(1704928)
Item 176*	May 20, 2021	(1741734)
Item 177	May 25, 2021	(1697283)
Item 178*	May 28, 2021	(1712106)
Item 179	June 18, 2021	(1748152)
Item 180*	June 21, 2021	(1678144)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2010 and 08/31/2015.

The TCEQ is committed to accessibility.

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



Compliance History Report

Compliance History Report for CN600130017, RN100218973, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

Customer, Respondent, or Owner/Operator:	CN600130017, FORMOSA PLASTICS CORPORATION, TEXAS	Classification:	SATISFACTORY	Rating:	5.84
Regulated Entity:	RN100218973, FORMOSA POINT COMFORT PLANT	Classification:	SATISFACTORY	Rating:	6.05
Complexity Points:	56	Repeat Violator:	NO		
CH Group:	05 - Chemical Manufacturing				
Location:	201 Formosa Drive in Point Comfort, Calhoun County, Texas				
TCEQ Region:	REGION 14 - CORPUS CHRISTI				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER CB0038Q

AIR OPERATING PERMITS PERMIT 1951

AIR OPERATING PERMITS PERMIT 1954

AIR OPERATING PERMITS PERMIT 1956

AIR OPERATING PERMITS PERMIT 1958

AIR OPERATING PERMITS PERMIT 3421

AIR OPERATING PERMITS PERMIT 4166

AIR OPERATING PERMITS PERMIT 4286

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0290074

AIR NEW SOURCE PERMITS PERMIT 7699

AIR NEW SOURCE PERMITS PERMIT 19166

AIR NEW SOURCE PERMITS PERMIT 19168

AIR NEW SOURCE PERMITS PERMIT 19199

AIR NEW SOURCE PERMITS PERMIT 19201

AIR NEW SOURCE PERMITS PERMIT 20203

AIR NEW SOURCE PERMITS REGISTRATION 31130

AIR NEW SOURCE PERMITS REGISTRATION 26270

AIR NEW SOURCE PERMITS REGISTRATION 26523

AIR NEW SOURCE PERMITS REGISTRATION 35292

AIR NEW SOURCE PERMITS PERMIT 40157

AIR NEW SOURCE PERMITS REGISTRATION 41145

AIR NEW SOURCE PERMITS REGISTRATION 44847

AIR NEW SOURCE PERMITS ACCOUNT NUMBER

CB0038Q

AIR NEW SOURCE PERMITS REGISTRATION 52259

AIR NEW SOURCE PERMITS REGISTRATION 75974

AIR NEW SOURCE PERMITS PERMIT AMOC213

AIR NEW SOURCE PERMITS PERMIT 107520

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX699

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX760M4

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX760M6

AIR NEW SOURCE PERMITS REGISTRATION 79826

AIR NEW SOURCE PERMITS EPA PERMIT HAP7

AIR NEW SOURCE PERMITS PERMIT 83763

AIR NEW SOURCE PERMITS REGISTRATION 84788

AIR NEW SOURCE PERMITS REGISTRATION 85081

AIR NEW SOURCE PERMITS REGISTRATION 85100

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1222

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1232

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1226

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1234

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1236

AIR OPERATING PERMITS PERMIT 1484

AIR OPERATING PERMITS PERMIT 1953

AIR OPERATING PERMITS PERMIT 1955

AIR OPERATING PERMITS PERMIT 1957

AIR OPERATING PERMITS PERMIT 3409

AIR OPERATING PERMITS PERMIT 4165

AIR OPERATING PERMITS PERMIT 4212

AIR OPERATING PERMITS PERMIT 4293

AIR NEW SOURCE PERMITS AFS NUM 4805700015

AIR NEW SOURCE PERMITS PERMIT 17030

AIR NEW SOURCE PERMITS PERMIT 19167

AIR NEW SOURCE PERMITS PERMIT 19198

AIR NEW SOURCE PERMITS PERMIT 19200

AIR NEW SOURCE PERMITS PERMIT 19871

AIR NEW SOURCE PERMITS REGISTRATION 29765

AIR NEW SOURCE PERMITS REGISTRATION 26267

AIR NEW SOURCE PERMITS REGISTRATION 26351

AIR NEW SOURCE PERMITS REGISTRATION 26266

AIR NEW SOURCE PERMITS REGISTRATION 37070

AIR NEW SOURCE PERMITS REGISTRATION 40293

AIR NEW SOURCE PERMITS REGISTRATION 43265

AIR NEW SOURCE PERMITS REGISTRATION 44933

AIR NEW SOURCE PERMITS REGISTRATION 52859

AIR NEW SOURCE PERMITS EPA PERMIT HAP10

AIR NEW SOURCE PERMITS PERMIT 76305

AIR NEW SOURCE PERMITS PERMIT 76044

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1053

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX760M3

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1058

AIR NEW SOURCE PERMITS REGISTRATION 78769

AIR NEW SOURCE PERMITS EPA PERMIT HAP2

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX760M8

AIR NEW SOURCE PERMITS REGISTRATION 83990

AIR NEW SOURCE PERMITS REGISTRATION 84730

AIR NEW SOURCE PERMITS REGISTRATION 91047

AIR NEW SOURCE PERMITS PERMIT 91780

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1230

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1224

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1240

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1238

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1237

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX226M7
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1500
AIR NEW SOURCE PERMITS REGISTRATION 132905
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1383
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX47
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1384
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX46
AIR NEW SOURCE PERMITS PERMIT AMOC27
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX223
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX218
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1232M1
AIR NEW SOURCE PERMITS REGISTRATION 167823
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1224M1
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1236M1

AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX221
AIR NEW SOURCE PERMITS EPA PERMIT
 GHGPSDTX48M1
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1237M1
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1383M2
AIR NEW SOURCE PERMITS REGISTRATION 170533
AIR NEW SOURCE PERMITS REGISTRATION 171046
AIR NEW SOURCE PERMITS REGISTRATION 163451
AIR NEW SOURCE PERMITS PERMIT AMOC26
AIR NEW SOURCE PERMITS REGISTRATION 142099
AIR NEW SOURCE PERMITS REGISTRATION 145753
AIR NEW SOURCE PERMITS PERMIT AMOC66
AIR NEW SOURCE PERMITS REGISTRATION 157260
AIR NEW SOURCE PERMITS REGISTRATION 155838
AIR NEW SOURCE PERMITS REGISTRATION 160487
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1588
AIR NEW SOURCE PERMITS REGISTRATION 159793
AIR NEW SOURCE PERMITS REGISTRATION 160486
AIR NEW SOURCE PERMITS REGISTRATION 175139
AIR NEW SOURCE PERMITS PERMIT AMOC234
AIR NEW SOURCE PERMITS REGISTRATION 176819
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1588M1
AIR NEW SOURCE PERMITS REGISTRATION 175611
AIR NEW SOURCE PERMITS REGISTRATION 176849
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1610
AIR NEW SOURCE PERMITS PERMIT 170552
AIR NEW SOURCE PERMITS REGISTRATION 172660
AIR NEW SOURCE PERMITS REGISTRATION 171738
AIR NEW SOURCE PERMITS REGISTRATION 173338
AIR NEW SOURCE PERMITS REGISTRATION 172733
AIR NEW SOURCE PERMITS REGISTRATION 179481
AIR NEW SOURCE PERMITS REGISTRATION 180073
AIR NEW SOURCE PERMITS PERMIT AMOC255

IHW CORRECTIVE ACTION SOLID WASTE
 REGISTRATION # (SWR) 31945
UNDERGROUND INJECTION CONTROL PERMIT WDW478
UNDERGROUND INJECTION CONTROL PERMIT WDW403
UNDERGROUND INJECTION CONTROL PERMIT WDW477
UNDERGROUND INJECTION CONTROL PERMIT WDW472
UNDERGROUND INJECTION CONTROL PERMIT WDW473
UNDERGROUND INJECTION CONTROL PERMIT WDW476

STORMWATER PERMIT TXR15594N
STORMWATER PERMIT TXR1575OV
STORMWATER PERMIT TXR1578PB
STORMWATER PERMIT TXR1588LB
WASTEWATER PERMIT WQ0002436000

AIR NEW SOURCE PERMITS PERMIT 107518
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX48
AIR NEW SOURCE PERMITS PERMIT 127838
AIR NEW SOURCE PERMITS PERMIT 140763
AIR NEW SOURCE PERMITS REGISTRATION 129793
AIR NEW SOURCE PERMITS PERMIT 128752
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX760M9
AIR NEW SOURCE PERMITS REGISTRATION 161950
AIR NEW SOURCE PERMITS REGISTRATION 166145
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1500M1
AIR NEW SOURCE PERMITS REGISTRATION 167459
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX222
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX224
AIR NEW SOURCE PERMITS EPA PERMIT
 GHGPSDTX46M1
AIR NEW SOURCE PERMITS REGISTRATION 162757
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX225

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1226M1
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX219
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1222M1
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1240M1
AIR NEW SOURCE PERMITS PERMIT AMOC172
AIR NEW SOURCE PERMITS REGISTRATION 150952
AIR NEW SOURCE PERMITS REGISTRATION 145955
AIR NEW SOURCE PERMITS REGISTRATION 145953
AIR NEW SOURCE PERMITS REGISTRATION 159948
AIR NEW SOURCE PERMITS PERMIT AMOC133
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1383M1
AIR NEW SOURCE PERMITS REGISTRATION 163454
AIR NEW SOURCE PERMITS REGISTRATION 155332
AIR NEW SOURCE PERMITS REGISTRATION 152521
AIR NEW SOURCE PERMITS REGISTRATION 173222
AIR NEW SOURCE PERMITS REGISTRATION 171880
AIR NEW SOURCE PERMITS REGISTRATION 176741
AIR NEW SOURCE PERMITS REGISTRATION 173194
AIR NEW SOURCE PERMITS PERMIT AMOC224
AIR NEW SOURCE PERMITS REGISTRATION 176859
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1384M1
AIR NEW SOURCE PERMITS REGISTRATION 172616
AIR NEW SOURCE PERMITS REGISTRATION 170493
AIR NEW SOURCE PERMITS REGISTRATION 173343
AIR NEW SOURCE PERMITS REGISTRATION 172930
AIR NEW SOURCE PERMITS REGISTRATION 176288
AIR NEW SOURCE PERMITS REGISTRATION 173242
AIR NEW SOURCE PERMITS REGISTRATION 179485
AIR NEW SOURCE PERMITS REGISTRATION 177140
AIR NEW SOURCE PERMITS REGISTRATION 178764
UNDERGROUND INJECTION CONTROL PERMIT WDW471

UNDERGROUND INJECTION CONTROL PERMIT WDW402
UNDERGROUND INJECTION CONTROL PERMIT WDW474
UNDERGROUND INJECTION CONTROL PERMIT WDW470
UNDERGROUND INJECTION CONTROL PERMIT WDW469
UNDERGROUND INJECTION CONTROL PERMIT WDW475
STORMWATER PERMIT TXR1525LK

STORMWATER PERMIT TXR1556ME
STORMWATER PERMIT TXR1529QA
STORMWATER PERMIT TXR1539KX
STORMWATER PERMIT TXR05GN80
WASTEWATER EPA ID TX0085570

AIR EMISSIONS INVENTORY ACCOUNT NUMBER

CB0038Q

POLLUTION PREVENTION PLANNING ID NUMBER

P08990

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 31945

TAX RELIEF ID NUMBER 16667**TAX RELIEF** ID NUMBER 16792**TAX RELIEF** ID NUMBER 22276**TAX RELIEF** ID NUMBER 22282**TAX RELIEF** ID NUMBER 22270**TAX RELIEF** ID NUMBER 22283**TAX RELIEF** ID NUMBER 23639**TAX RELIEF** ID NUMBER 23640**TAX RELIEF** ID NUMBER 23655**TAX RELIEF** ID NUMBER 16796**TAX RELIEF** ID NUMBER 16663**TAX RELIEF** ID NUMBER 22286**TAX RELIEF** ID NUMBER 22290**TAX RELIEF** ID NUMBER 22285**TAX RELIEF** ID NUMBER 22281**TAX RELIEF** ID NUMBER 22277**TAX RELIEF** ID NUMBER 22266**TAX RELIEF** ID NUMBER 22289**TAX RELIEF** ID NUMBER 22275**TAX RELIEF** ID NUMBER 22264**POLLUTION PREVENTION PLANNING ID NUMBER**

P00254

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXT490011293

INDUSTRIAL AND HAZARDOUS WASTE PERMIT

PCO31945

TAX RELIEF ID NUMBER 16751**TAX RELIEF** ID NUMBER 16795**TAX RELIEF** ID NUMBER 22279**TAX RELIEF** ID NUMBER 22269**TAX RELIEF** ID NUMBER 22280**TAX RELIEF** ID NUMBER 23653**TAX RELIEF** ID NUMBER 23654**TAX RELIEF** ID NUMBER 23651**TAX RELIEF** ID NUMBER 23652**TAX RELIEF** ID NUMBER 16793**TAX RELIEF** ID NUMBER 22274**TAX RELIEF** ID NUMBER 22265**TAX RELIEF** ID NUMBER 22278**TAX RELIEF** ID NUMBER 22272**TAX RELIEF** ID NUMBER 22268**TAX RELIEF** ID NUMBER 22287**TAX RELIEF** ID NUMBER 22273**TAX RELIEF** ID NUMBER 22267**TAX RELIEF** ID NUMBER 22288**TAX RELIEF** ID NUMBER 27309**Compliance History Period:** September 01, 2010 to August 31, 2015 **Rating Year:** 2015 **Rating Date:** 09/01/2015**Date Compliance History Report Prepared:** June 18, 2025**Agency Decision Requiring Compliance History:** Enforcement**Component Period Selected:** June 24, 2016 to June 24, 2021**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.****Name:** TCEQ Staff Member**Phone:** (512) 239-1000**Site and Owner/Operator History:**

- 1) Has the site been in existence and/or operation for the full five-year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J**A. Final Orders, court judgments, and consent decrees:**

- 1 Effective Date: 04/13/2017 ADMINORDER 2016-0903-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Special Condition No 1 PERMIT

Special Terms and Conditions No 12 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on September 08, 2014, TCEQ/STEERS Incident No. 203344. Specifically, Formosa Point Comfort Plant

released unauthorized emissions in the amount of 93,797.066 pounds (lbs) of total Carbon Monoxide (CO), 17,476.832 lbs Nitrogen Oxides (NOx), and 77,082.326 lbs of Volatile Organic Compounds (VOCs) from the Olefins I elevated flare (EPN 1018). The event lasted 61 hours and 26 minutes.

- 2 Effective Date: 05/30/2017 ADMINORDER 2014-0923-IHW-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)

30 TAC Chapter 335, SubChapter E 335.112(a)(8)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.171

Description: Failed to manage containers holding hazardous waste in good condition.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.261(a)

40 CFR Chapter 273, SubChapter I, PT 273, SubPT B 273.13(d)

Description: Failed to manage universal waste lamps in containers or packages that are structurally sound, adequate to prevent breakage, compatible with the contents of the lamps, that remain closed, and that lack evidence of leakage, spillage, or damage that could cause leakage under reasonable foreseeable conditions.

Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter H 335.262(c)(2)(F)

Description: Failed to contain paint and paint-related wastes in a container, multiple container package unit, tank, transport vehicle or vessel that is labeled or marked clearly with the words "Universal Waste - Paint and Paint-Related Wastes."

Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: Failed to update the Facility's Notice of Registration ("NOR"). Specifically, spent catalyst waste generated in the High Density Polyethylene 1 ("HDPE 1") unit was not included in the waste stream and management units, and container storage area NOR 035 was inappropriately listed as a non-hazardous storage area

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(h)

Description: Failed to submit a written notice to the TCEQ to include the type(s) of industrial solid waste or municipal hazardous waste to be recycled, the method of storage prior to recycling, and the nature of the recycling activity, 90 days prior to recycling of industrial solid waste or municipal hazardous waste

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.10(a)(1)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.20(a)

Description: Failed to use the correct manifest when shipping hazardous waste for disposal, in violation of 30 TEX. ADMIN. CODE §335.10(a)(1) and 40 CFR § 262.20(a), as documented during an investigation conducted on March 10, 2014. Specifically, on November 20 and 21, 2013 the Respondent shipped a total of 59,720 pounds of spent Puraspec 3450 catalyst waste to Amlon Resources Group, LLC in New York City, New York through a waste broker, Univar Chemcare, for metals reclamation. On December 16, 2013, the

Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(2)

Description: Failed to submit a complete and accurate Annual Waste Summary. Specifically, the Respondent failed to include spent catalyst waste generated in the HDPE 1 unit on the annual waste summaries for 2011, 2012 and 2013

Classification: Major

Citation: 30 TAC Chapter 335, SubChapter A 335.2

Description: Failed to obtain a permit, amended permit, or other authorization from the Texas Commission on Environmental Quality (commission) or its predecessor agencies, the Department of State Health Services (DSHS), or other valid authorization from a Texas state agency prior to any activity of storage, processing, or disposal of any industrial solid waste or municipal hazardous.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)

30 TAC Chapter 335, SubChapter E 335.112(a)(9)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.190

40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.191

Description: Failed to obtain a written assessment reviewed and certified by a qualified professional engineer attesting that the storage tanks at the Facility have sufficient structural integrity and are acceptable for the storing and treating of hazardous waste. Specifically, the HDPE 1 unit tank numbers C212A and C212B that were being utilized to manage spent catalyst waste did not have the required integrity assessment and secondary containment

3 Effective Date: 09/25/2018 ADMINORDER 2018-0011-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

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

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms & Conditions OP

Special Condition 15 PERMIT

Special Condition PERMIT

Special Term & Condition 15 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on April 11, 2017, TCEQ/STEERS

4 Effective Date: 09/26/2018 ADMINORDER 2017-0884-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms & Conditions OP
Special Term & Condition 2F OP

Description: Failure to submit an initial notification for Incident No. 228622 no later than 24 hours after the discovery of the emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms & Conditions OP
Special Condition 1 PERMIT
Special Terms & Condition 8 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 6, 2015 at 00:28 hours, TCEQ/STEERS Incident No. 228622.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms & Conditions OP
PSDTX226M7 PERMIT
Special Condition 1 PERMIT
Special Term & Condition 15 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on September 19, 2016, TCEQ/STEERS Incident No. 244126.

5 Effective Date: 01/17/2019 ADMINORDER 2017-0737-IWD-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

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

Rqmt Prov: Eff. Limits and Monitoring RQMTs; No. 3 PERMIT

Description: Failed to prevent the discharge of solids in other than trace amounts into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 3, Outfall Nos. 006, 008, and 009.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(c)

Rqmt Prov: Monitoring and Reporting; No.2(a); Pg. 4 PERMIT

Description: Failed to properly analyze effluent samples, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.11(c) and TPDES Permit No. WQ0002436000, Monitoring and Reporting Requirements No. 2.a.

6 Effective Date: 03/05/2020 ADMINORDER 2018-1384-AIR-E (1660 Order-Agreed Order With Denial)

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: FOP O-03409, Special Term & Condition 8 OP
PSDTX 1058, Special Condition 14 PERMIT

Description: Failure to comply with the established six-minute average oxygen concentration limit. Specifically, the Respondent established the six-minute average oxygen concentration limit of 5.8 parts per million ("ppm") for Incinerator/Scrubber I-01, EPN I-01, but the six-minute average oxygen concentration was an average of 3.4 ppm

on five instances on February 21, 2017, and the Respondent established the six-minute average oxygen concentration limit of 5.3 for Incinerator/Scrubber I-02, EPN I-02, but

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6.B PERMIT

7.B PERMIT

FOP O-03409, Special Term & Condition 8 OP

General Terms & Conditions OP

PSDTX1058, Special Condition 1 PERMIT

Description: Failure to comply with the maximum allowable emissions rate for particulate matter (PM) at Emission Point Number (EPN) BD-B04. Specifically, the Respondent exceeded the PM10 MAER of 0.06 ton per year based on a 12-month rolling period for the Train 2 Dryer Combustion Emissions, EPN BD-B04, for the 12-month rolling periods ending from January 2017 through December 2017, resulting in the release of 2.53 tons of unauthorized PM10 emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.100
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01957, Special Term & Condition 10 OP

PSDTX1222, Special Condition 8B PERMIT

PSDTX1224, Special Condition 6B PERMIT

PSDTX1232, Special Condition 7B PERMIT

Description: Failure to operate a flare with a pilot flame present at all times. Specifically, the Respondent failed to maintain the pilot flame on the Elevated Flare, EPN 1067, on September 12, 2016, September 28, 2016, and January 14, 2017.

7 Effective Date: 02/01/2021 ADMINORDER 2019-0688-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP

NSR 7699, SC 1 PERMIT

Special Terms and Conditions No. 9 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 69.45 pounds ("lbs") of ethylene dichloride, 118.69 lbs of vinyl chloride monomer ("VCM"), and 68.40 lbs of hydrochloric acid as fugitive emissions, during an emissions event (Incident No. 260227) that began on June 12, 2017 and lasted four hours and 25 minutes. The emissions event occurred when a pinhole leak developed in a sparger tube due to corrosion, resulting in the release to the atmosphere.

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP

Special Condition 1 PERMIT

Special Terms and Conditions No. 9 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,050.21 lbs of VCM as fugitive emissions, during an emissions event (Incident No. 264689) that occurred on August 3, 2017 and lasted three hours and 40 minutes. The emissions event occurred due to a leak in a transfer line from external corrosion, resulting in the release to the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

NSR 76305 SC1 PERMIT

Special Terms and Conditions No. 8 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 395.20 lbs of VCM as fugitive emissions, during an emissions event (Incident No. 270255) that occurred on October 14, 2017 and lasted 17 minutes. The emissions event occurred when a two-inch drain valve was left open prior to startup, resulting in the release to the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: [PSDTX1058], Special Condition 1 PERMIT

[PSDTX1058], Special Condition 21 PERMIT

General Terms & Conditions OP

Special Term & Condition 8 OP

Description: Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, during stack tests conducted on February 20, 2012, October 25, 2013, December 3, 2015, and December 18, 2017, the Respondent exceeded the particulate matter equal to or less than ten microns in diameter ("PM10") MAER of 0.02 pound per hour ("lb/hr") by 0.04 lb/hr for 14,712 hours from February 20, 2012 to October 24, 2013, 0.07 lb/hr for 18,456 hours from October 25, 2013 to December 2, 2015,

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Special Terms and Conditions No. 2.F OP

Description: Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 318728 was due by August 27, 2019, but was not submitted until August 28, 2019.

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP

PSDTX1226, Special Condition 1 PERMIT

Special Terms and Conditions No. 14 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 59.94 lbs of volatile organic compounds ("VOC"), 14.92 lbs of CO, and 1.74 lbs of nitrogen oxides ("NOx") from the Olefins 2 Flare, EPN 1067, during an emissions event (Incident No. 318728) that occurred on August 13, 2019 and lasted 15 minutes. The emissions event occurred due to an O-ring failure that caused a relief valve to prematurely lift, resulting in flaring.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: [PSDTX1224] Special Condition 1 PERMIT

General Terms and Conditions OP

Special Term & Condition 10 OP

Description: Failed to comply with the MAERs. Specifically, the Respondent exceeded the VOC MAER of 1.77 lbs/hr by approximately 12.09 lbs/hr for 960 hours on 40 days from June 13, 2018 to July 27, 2018 and by approximately 0.72 lb/hr for 456 hours on 19 days from July 5, 2019 to August 19, 2019 and the VOC MAER of 7.72 tons per year based on a 12-month rolling period for the 12-month periods ending from July 2018 through May 2019 for the Linear Low Density Polyethylene Cooling Tower, EPN LL-CT,

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

NSR 19168/PSDTX1226, Special Condition 1 PERMIT

Special Terms and Conditions No. 14 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 289.93 lbs of VOC, 31.51 lbs of CO, and 6.46 lbs of NOx from the Olefins 1 Flare, EPN 1018, during an emissions event (Incident No. 312203) that occurred on June 23, 2019 and lasted four hours and 51 minutes. The emissions event occurred when a furnace tripped offline that caused a pressure relief valve to open, resulting in flaring.

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	July 20, 2016	(1360272)	Item 47	July 20, 2018	(1515168)
Item 2	August 19, 2016	(1366715)	Item 48	August 08, 2018	(1474272)
Item 3	August 26, 2016	(1338768)	Item 49	September 19, 2018	(1528403)
Item 4	September 14, 2016	(1358330)	Item 50	October 18, 2018	(1534742)
Item 5	September 20, 2016	(1373413)	Item 51	November 05, 2018	(1525836)
Item 6	September 22, 2016	(1356437)	Item 52	November 19, 2018	(1542576)
Item 8	October 20, 2016	(1379589)	Item 53	December 17, 2018	(1435354)
Item 9	November 18, 2016	(1385536)	Item 54	December 20, 2018	(1525175)
Item 10	December 02, 2016	(1363501)	Item 55	December 21, 2018	(1519940)
Item 11	December 09, 2016	(1362459)	Item 56	January 18, 2019	(1563090)
Item 12	January 03, 2017	(1381671)	Item 57	January 28, 2019	(1540334)
Item 13	January 20, 2017	(1398288)	Item 58	February 19, 2019	(1563088)
Item 14	February 27, 2017	(1395749)	Item 59	March 04, 2019	(1446831)
Item 15	February 28, 2017	(1395630)	Item 60	March 14, 2019	(1548396)
Item 16	March 06, 2017	(1394886)	Item 61	March 19, 2019	(1563089)
Item 17	March 20, 2017	(1412266)	Item 62	April 18, 2019	(1572960)
Item 18	April 11, 2017	(1396497)	Item 63	May 31, 2019	(1570782)
Item 19	April 14, 2017	(1396534)	Item 64	June 28, 2019	(1570919)
Item 20	April 20, 2017	(1418765)	Item 65	August 27, 2019	(1524661)
Item 21	May 01, 2017	(1409476)	Item 66	September 20, 2019	(1607517)
Item 22	May 19, 2017	(1414489)	Item 67	October 18, 2019	(1614395)
Item 23	May 25, 2017	(1415512)	Item 69	November 27, 2019	(1611837)
Item 24	June 20, 2017	(1432421)	Item 70	December 20, 2019	(1627533)
Item 25	July 06, 2017	(1408468)	Item 71	January 20, 2020	(1635166)
Item 26	July 20, 2017	(1440974)	Item 72	February 20, 2020	(1641781)
Item 27	August 18, 2017	(1444664)	Item 73	March 20, 2020	(1648295)
Item 29	September 20, 2017	(1451250)	Item 74	April 20, 2020	(1654647)
Item 30	October 18, 2017	(1457123)	Item 76	May 14, 2020	(1647055)
Item 31	November 10, 2017	(1443331)	Item 77	May 21, 2020	(1650896)
Item 32	November 17, 2017	(1462576)	Item 78	May 28, 2020	(1650788)
Item 33	November 27, 2017	(1448255)	Item 79	June 04, 2020	(1645788)
Item 35	December 13, 2017	(1447685)	Item 80	June 12, 2020	(1652426)
Item 36	December 20, 2017	(1468977)	Item 81	June 19, 2020	(1667742)
Item 37	January 19, 2018	(1475677)	Item 82	June 24, 2020	(1652420)
Item 38	February 05, 2018	(1458998)	Item 83	June 25, 2020	(1651907)
Item 39	February 20, 2018	(1487861)	Item 84	July 20, 2020	(1674689)
Item 40	February 26, 2018	(1472611)	Item 85	August 19, 2020	(1681461)
Item 41	March 12, 2018	(1474057)	Item 86	August 20, 2020	(1671072)
Item 42	March 27, 2018	(1491548)	Item 87	August 28, 2020	(1671729)
Item 43	May 10, 2018	(1454993)	Item 88	August 30, 2020	(1651856)
Item 44	May 17, 2018	(1501748)	Item 89	September 18, 2020	(1688038)
Item 45	June 08, 2018	(1485339)	Item 90	October 20, 2020	(1694394)
Item 46	June 21, 2018	(1486074)	Item 91	November 13, 2020	(1678667)

Item 92	November 17, 2020	(1686553)	Item 101	April 08, 2021	(1685490)
Item 93	November 18, 2020	(1715790)	Item 102	April 23, 2021	(1703310)
Item 94	December 02, 2020	(1678695)	Item 103	May 06, 2021	(1704585)
Item 95	January 08, 2021	(1680193)	Item 104	May 14, 2021	(1700296)
Item 96	January 14, 2021	(1697759)	Item 105	May 18, 2021	(1704928)
Item 97	January 20, 2021	(1715792)	Item 106	May 20, 2021	(1741734)
Item 99	February 18, 2021	(1728863)	Item 107	May 28, 2021	(1712106)
Item 100	March 19, 2021	(1728864)	Item 108	June 21, 2021	(1678144)

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: 07/29/2020 (1658132)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.5(b)
Effluent Monitoring Req.; No. 1, Pg. 2o PERMIT
Description: Failed to monitor the effluent parameters of Total Organic Carbon (TOC) and Oil & Grease (O&G) at least once per day by grab sample when discharging at Outfall 013.

- 2 Date: 08/28/2020 (1665844)
Self Report? NO Classification: Moderate
Citation: \PSDTX1234 SC 2E PERMIT
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)
FOP-1484 STC 11 OP
Description: Failure to perform required testing.
Self Report? NO Classification: Moderate
Citation: \PSDTX1234 SC 18 PERMIT
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)
FOP-O1484 STC 11 OP
Description: Failure to perform monitoring as required.
Self Report? NO Classification: Moderate
Citation: \PSDTX1234 SC 11 PERMIT
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)
FOP-1484 STC 11 OP
Description: Failure to maintain firebox temperature above 1,608 degree Fahrenheit for the six minute average.
Self Report? NO Classification: Moderate
Citation: \PSDTX1234 SC 12 PERMIT
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)
FOP-1484 STC 11 OP
Description: Failure to maintain firebox temperature above 1,600 degree Fahrenheit for the six minute average.

- 3 Date: 11/30/2020 (1715791)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 4 Date: 12/04/2020 (1678681)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an Emissions Event that was discovered on November 11, 2019, TCEQ/STEERS Incident No. 324566.

5 Date: 01/15/2021 (1659745)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on March 12, 2020, TCEQ/STEERS Incident No. 332001.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to submit a final report no later than two weeks after the end of the emissions event for TCEQ/STEERS Incident No. 332001.

6 Date: 01/28/2021 (1591474)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 GTC OP
 PSDTX1058, SC 1 PERMIT
 STC 8 OP
 Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on July 20, 2019, TCEQ/STEERS Incident No. 316461.

7 Date: 03/05/2021 (1692864)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(7)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 GTC & STC 3.B.iii.1 OP
 Description: Failure to perform quarterly visible emissions observation as required.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
 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)
 GC 5 PERMIT
 GTC & STC 15 OP
 SC 14.A.1 PERMIT
 Description: Failure to perform annual calibrations of flow monitoring devices as required.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 GC 5 PERMIT
 GTC & STC 15 OP
 SC 14.A.1 PERMIT
 Description: Failure to perform annual calibrations of flow monitoring devices as required.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
 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)
 GC 5 PERMIT
 GTC & STC 15 OP
 SC 14.A.2 PERMIT
 Description: Failure to sample cooling tower water as required.
 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)

GTC & STC 15 OP
SC 12 PERMIT

Description: Failure to maintain pH of incinerator scrubbing solutions as required.

- 8 Date: 03/19/2021 (1698346)
Self Report? NO Classification: Moderate
Citation: [PSDTX226M7] Special Condition 1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 15 OP
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on December 13, 2020, TCEQ/STEERS Incident No. 347629.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 2.F OP
Description: Failure to submit the initial notification of an emissions event within 24 hours of discovery of the event.
- 9 Date: 03/31/2021 (1728865)
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
- 10 Date: 05/31/2021 (1748152)
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

F. Environmental audits:

- Notice of Intent Date: 09/27/2018 (1523151)
Disclosure Date: 04/26/2019
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)(A)
Description: Failed to include the applicable requirements under NSPS RRR in the Title V permit. Specifically, NSR Permit No. 19198 and PSDTX1234, Special Condition No. 16 requires compliance with NSPSs NNN and RRR and a letter from Richard Hyde of the TCEQ dated February 25, 2001 authorized Formosa to utilize the alternative flow monitoring requirements under NSPSs RRR. However, the Title V Permit (No. 01484) Applicable Requirements Summary does not reference any of the applicable citations under NSPS RRR
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition No. 18.A
PERMIT Special Condition No. 21.A
PERMIT Special Condition No. 27.A
Description: Failed to include all data sheets, calculations, charts (records of Continuous Emissions Monitoring Systems (CEMS)), cylinder gas concentration certificates, necessary to confirm that the CEMS performance meets the specification. Specifically, the quarterly CEMS reports for Olefins 1 and II, Ethylene Glycol (EG) [2 CEMS], the High Density Polyethylene 1 (KDPE1), and the Low linear Density Polyethylene 1 (LLDPE), did not include the required information.
Viol. Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition No. 18.B
PERMIT Special Condition No. 21.B
PERMIT Special Condition No. 27.B
Description: Failed to report on a quarterly basis all CEMS accuracy results, as determined by the Relative Accuracy Test Audit (RATA), Performance Assessment (PA), and/or Cylinder Gas Audit (CGA) performed. Specifically, the quarterly CEMS for 2017 to date did not include the CGA and PA results

- for the EG (2 CEMS), the CGA for the HDPE1, or the LLDPE.
- Viol. Minor
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 21.C
- Description: Failed to multiply the measured hourly average concentration from each CEMS by the flow rate measured during the latest stack test performed in accordance with Special Condition No. 19, to determine the hourly emission rate. Specifically, the facility was using the design flow rate to perform calculations and was not aware of the results of the latest stack test result to obtain the correct flow rate of the calculation.
- Viol. Minor
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition No. 31.B
PERMIT Special Condition No. 31.D
PERMIT Special Condition No. 31.E
- Description: Failed to meet reactor abrasive blasting requirements. Specifically, records of the blast media's hourly mass usage rate, daily records of the usage hours and location, and the particulate matter emissions have not been maintained of the most recent blasting activities for the reactors operated in the EG process unit.
- Viol. Moderate
- Citation: 30 TAC Chapter 115, SubChapter B 115.126(3)
- Description: Failed to maintain sufficient records for each vent exempted from control requirements in accordance with 30 TAC 115.127 to demonstrate compliance with the applicable exemption limit.
- Viol. Moderate
- Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.564(d)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.565(a)
- Description: Failed to determine compliance with the individual stream exemptions and failed to use the appropriate test procedures and keep an up-to-date, readily accessible record. Specifically, records were not available to demonstrate compliance with the exemption limit for Unit ID PP1-Unit for individual vent streams that emit continuous emissions in O1956 Title V Permit.
- Viol. Minor
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition No. 28
- Description: Failed to calibrate the GC at least once every day. Specifically, interviews with plant personnel indicated that the GC is calibrated every 30 days (Olefins I).
- Viol. Moderate
- Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT XX 63.1086(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
- Description: Failed to appropriately monitor the cooling water at the entrance and exit of each individual heat exchanger. Specifically, current practice did not take a minimum of three sets of samples at each heat exchanger entrance and exit, calculate the average entrance and exit concentrations, nor use a one-sided statistical procedure at the 0.05 level of significance.
- Viol. Moderate
- Viol.
Citation:
Classification: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 27.C
- Description: Failed to multiply the measured hourly concentration from each CEMS by the flow rate measured during the latest stack test. Specifically, the facility was not performing this calculation and was not aware of the results of the latest stack test results.
- Viol. Moderate
- Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition No. 27
- Description: Failed to maintain records of monthly emissions and rolling 12-month MSS emissions, updated on a monthly basis, of planned MSS activities for the Ethylene Glycol process unit.
- Viol. Moderate
- Classification:
Citation: 30 TAC Chapter 335, SubChapter E 335.112(a)
30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
- Description: Failed to ensure that a container holding hazardous waste is closed at all times during accumulation. Specifically, tarps in 25 yard roll-offs used to cover hazardous waste containers in the Satellite Accumulation Area (SAA) in the WWTP and in the <90 day storage area had holes in them.
- Viol. Moderate

Classification:

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT D 265.53(b)
30 TAC Chapter 335, SubChapter E 335.112(a)(3)

Description: Failed to submit a copy of the contingency plan and all revisions to the plan to all local police departments, fire departments, and hospitals. Specifically, the Integrated Contingency Plan (ICP) used as the Large Quantity Generator (LQG) Plan does not include arrangements with the local police/sheriff's department.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT Part 3, Section F.1(g)(v)
PERMIT Part 3, Section F.2(a)

Description: Failed to include in the construction SWPPP the entire property as well as laydown areas, the grassy area between Outfall 009 and the Olefins III flare has become an area for used material including railing train track, and rail road ties. Additionally, there is a pile near the Olefins IIII flare that appears to be a dumping ground.

Viol. Minor

Classification:

Citation: 40 CFR Chapter 279, SubChapter I, PT 279, SubPT C 279.22(c)
30 TAC Chapter 324, SubChapter A 324.1

Description: Failed to label or mark clearly with the words "Used Oil" on approximately 15 used oil drums stored outside the used oil shed at the Poly Olefins I Maintenance Shop.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT Eff. Lim. & Mon. Req. OF 12, No. 1
PERMIT Eff. Lim. & Mon. Req. OF 12, No. 2

Description: Failed to collect one sample per day from Outfall No. 12 (OF 12) for Total Organic Carbon, Oil and Grease, and pH. The closed gate (OF 12) was leaking, there was no secondary valve downstream to retain the leaked discharge, and this discharge was not sampled.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 319, SubChapter A 319.11(e)

Description: Failed to ensure laboratories routinely use and document intra-laboratory quality control practices. Specifically, standards in the metals laboratory were difficult to trace to the original standard, the original standard had multiple bottles and the bottles were reported as empty before the next standard was made. Also, acids and solvents added to the samples were not recorded by lot number and manufacturer.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11

Rqmt Prov: PERMIT Mon. & Rep. Req. No. 2

Description: Failed to ensure that biomonitoring samples maintained chain-of-custody. Specifically, samples were collected and left on the sidewalk at the parking lot for the laboratory to pick up.

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

All NOV's Issued During Component Period 6/24/2016 and 6/24/2021

1	Date:	06/24/2016	(1330047)				
	Self Report?	NO		Classification:	Minor		
	Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THSC Chapter 382 382.085(b) FOP O3409 GTC OP					
	Description:	Failure to report all intances of deviations, the probable cause of the deviations, and any corrective actions or preventative measures taken for each emission unit addressed in the permit.					
2	Date:	07/28/2016	(1283004)				
	Self Report?	NO		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) FOP O-1957 STC (10) OP NSR 19201 & PSDTX1232 SC (21) (B) PERMIT					
	Description:	Failure to drain remaining liquids into a closed vessel during maintenance, startup, and shutdown activities.					
	Self Report?	NO		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) FOP O-1957 STC (10) OP NSR 19201 & PSDTX1232 SC (1) PERMIT					
	Description:	Failure to prevent unauthorized emissions to the atmosphere during a non-reportable emission event that occurred on April 23, 2015.					
	Self Report?	NO		Classification:	Moderate		
	Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535 5C THSC Chapter 382 382.085(b) FOP O1957 (STC) (10) OP NSR 19201 & PSDTX1232 (SC) (11) (D) PERMIT					
	Description:	Failure to conduct an annual floating roof seal inspection.					
	Self Report?	NO		Classification:	Moderate		
	Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535 5C THSC Chapter 382 382.085(b) FOP O1957 (STC) (10) OP NSR 19201 & PSDTX1232 (SC) (11) (D) PERMIT					
	Description:	Failure to conduct an annual floating roof seal inspection.					
	Self Report?	NO		Classification:	Moderate		
	Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535 5C THSC Chapter 382 382.085(b) FOP O1957 (STC) (10) OP NSR 19201 & PSDTX1232 (SC) (11) (D) PERMIT					
	Description:	Failure to conduct an annual floating roof seal inspection.					
	Self Report?	NO		Classification:	Moderate		

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535
 5C THSC Chapter 382 382.085(b)
 FOP O1957 (STC) (10) OP
 NSR 19201 & PSDTX1232 (SC) (11) (D) PERMIT

Description: Failure to conduct an annual floating roof seal inspection.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535
 5C THSC Chapter 382 382.085(b)
 FOP O1957 (STC) (10) OP
 NSR 19201 & PSDTX1232 (SC) (11) (D) PERMIT

Description: Failure to conduct an annual floating roof seal inspection.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535
 5C THSC Chapter 382 382.085(b)
 FOP O1957 (STC) (10) OP
 NSR 19201 & PSDTX1232 (SC) (11) (D) PERMIT

Description: Failure to conduct an annual floating roof seal inspection.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2535
 5C THSC Chapter 382 382.085(b)
 FOP O1957 (STC) (10) OP
 NSR 19201 & PSDTX1232 (SC) (3) PERMIT

Description: Failure to conduct a 10 year and an annual floating roof seal inspection.

3

Date: 08/05/2016 (1349122)

Self Report? NO

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)
 SC No. 11 OP
 SC No. 11 PERMIT

Description: Failure to comply with permit limitations regarding the six minute, average firebox chamber temperature for the Regenerative Thermal Oxidizer.

Self Report? NO

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)
 SC No. 11 OP
 SC No. 11 PERMIT

Description: Failure to comply with permit limitations regarding the hourly average exhaust oxygen concentration for the Regenerative Thermal Oxidizer.

4

Date: 08/19/2016 (1351348)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)
 5C THSC Chapter 382 382.085(b)

General Terms and Conditions OP

Description: Failure to report all instances of deviations as required.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THSC Chapter 382 382.085(b)
 SC No. 14 OP
 SC No. 8C PERMIT

Description: Failure to comply with regulatory requirements for visible emissions from flares.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 SC No. 14 OP
 SC No. 26A PERMIT

Description: Failure to submit a certification test report within 30 days of completion of the monitor certification test.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 SC No. 14 OP
 SC No. 4B PERMIT

Description: Failure to maintain carbon monoxide (CO) emissions within permitted limits.

- 5 Date: 08/30/2016 (1357100)
- 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. 14 PERMIT
 STC No. 11 OP
- Description: Failure to conduct weekly VOC (volatile organic compound) sampling of polymer production.
- 6 Date: 10/24/2016 (1358247)
- Self Report? NO Classification: Minor
- Citation:
- 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 319, SubChapter A 319.11(c)
 Monitoring and Reporting; No.2(a); Pg. 4 PERMIT
- Description: Failed to properly analyze effluent samples, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.11(c) and TPDES Permit No. WQ0002436000, Monitoring and Reporting Requirements No. 2.a.
- 7 Date: 12/15/2016 (1376088)
- Self Report? NO Classification: Moderate
- Citation:
- 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
- 5C THSC Chapter 382 382.085(b)
 FOP OP
 NSR PERMIT
 PSD PERMIT
- Description: Failure to comply with special conditions of NSR Permit No. 19198. Specifically, on eleven instances from April 25, 2015 through October 7, 2015, Thermal Oxidizer (EPN RTO221) did not meet the minimum temperature requirements as per deviation item nos. 13 through 24.

9

10

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

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

- 11 Date: 04/18/2017 (1403182)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR PERMIT
PSD PERMIT
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on November 11, 2016, TCEQ/Steers Incident No. 246882. Specifically, Formosa Plastics Corporation Texas released unauthorized emissions in the amount of 98 lbs of vinyl chloride monomer (VCM) from Emissions Point Number (EPN) 007-1. The event lasted for 4 minutes. Permit No. 7699's 1.79 lb/hr limit for EPN 007-1(as noted on the MAERT) was exceeded. The unauthorized release was the result of
- 12 Date: 04/28/2017 (1401313)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(d)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP
Hazardous Air Pollutant PERMIT
Prevention of Significant Deterioration PERMIT
Special Condition 13(B)(1) PERMIT
Special Term & Condition 4B OP
Special Term & Condition 8 OP
Description: Failure to notify the TCEQ Corpus Christi Office within 30 days prior to any performance test. Specifically, Formosa submitted a notification of a Relative Accuracy Test Audit (RATA) for EPNs: 7D, 7E, 7F, 7G, 7H, and 7J to the TCEQ Corpus Christi Office on December 3, 2015. However, the RATA was performed on December 15 - 19, 2015.
- 13 Date: 04/30/2017 (1426428)
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
- 14 Date: 05/11/2017 (1403865)
Self Report? YES Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR PERMIT
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on October 5, 2016, TCEQ/Steers Incident No. 245104. Specifically, Formosa Plastics Corporation Texas released unauthorized emissions in the amount of 12.26 lbs of Chlorine from Emissions Point Number (EPN) 2FUG. The event lasted for 10 minutes. Permit No. 19167's 0.44 lb/hr limit for EPN 2FUG (as noted on the MAERT) was exceeded. The unauthorized release was the result of poor operation and

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
5C THSC Chapter 382 382.085(b)
SC No. 11(I) PERMIT
ST & C No. 11 OP

Description: Failure to repair a leaking component within 15 days of discovery. Specifically, on February 6, 2017, Formosa Point Comfort Plant personnel discovered a leaking valve flange (Component #26051-N-002) and did not repair the component until February 22, 2017 (DR2 - Dev. Item No. 6, PPII).

16

Date: 07/07/2017 (1416315)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR 19168, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event.

17

Date: 07/14/2017 (1422588)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(j)

Description: Failed to conducted a customer service inspection (CSI) prior to providing continuous water service to new construction, on any existing service either when the water purveyor has reason to believe that cross-connections or other potential contaminant hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities.

18

Date: 07/18/2017 (1400961)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
FOP O1957, ST&C 10 OP
NSR 40157, SC 6 PERMIT

Description: Failure to comply with the Special Conditions of New Source Review (NSR) Permit #40157.

Self Report? NO

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)
FOP O1957, ST&C 10 OP
NSR 19201, SC 16 PERMIT

Description: Failure to operate an incinerator at or above the permitted limit.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter F 116.620(a)(12)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
FOP Q1957. ST&C 5 QP

Description: Failure to operate a flare with a pilot flame present at all times, as required by a standard permit and federal regulations.

19	Date: 08/25/2017 (1408786)		
	Self Report? NO	Classification: Moderate	
	Citation: 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 8 OP NSR Permit #76305, SC 18 PERMIT		
	Description: Failure to record flow rate for cooling tower CT-01.		
	Self Report? NO	Classification: Moderate	
	Citation: 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 8 OP NSR Permit #73319, SC 34(B) PERMIT		
	Description: Liquids from process equipment was not transferred within one hour.		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 122, SubChapter B 122.146(1) 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 12 OP		
	Description: Failure to submit a complete Permit Compliance Certification (PCC).		
	Self Report? NO	Classification: Moderate	
	Citation: 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 8 OP NSR Permit #76305, SC 27(D) PERMIT		
	Description: Failure to report baghouse malfunction which resulted in visible emissions.		
	Self Report? NO	Classification: Moderate	
	Citation: 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 8 OP NSR Permit #76305, SC 15 PERMIT		
	Description: Failure to maintain the temperature of standby incinerator above 800 degrees Fahrenheit.		
	Self Report? NO	Classification: Moderate	
	Citation: 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 8 OP NSR Permit #76305, SC 14 PERMIT		
	Description: Six-minute average oxygen concentration in an incinerator fell below the permitted limit.		
	Self Report? NO	Classification: Moderate	
	Citation: 5C THSC Chapter 382 382.085(b) FOP O-03409, ST&C 8 OP NSR Permit 76305, SC 8 PERMIT		
	Description: Failure to comply with permitted concentration limits for residual Vinyl Chloride Monomer (VCM).		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C)		
	Description: 5C THSC Chapter 382 382.085(b) FOP O-03409, General Terms & Conditions OP Failure to submit the Deviation Report (DR) within the required 30-day deadline.		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) FOP O-03409, General Terms & Conditions OP		
	Description: Failure to submit the Permit Compliance Certification (PCC) within the required 30-day deadline.		
20	Date: 11/17/2017 (1425025)		
	Self Report? NO	Classification: Moderate	
	Citation:		

30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 NSR 19198, SC1 PERMIT

Description: Failure to prevent unauthorized emissions.

- 21 Date: 12/08/2017 (1430222)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.4
 5C THSC Chapter 382 382.085(b)
 Description: Failure to prevent a discharge from any source whatsoever one or more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.
- 22 Date: 12/08/2017 (1448567)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 111, SubChapter A 111.111(a)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
 5C THSC Chapter 382 382.085(b)
 FOP OP
 Description: Failure to conduct quarterly Method 9 visible emission observations. Specifically, during the second quarter of compliance period April 21, 2016 through April 20, 2017, due to an inadequate number of qualified observers.
- 23 Date: 12/11/2017 (1448207)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 111, SubChapter A 111.111(a)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
 5C THSC Chapter 382 382.085(b)
 FOP OP
 Description: Failure to conduct quarterly Method 9 visible emission observations. Specifically, during the first quarter of compliance period 08/14/2016 through 8/14/2017, due to an inadequate number of qualified observers.
- 24 Date: 03/23/2018 (1473883)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Eff. Limits & Mon. RQMTs No.1; pg. 2n PERMIT
 Description: Failed to ensure the discharge of only non-process area storm water, hydrostatic test water, fire water, non-contact steam condensate, non-contact wash water, potable water, and air conditioner unit condensate through
 Outfall 009.
- 25 Date: 03/31/2018 (1494795)
 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
- 26 Date: 04/09/2018 (1478645)
 Self Report? YES Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20
 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)

5C THSC Chapter 382 382.085(b)
 FOP OP
 NSR PERMIT
 PSD PERMIT

Description: Failure to comply with regulatory requirements for visible emissions from flares. Specifically, on June 6, 2017, Formosa Point Comfort Plant experienced a smoking flare for one hour and fifteen minutes which exceeded the limit of five minutes, from Olefins 2 Flare (EPN 1067).

Self Report? YES Classification: Moderate
 Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 FOP OP
 NSR PERMIT
 PSD PERMIT

Description: Failure to comply with special conditions of NSR Permit No. 19168. Specifically, on, July 27, 2016 through January 6, 2017, the vapor combustor (EPN 1051) did not meet the minimum temperature requirements (997 degrees F).

Self Report? YES Classification: Moderate
 Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 FOP OP
 NSR PERMIT
 PSD PERMIT

Description: Failure to comply with special conditions of NSR Permit No. 19168. Specifically, on July 31, 2016 through October 7, 2016, the vapor combustor (EPN 8003B) did not meet the minimum temperature requirements (1500 degrees F).

27 Date: 05/29/2018 (1483901)

Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 SC 1 PERMIT
 SC1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on May 29, 2017, TCEQ/Steers Incident No. 258941.

28 Date: 05/31/2018 (1508841)

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

29 Date: 07/31/2018 (1521221)

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

30 Date: 08/02/2018 (1500197)

Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
 30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter B 122.144(1)
 5C THSC Chapter 382 382.085(b)
 GC No. 7 PERMIT
 GTC OP
 STC No. 15 OP

Description: Failure to maintain records on the Tank Farm Flare as required.

Self Report? NO

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)
 GTC OP
 SC 13.E PERMIT
 STC No. 15 OP

Description: Failure to equip storage tanks with submerged fill pipes.

Self Report? NO

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)
 GTC OP
 SC No. 25 PERMIT
 STC No. 15 OP

Description: Failure to equip storage tanks with level indicators and alarm systems.

31 Date: 08/21/2018 (1489936)

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)
 FOP O-01957, Special Term & Condition 10 OP
 PSTDTX1232, Special Condition 21B PERMIT

Description: Failure to remove all liquids from process equipment or storage vessels to the maximum extent practical prior to opening equipment or commencing depressurization, degassing, and/or maintenance; and failure to cover or transfer drained liquid to a covered vessel within one hour of being drained.

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)
 FOP O-01957, Special Term & Condition 10 OP

NSR19201/PSDTX1232, Special Condition 7C PERMIT
 NSR20203/PSDTX1224, Special Condition 6C PERMIT
 NSR40157/PSDTX1222, Special Condition 8C PERMIT

Description: Failure to ensure the operation of a flare without visible emissions, except periods not to exceed a total of five minutes during any two consecutive hours.

32 Date: 10/19/2018 (1484116)

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)
 Operational Requirements No. 1, Pg. 9 PERMIT

Description: Failed to at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained.

Self Report? NO

Classification: Major

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)(1)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 307 307.4(b)(2)
 30 TAC Chapter 307 307.4(b)(3)
 Eff. Limits and Monitoring RQMTs; No. 3 PERMIT

Description: Failed to prevent the unauthorized discharge of floating solids.

- 33 Date: 11/30/2018 (1546338)
 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
- 34 Date: 01/18/2019 (1460912)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 PSDTX1237, SPecial Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions during an emissions event.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 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 of the event.
- 35 Date: 02/28/2019 (1541236)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions to the atmosphere during an
 emissions event that was discovered on December 22, 2017 (TCEQ/STEERS
 Incident No. 275073).
- 36 Date: 03/22/2019 (1533286)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(3)

 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O1954, General Terms & Conditions OP
 FOP O1954, Special Term & Condition 15 OP
 PSDTX226M7, General Condition 7 PERMIT
 Description: Failure to maintain records sufficient to demonstrate compliance with TCEQ
 NSR Permit No. 7699.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT KKK 60.632(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THSC Chapter 382 382.085(b)
 FOP O1954, General Terms & Conditions OP
 FOP O1954, Special Term & Condition 1 OP
 FOP O1954, Special Term & Condition 15 OP
 NSR 7699, Special Condition 17(E) PERMIT
 Description: Failure to equip each open-ended valve or line with a cap, blind flange, plug,
 or a second valve.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT KKK 60.632(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(2)(i)
 5C THSC Chapter 382 382.085(b)
 FOP 1954, General Terms & Conditions OP
 FOP 1954, Special Term & Condition 1 OP

Description: Failure to monitor components for the first time within 30 days after the end of their startup period.

- 37 Date: 04/24/2019 (1551927)
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)
 5C THSC Chapter 382 382.085(b)
 GTC OP
 Description: Failure to include all instances of deviations in the six-month deviation report.
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(5)(D)
 5C THSC Chapter 382 382.085(b)
 STC No. 18 OP
 Description: Failure to submit a complete and accurate annual compliance certification.
- 38 Date: 04/30/2019 (1585522)
 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
- 39 Date: 05/31/2019 (1585523)
 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
- 40 Date: 06/24/2019 (1559123)
 Self Report? NO 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)
 NSR 76305 / PSDTX1058 PERMIT
 Description: Failure to perform daily visible emissions observations.
- 41 Date: 06/30/2019 (1594321)
 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
- 42 Date: 07/19/2019 (1577673)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)
 5C THSC Chapter 382 382.085(b)
 GTC OP

Description: Failure to include all instances of deviations in the six-month deviation report.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(5)(D)
 5C THSC Chapter 382 382.085(b)
 GTC OP
 STC No. 13 OP
 Description: Failure to submit a complete and accurate annual compliance certification.

43 Date: 07/31/2019 (1600612)
 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

44 Date: 08/16/2019 (1550364)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 60, Subpart A 60.18
 5C THSC Chapter 382 382.085(b)
 NSR 19168 SC 8A PERMIT
 Description: Failure to maintain the minimum required net heating value for the Flare 1018. Specifically, Formosa failed to maintain the minimum required net heating value of 300 BTU/scf for Flare 1018 four times from July 27, 2017 through May 16, 2018.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(4)
 5C THSC Chapter 382 382.085(b)
 NSR 19168 SC8D PERMIT
 Description: Failure to perform calculations and record the flared gas actual exit velocity for Flare 1018. Specifically, Formosa failed to perform and record the required flared gas actual exit velocity per 40 CFR 60.18(f)(4) for Flare 1018 four times from July 27, 2017 through January 27, 2018
 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)
 NSR 19168 SC5 PERMIT
 Description: Failure to prevent visible emissions. Specifically, Formosa failed to prevent visible emissions from Furnace 1001B for more than five minutes in a two hour period on September 26, 2017.
 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)
 NSR 19168 SC 8C PERMIT
 Description: Failure to prevent visible emissions. Specifically, Formosa failed to prevent visible emissions from Flare 1018 three times for more than five minutes in a two hour period from August 24, 2017 through December 22, 2017.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to report all instances of deviations in the six-month deviation report. Specifically, Formosa did not report five deviations on their first semi-annual deviation report for the reporting period of July 27, 2017 through January 26, 2018. Formosa also failed to report six deviations on their second semi-annual deviation report for the reporting period of January 27, 2018

through July 26, 2018.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)

Description: Failure to submit a complete and accurate annual compliance certification. Specifically, Formosa did not report five deviations on their first semi-annual deviation report for the reporting period of July 27, 2017 through January 26, 2018. Formosa also failed to report six deviations on their second semi-annual deviation report for the reporting period of January 27, 2018 through July 26, 2018.

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Date: 08/28/2019 (1580255)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
PSDTX1237, GC No. 10 PERMIT
PSDTX1237, GC No. 14 PERMIT
PSDTX1237, SC No. 6(A) PERMIT
PSDTX1240, GC No. 10 PERMIT
PSDTX1240, GC No. 14 PERMIT
PSDTX1240, SC No. 8(A) PERMIT
STC No. 11 OP

Description: Failure to maintain the net heating value of the gas being combusted at the flare, Emission Point No. (EPN) 1018, at 300 British thermal units per standard cubic foot (Btu/scf) or greater.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
PSDTX1237, GC No. 10 PERMIT
PSDTX1237, GC No. 14 PERMIT
PSDTX1237, SC No. 6(A) PERMIT
PSDTX1240, GC No. 10 PERMIT
PSDTX1240, GC No. 14 PERMIT
PSDTX1240, SC No. 8(A) PERMIT
STC No. 11 OP

Description: Failure to maintain the net heating value of the gas being combusted at the flare, EPN 1067, at 300 Btu/scf or greater.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(4)
5C THSC Chapter 382 382.085(b)
PSDTX1237, GC No. 10 PERMIT
PSDTX1237, GC No. 14 PERMIT
PSDTX1237, GC No. 7 PERMIT
PSDTX1237, SC No. 6(D) PERMIT
PSDTX1240, GC No. 14 PERMIT
PSDTX1240, GC No. 7 PERMIT
PSDTX1240, SC No. 8(D) PERMIT
STC No. 11 OP

Description: Failure to record the flared gas actual exit velocity at least once every 15 minutes at the flares, EPNs 1018 and 1067.

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)
 GTC OP

Description: Failure to report all instances of deviations.

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Date: 08/29/2019 (1580494)

Self Report? NO

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)
 PSDTX760M9, SC 3 PERMIT
 STC 9 PERMIT

Description: Failure to maintain the average hourly concentration (parts per million by volume [ppmv]) in the stack gases below the permitted limit.

Self Report? NO

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)
 PSDTX760M9, SC 12.A PERMIT
 STC 9 PERMIT

Description: Failure to maintain the required steam injection rates during all periods of turbine operations.

Self Report? NO

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)

PSDTX760M9, SC 6 PERMIT
 STC 9 PERMIT

Description: Failure to comply with the Nitrogen Oxide (NOx) and CO heat duty emission limits of the boilers.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 PSDTX760M9, GC 14 PERMIT
 PSDTX760M9, GC 8 PERMIT
 PSDTX760M9, SC 1 PERMIT
 STC 9 PERMIT

Description: Failure to comply with the Maximum Allowable Emission Rate Table (MAERT) pounds per hour (lbs/hour) emission limit for carbon monoxide (CO) at EPN 7E.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 122, SubChapter B 122.143(5)
 5C THSC Chapter 382 382.085(b)
 PSDTX699, SC 6 PERMIT
 STC 9 PERMIT

Description: Failure to maintain the steam-to-fuel ratio greater than 0.515 at EPN 012.

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Date: 10/31/2019 (1620186)

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

Date: 11/22/2019 (1606188)

Self Report? NO

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)
HAP10, PSDTX760M9, Special Condition 6 PERMIT
Special Term and Condition 9 OP

Description: Failure to comply with the permitted emissions limit (lb/MMBtu) for nitrogen oxide (NOx) as measured in the stack exhaust of each boiler.

Self Report? NO

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)
PSDTX699, Special Condition 6 PERMIT
Special Term and Condition 9 OP

Description: Failure to maintain the steam-to-fuel ratio greater than 0.515 for the Turbine, EPN 12.

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Date: 11/22/2019 (1592899)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP

Description: Failure to report all instances of deviations.

Self Report? NO

Classification: Minor

Citation:

[PSDTX1222] Special Condition 14 PERMIT
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)
Special Term & Condition 10 OP

Description: Failure to conduct weekly sampling as required by a permit special condition.

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Date: 12/13/2019 (1592878)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter F 101.222(b)(2)
30 TAC Chapter 101, SubChapter F 101.222(b)(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
SC 1, PSDTX226M7 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that occurred on August 20, 2019 (TCEQ/STEERS Incident No. 319230).

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Date: 01/03/2020 (1612496)

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)
NSR Permit 19168 SC 9 PERMIT

Description: Failure to maintain the minimum in-stack temperature for VCU 1051. Specifically, Formosa failed to maintain the minimum in-stack temperature of 1254 degrees Fahrenheit which resulted in a combustor being shut down on September 22, 2018.

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)
 NSR Permit 19168 SC9 PERMIT

Description: Failure to maintain the minimum in-stack temperature for VCU 8003B. Specifically, Formosa failed to maintain the minimum in-stack temperature of 1300 degrees Fahrenheit due to an incorrect valve lineup on February 6, 2019.

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)
 NSR 19168 SC 9 PERMIT

Description: Failure to maintain the minimum in-stack temperature for VCU 8003B. Specifically, Formosa failed to maintain the minimum in-stack temperature of 1300 degrees Fahrenheit due to blown fuse on the combustor blower on April 21, 2019.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 FOP 1958 GTC OP

Description: Failure to report all instances of deviations in the six-month deviation report. Specifically, Formosa did not report seven deviations on their first semi-annual deviation report for the reporting period of July 27, 2018 through January 26, 2019.

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Date: 02/28/2020 (1622199)

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)
 GTC OP
 PSDTX226M7 SC 17(F) PERMIT
 STC 15 OP

Description: Failure to monitor the methanol and formaldehyde systems according to their quarterly monitoring schedule.

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)
 GTC OP
 PSDTX226M7 SC 21 PERMIT
 STC 15 OP

Description: Failure to comply with the provisions of a letter dated September 9, 1994 from TCEQ to Formosa regarding community ambient air sampling.

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)
 GTC OP
 PSDTX226M7 SC 14(B)(2) PERMIT
 STC 15 OP

Description: Failure to meet daily total dissolved solids (TDS) maximum.

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)
 GTC OP
 SC 14(B)(2) PERMIT
 STC 15 OP

Description: Failure to meet daily TDS maximum.

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)
 GTC OP
 PSDTX226M7 SC 12 PERMIT
 STC 15 OP

Description: Failure to maintain scrubber flow rate above required threshold.

- 53 Date: 04/30/2020 (1661213)
 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
- 54 Date: 05/08/2020 (1632814)
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 335, SubChapter A 335.6(c)
 Description: Failed to provide notice to the executive director in writing or using electronic notification software provided by the executive director, of any such changes or additional information to that reported previously within 90 days of the occurrence of such change or of becoming aware of such additional information.
- Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 335, SubChapter A 335.13(k)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT D 262.42(a)(2)
 Description: Failed to submit an exception report to the executive director if a copy of the manifest with the handwritten signature of the owner or operator of the designated facility has not been received by the registered/unregistered generator or primary exporter of hazardous waste subject to §335.76(c) of this title within 45 days of the date that the waste was accepted by the initial transporter.
- Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 335, SubChapter C 335.69(a)(2)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(2)
 Description: Failed to clearly mark the date upon which each period of accumulation begins on each container.
- Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 335, SubChapter C 335.69(a)(3)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)
 Description: Failed to label or mark clearly each container or tank with the words "Hazardous Waste" while being accumulated.
- Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 335, SubChapter H 335.262(c)(2)(A)
 Description: Failed to contain universal waste paint in a container that remains closed, except when necessary to add or remove waste.
- Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 335, SubChapter A 335.2
 Description: Failure to obtain a permit, amended permit, or other authorization from the Texas Commission on Environmental Quality (commission) or its predecessor agencies, or other valid authorization from a Texas state agency prior to any activity of storage, processing, or disposal of any industrial solid waste or municipal hazardous.
- Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 335, SubChapter A 335.10(a)
 30 TAC Chapter 335, SubChapter A 335.10(c)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.20(a)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.23(a)
 Description: Failed to prepare all manifests for hazardous and Class I wastes according to the applicable requirements in 40 CFR Part 262 and the instructions found in the Appendix to 40 CFR Part 262.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 335, SubChapter A 335.9(a)(1)		
Description:	Failed to keep records of all hazardous and industrial solid waste activities regarding the quantities generated, stored processed, and disposed of on-site or shipped off-site for storage, processing or disposal. These records may be maintained in any format, provided they are retrievable and easy to copy. The required records must be sufficiently detailed and complete to support any contentions or claims made by the generator.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 335, SubChapter E 335.112(a)(1) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16(a)(3)		
Description:	Failed to provide a training program designed to ensure effective emergency response.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 335, SubChapter E 335.112(a)(8) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.171		
Description:	Failed to ensure a container storing hazardous waste is in good condition and not leaking.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 335, SubChapter E 335.112(a)(1) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16(d)(1) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16(d)(2) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16(d)(3) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16(d)(4)		
Description:	Failed to maintain personnel records of the job title for each position at the facility related to hazardous waste management, the name of the employee filling each job, a written job description for each position listed, including the requisite skill, education, or other qualifications, duties of facility personnel assigned to each position, a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position and records		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 335, SubChapter O 335.431(c) 30 TAC Chapter 335, SubChapter O 335.431(c)(1) 30 TAC Chapter 335, SubChapter O 335.431(c)(2) 30 TAC Chapter 335, SubChapter O 335.431(c)(3) 40 CFR Chapter 268, SubChapter I, PT 268, SubPT A 268.7(a)(8)		
Description:	Failed to maintain LDR notices and certifications for restricted wastes sent off-site to treatment, storage, and disposal facilities.		

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Date:	05/21/2020	(1644159)
Self Report?	NO	Classification: Moderate
Citation:	19(D) 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) GTC OP STC 10 OP	
Description:	Failure to ensure the concentration of chlorine (Cl ₂) within the equipment was below 1 part per million (ppm) in concentration prior to opening it to the atmosphere.	
Self Report?	NO	Classification: Moderate
Citation:	20(A)(3) 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) GTC OP STC 10 OP	
Description:	Failure to measure the concentration of chlorine (Cl ₂) within equipment via	

- 56 Date: 07/29/2020 (1658132)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.5(b)
Effluent Monitoring Req.; No. 1, Pg. 2o PERMIT
Description: Failed to monitor the effluent parameters of Total Organic Carbon (TOC) and Oil & Grease (O&G) at least once per day by grab sample when discharging at Outfall 013.
- 57 Date: 08/28/2020 (1665844)
Self Report? NO Classification: Moderate
Citation:
\PSDTX1234 SC 2E PERMIT
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)
FOP-1484 STC 11 OP
Description: Failure to perform required testing.
Self Report? NO Classification: Moderate
Citation:
\PSDTX1234 SC 18 PERMIT
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)
FOP-O1484 STC 11 OP
Description: Failure to perform monitoring as required.
Self Report? NO Classification: Moderate
Citation:
\PSDTX1234 SC 11 PERMIT
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)
FOP-1484 STC 11 OP
Description: Failure to maintain firebox temperature above 1,608 degree Fahrenheit for the six minute average.
Self Report? NO Classification: Moderate
Citation:
\PSDTX1234 SC 12 PERMIT
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)
FOP-1484 STC 11 OP
Description: Failure to maintain firebox temperature above 1,600 degree Fahrenheit for the six minute average.
- 58 Date: 11/30/2020 (1715791)
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
- 59 Date: 12/04/2020 (1678681)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions to the atmosphere during an Emissions Event that was discovered on November 11, 2019, TCEQ/STEERS Incident No. 324566.

60 Date: 01/15/2021 (1659745)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on March 12, 2020, TCEQ/STEERS Incident No. 332001.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter F 101.201(c)
5C THSC Chapter 382 382.085(b)

Description: Failure to submit a final report no later than two weeks after the end of the emissions event for TCEQ/STEERS Incident No. 332001.

61 Date: 01/28/2021 (1591474)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GTC OP
PSDTX1058, SC 1 PERMIT
STC 8 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on July 20, 2019, TCEQ/STEERS Incident No. 316461.

62 Date: 03/05/2021 (1692864)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 111, SubChapter A 111.111(a)(7)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GTC & STC 3.B.iii.1 OP

Description: Failure to perform quarterly visible emissions observation as required.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
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)
GC 5 PERMIT
GTC & STC 15 OP
SC 14.A.1 PERMIT

Description: Failure to perform annual calibrations of flow monitoring devices as required.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
GC 5 PERMIT
GTC & STC 15 OP
SC 14.A.1 PERMIT

Description: Failure to perform annual calibrations of flow monitoring devices as required.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
 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)
 GC 5 PERMIT
 GTC & STC 15 OP
 SC 14.A.2 PERMIT

Description: Failure to sample cooling tower water as required.

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)
 GTC & STC 15 OP

SC 12 PERMIT

Description: Failure to maintain pH of incinerator scrubbing solutions as required.

63 Date: 03/19/2021 (1698346)

Self Report? NO Classification: Moderate

Citation: [PSDTX226M7] Special Condition 1 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 15 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on December 13, 2020, TCEQ/STEERS Incident No. 347629.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 2.F OP

Description: Failure to submit the initial notification of an emissions event within 24 hours of discovery of the event.

64 Date: 03/31/2021 (1728865)

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

65 Date: 05/31/2021 (1748152)

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

* NOV's applicable for the Compliance History rating period 9/1/2010 to 8/31/2015

Appendix B

All Investigations Conducted During Component Period June 24, 2016 and June 24, 2021

Item 1*	July 20, 2016	(1360272)
Item 2	July 28, 2016	(1283004)
Item 3	August 05, 2016	(1349122)
Item 4	August 19, 2016	(1351348)

Item 5*	August 26, 2016	(1338768)
Item 6	August 30, 2016	(1357100)
Item 7*	September 14, 2016	(1358330)
Item 8*	September 20, 2016	(1373413)
Item 9*	September 22, 2016	(1356437)
Item 10*	October 20, 2016	(1379589)
Item 11*	November 18, 2016	(1385536)
Item 12*	December 02, 2016	(1363501)
Item 13*	December 09, 2016	(1362459)
Item 14	December 15, 2016	(1376088)
Item 15	December 16, 2016	(1370809)
Item 16*	January 03, 2017	(1381671)
Item 17	January 20, 2017	(1383574)
Item 18	February 17, 2017	(1405182)
Item 19*	February 27, 2017	(1395749)
Item 20*	February 28, 2017	(1395630)
Item 21*	March 06, 2017	(1394886)
Item 22*	March 20, 2017	(1412266)
Item 23*	April 11, 2017	(1396497)
Item 24*	April 14, 2017	(1396534)
Item 25	April 17, 2017	(1407583)
Item 26	April 18, 2017	(1403182)
Item 27*	April 20, 2017	(1418765)
Item 28	May 01, 2017	(1400665)
Item 29	May 12, 2017	(1403865)
Item 30*	May 19, 2017	(1414489)
Item 31*	May 25, 2017	(1415512)
Item 32	May 26, 2017	(1401313)
Item 33	June 01, 2017	(1408175)
Item 34*	June 20, 2017	(1432421)
Item 35	July 05, 2017	(1415889)
Item 36*	July 06, 2017	(1408468)
Item 37	July 07, 2017	(1416315)
Item 38	July 14, 2017	(1422588)
Item 39	July 18, 2017	(1400961)
Item 40*	July 20, 2017	(1440974)
Item 41	July 28, 2017	(1408469)
Item 42*	August 18, 2017	(1444664)
Item 43	August 23, 2017	(1408786)
Item 44*	September 20, 2017	(1451250)
Item 45*	October 18, 2017	(1457123)
Item 46*	November 10, 2017	(1443331)
Item 47	November 17, 2017	(1425025)
Item 48*	November 27, 2017	(1448255)
Item 49	December 08, 2017	(1448567)
Item 50	December 11, 2017	(1448207)
Item 51	December 13, 2017	(1424822)
Item 52*	December 20, 2017	(1468977)

Item 53*	January 19, 2018	(1475677)
Item 54*	February 05, 2018	(1458998)
Item 55*	February 20, 2018	(1487861)
Item 56*	February 26, 2018	(1472611)
Item 57*	March 12, 2018	(1474057)
Item 58	March 15, 2018	(1473810)
Item 59*	March 27, 2018	(1491548)
Item 60	April 20, 2018	(1494795)
Item 61	April 30, 2018	(1478645)
Item 62*	May 10, 2018	(1454993)
Item 63*	May 17, 2018	(1501748)
Item 64	May 25, 2018	(1483901)
Item 65	June 08, 2018	(1484650)
Item 66	June 20, 2018	(1508841)
Item 67*	June 21, 2018	(1486074)
Item 68*	July 20, 2018	(1515168)
Item 69	July 27, 2018	(1479531)
Item 70	August 02, 2018	(1500197)
Item 71*	August 08, 2018	(1474272)
Item 72	August 17, 2018	(1521221)
Item 73	August 21, 2018	(1489936)
Item 74*	September 19, 2018	(1528403)
Item 75	September 21, 2018	(1517675)
Item 76*	October 18, 2018	(1534742)
Item 77	November 02, 2018	(1499587)
Item 78*	November 05, 2018	(1525836)
Item 79*	November 19, 2018	(1542576)
Item 80*	December 17, 2018	(1435354)
Item 81	December 18, 2018	(1546338)
Item 82*	December 20, 2018	(1525175)
Item 83*	December 21, 2018	(1519940)
Item 84*	January 18, 2019	(1563090)
Item 85*	January 28, 2019	(1540334)
Item 86	January 31, 2019	(1540748)
Item 87*	February 19, 2019	(1563088)
Item 88	February 28, 2019	(1541236)
Item 89*	March 04, 2019	(1446831)
Item 90	March 12, 2019	(1544593)
Item 91*	March 14, 2019	(1548396)
Item 92	March 15, 2019	(1460912)
Item 93*	March 19, 2019	(1563089)
Item 94	April 08, 2019	(1533286)
Item 95*	April 18, 2019	(1572960)
Item 96	April 23, 2019	(1549954)
Item 97	April 24, 2019	(1551927)
Item 98	April 29, 2019	(1436443)
Item 99	May 20, 2019	(1585522)
Item 100*	May 31, 2019	(1570782)
Item 101	June 17, 2019	(1498496)

Item 102	June 20, 2019	(1585523)
Item 103	June 24, 2019	(1559123)
Item 104*	June 28, 2019	(1570919)
Item 105	July 19, 2019	(1577673)
Item 106	July 26, 2019	(1580111)
Item 107	July 30, 2019	(1581614)
Item 108	August 16, 2019	(1550364)
Item 109	August 20, 2019	(1600612)
Item 110*	August 27, 2019	(1524661)
Item 111	August 28, 2019	(1580255)
Item 112	August 29, 2019	(1580494)
Item 113*	September 20, 2019	(1607517)
Item 114	October 07, 2019	(1597207)
Item 115*	October 18, 2019	(1614395)
Item 116	October 25, 2019	(1592648)
Item 117	November 20, 2019	(1620186)
Item 118	November 22, 2019	(1592899)
Item 119*	November 27, 2019	(1611837)
Item 120	December 05, 2019	(1611606)
Item 121	December 12, 2019	(1592878)
Item 122*	December 20, 2019	(1627533)
Item 123	January 07, 2020	(1611428)
Item 124*	January 20, 2020	(1635166)
Item 125*	February 20, 2020	(1641781)
Item 126	February 28, 2020	(1622199)
Item 127*	March 20, 2020	(1648295)
Item 128*	April 20, 2020	(1654647)
Item 129	May 06, 2020	(1639726)
Item 130	May 08, 2020	(1632814)
Item 131*	May 14, 2020	(1647055)
Item 132	May 20, 2020	(1661213)
Item 133	May 21, 2020	(1644159)
Item 134*	May 28, 2020	(1650788)
Item 135*	June 04, 2020	(1645788)
Item 136*	June 12, 2020	(1652426)
Item 137*	June 19, 2020	(1667742)
Item 138*	June 24, 2020	(1652420)
Item 139*	June 25, 2020	(1651907)
Item 140*	July 20, 2020	(1674689)
Item 141	July 29, 2020	(1658132)
Item 142*	August 19, 2020	(1681461)
Item 143*	August 20, 2020	(1671072)
Item 144	August 28, 2020	(1663696)
Item 145*	August 30, 2020	(1651856)
Item 146*	September 18, 2020	(1688038)
Item 147	September 25, 2020	(1672617)
Item 148	September 28, 2020	(1658859)
Item 149*	October 20, 2020	(1694394)
Item 150	November 13, 2020	(1622668)

Item 151*	November 17, 2020	(1686553)
Item 152*	November 18, 2020	(1715790)
Item 153*	December 02, 2020	(1678695)
Item 154	December 03, 2020	(1690830)
Item 155	December 04, 2020	(1678681)
Item 156	December 09, 2020	(1684997)
Item 157	December 11, 2020	(1690952)
Item 158	December 18, 2020	(1715791)
Item 159*	January 08, 2021	(1680193)
Item 160	January 12, 2021	(1680194)
Item 161*	January 14, 2021	(1697759)
Item 162	January 15, 2021	(1659745)
Item 163*	January 20, 2021	(1715792)
Item 164	January 28, 2021	(1591470)
Item 165	February 09, 2021	(1691866)
Item 166*	February 18, 2021	(1728863)
Item 167	March 05, 2021	(1692864)
Item 168	March 19, 2021	(1698346)
Item 169*	April 08, 2021	(1685490)
Item 170	April 13, 2021	(1678685)
Item 171	April 20, 2021	(1728865)
Item 172*	April 23, 2021	(1703310)
Item 173*	May 06, 2021	(1704585)
Item 174*	May 14, 2021	(1700296)
Item 175*	May 18, 2021	(1704928)
Item 176*	May 20, 2021	(1741734)
Item 177	May 25, 2021	(1697283)
Item 178*	May 28, 2021	(1712106)
Item 179	June 18, 2021	(1748152)
Item 180*	June 21, 2021	(1678144)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2010 and 08/31/2015.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN ENFORCEMENT
ACTION CONCERNING
FORMOSA UTILITY VENTURE, LTD.
AND FORMOSA PLASTICS
CORPORATION, TEXAS;
RN100218973

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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER

DOCKET NO. 2019-0623-IWD-E

On _____, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS ("Respondents") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, represented by the Litigation Division, and Respondents, represented by Stephanie Bergeron Perdue of the law firm Baker Botts L.L.P., presented this Order to the Commission.

Respondents understand that they have certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, to request an evidentiary hearing, receive notice of an evidentiary hearing, and a right to appeal. By entering into this Order, Respondents agree to waive all notice and procedural rights which might otherwise be authorized or required in this action.

It is further understood and agreed that this Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Order are binding upon Respondents.

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondents own and operate a plastic, organic, and inorganic chemicals manufacturing facility located at 201 Formosa Drive in Point Comfort, Calhoun County, Texas (the "Facility"). The Facility adjoins, is contiguous with, surrounds, or is near or adjacent to state water as defined in TEX. WATER CODE § 26.001(5).
2. Following an investigation conducted on December 12, 2018, through January 17, 2019, TCEQ staff determined that Respondents failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state. Specifically, small white debris was observed floating in a sample collected from a sample spigot at Outfall No. 001. Also, plastic pellets and white debris were observed after the stormwater gate throughout the stormwater discharge ditch and in the soil at Outfall No. 006, and plastic pellets and white debris were observed after the stormwater gate and a small amount of white debris was noted past the outfall screen at Outfall No. 007. Additionally, a small amount of floating debris was observed at Outfall No. 001.

3. Following a record review investigation conducted on July 30, 2019, TCEQ staff determined that Respondents failed to comply with permitted effluent limitations. Specifically, Respondents:
 - a. Exceeded the permitted effluent limitations for 2,3,7,8 tetrachlorodibenzo-p-dioxin ("TCDD") equivalents (Outfall No. 001), as reflected in the attached Effluent Violation Table, which is incorporated herein by reference (Attachment A);
 - b. Exceeded the permitted effluent limits for total copper and total suspended solids (TSS) (Outfall No. 001), as reflected in the attached Effluent Violation Table (Attachment A); and
 - c. Exceeded the permitted effluent limits for chloroform and TSS (Outfall Nos. 101 and SUM), as reflected in the attached Effluent Violation Table (Attachment A).
4. Following an investigation conducted on September 12, 2019, TCEQ staff determined that Respondents failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state. Specifically, small white debris was floating in a sample collected from a sample spigot at Outfall No. 001 and near the Outfall No. 001 discharge point in Lavaca Bay.
5. Following an investigation conducted on January 28, 2020, TCEQ staff determined that Respondents failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state. Specifically, TCEQ staff observed:
 - a. At Outfall No. 001, small white debris discharging from Outfall No. 001 and floating in a sample collected from a mixing sump;
 - b. At Outfall No. 004, small white debris in the discharge ditch;
 - c. At Outfall No. 005, small white debris prior to discharge, after the stormwater gate, and in the discharge ditch on both sides of the Facility fence line;
 - d. At Outfall No. 008, small white debris on both sides of the stormwater gate;
 - e. At Outfall No. 009, small white debris on both sides of the stormwater gate; and
 - f. Small white debris outside of the Facility's fence line near Texas State Highway 35 where the discharges from Outfall Nos. 002, 004, and 005 enter Cox Creek, and on the shoreline of both sides of the Texas State Highway 35 bridge over Cox Creek.
6. The Executive Director recognizes that Respondents implemented the following corrective measures at the Facility:
 - a. By May 2022, installed control measures to filter plastic pellets and debris at Outfall No. 001, including a Biological Treatment Ultrafiltration System, Cooling Tower Blowdown Ultrafiltration System, IEM/Demin Train Ultrafiltration System, Sump Mesh Screen, In-Line Filter, Basket Strainer, Bag Filters, and WSM Net;
 - b. By May 31, 2023, achieved compliance with permitted effluent limitations for 2,3,7,8 TCDD equivalents, total copper, chloroform, and total suspended solids in Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0002436000;
 - c. By June 15, 2023, routed Outfall Nos. 002, 003, 004, 005, 006, 007, 008, 009, and 012 to the headworks of the filter plastic control measures that were installed by May 2022; and
 - d. By April 17, 2025, provided an overview of the engineering evaluations and corrective measures that have been implemented at the Facility to prevent future discharges of floating solids or visible foam in other than trace amounts, including plastic pellets, at all outfalls located at the Facility.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondents are subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 26 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2, Respondents failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 3, Outfall Nos. 001, 006, and 007.
3. As evidenced by Finding of Fact No. 3.a., Respondents failed to comply with permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 1, Outfall No. 001.
4. As evidenced by Finding of Fact No. 3.b., Respondents failed to comply with permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 1, Outfall No. 001.
5. As evidenced by Finding of Fact No. 3.c., Respondents failed to comply with permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements Nos. 101 and SUM.
6. As evidenced by Finding of Fact No. 4, Respondents failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 3, Outfall No. 001.
7. As evidenced by Finding of Fact No. 5, Respondents failed to prevent the discharge of floating solids or visible foam in other than trace amounts into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0002436000, Effluent Limitations and Monitoring Requirements No. 3, Outfall Nos. 001, 004, 005, 008, and 009.
8. Pursuant to TEX. WATER CODE § 7.051, TCEQ has the authority to assess an administrative penalty against Respondents for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
9. An administrative penalty in the amount of \$274,500 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Respondents paid \$137,250 of the penalty.

Pursuant to TEX. WATER CODE § 7.067, \$137,250 of the penalty shall be conditionally offset by Respondents' timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the SEP Agreement ("Attachment B" - incorporated herein by reference). Respondents' obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes any payment schedule and the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Respondents are assessed an administrative penalty as set forth in Conclusion of Law No. 9 for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondents' compliance with all requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
2. Respondents shall implement and complete a SEP as set forth in Conclusion of Law No. 9. The amount of \$137,250 of the assessed administrative penalty is conditionally offset based on Respondents' implementation and completion of a SEP pursuant to the terms and conditions contained in the SEP Agreement, as defined in Attachment B. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon Respondents. Respondents are ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondents shall be made in writing to the Executive Director. Extensions are not effective until Respondents receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
6. If Respondents fail to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Respondents' failure to comply is not a violation of this Order. Respondents shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Respondents shall notify the Executive Director within seven days after Respondents become aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
7. This Order, issued by the Commission, shall not be admissible against Respondents in a civil proceeding, unless the proceeding is brought by the Office of the Attorney General of the State of Texas ("OAG") to: (1) enforce the terms of this Order, or (2) pursue violations of a statute within TCEQ's jurisdiction, or of a rule adopted or an order or permit issued by TCEQ under such a statute. The Executive Director may, without further notice or hearing, refer this matter to the OAG for further enforcement proceedings if the Executive Director determines that Respondents have not complied with one or more of the terms or conditions in this Order.
8. The provisions of this Order are deemed severable, and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
9. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

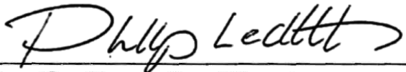
10. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
11. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



August 25, 2025

For the Executive Director

Date

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

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

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

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

Signature -

FORMOSA UTILITY VENTURE, LTD. and
FORMOSA PLASTICS CORPORATION, TEXAS
401 South 1st Street, Suite 1300
Austin, Texas 78704

Date

5/27/2025

☐ If mailing address has changed, please check this box and provide the new address below:

ATTACHMENT A
EFFLUENT VIOLATION TABLE

FORMOSA UTILITY VENTURE, LTD. and FORMOSA PLASTICS CORPORATION, TEXAS
Docket No. 2019-0623-IWD-E
TPDES Permit No. WQ0002436000

Effluent Violation Table

Monitoring Period	Outfall No. 001							Outfall No. 101		Outfall No. SUM*
	Total Copper	TSS		2,3,7,8 TCDD				TSS		Chloroform
	Daily Max. Loading	Daily Max. Conc.	Daily Max. Loading	Daily Avg. Conc.	Daily Max. Conc.	Daily Avg. Loading	Daily Max. Loading	Daily Avg. Loading	Daily Max. Loading	Daily Max. Loading
	<u>Limit</u> 3.11 lbs/d	<u>Limit</u> 80 mg/L	<u>Limit</u> 6,476 lbs/d	<u>Limit</u> 2.19 ppq	<u>Limit</u> 4.63 ppq	<u>Limit</u> 80.5 ug/d	<u>Limit</u> 170 ug/d	<u>Limit</u> 1,149 lbs/d	<u>Limit</u> 3,735 lbs/d	<u>Limit</u> 4.99 lbs/d
March 2018	c	c	c	c	c	c	c	c	c	5.62
May 2018	c	c	c	26.7	26.7	692.4	692	c	c	c
July 2018	c	135	c	c	c	c	c	1,183	5,034	c
November 2018	4.13	172	8,476	c	c	c	c	c	c	c

TSS = Total Suspended Solids

2,3,7,8 TCDD = 2,3,7,8-Tetrachlorodibenzo-p-dioxin Equivalents

Max. = Maximum

Conc. = Concentration

Avg. = Average

lbs/d = pounds per day

mg/L = milligrams per liter

ppq = parts per quadrillion

ug/d = micrograms per day

c = compliant

* Summation of Outfall Nos. 101 and 201

ATTACHMENT B
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Attachment B

Docket Number: 2019-0623-IWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents:	FORMOSA UTILITY VENTURE, LTD. AND FORMOSA PLASTICS CORPORATION, TEXAS
Penalty Amount:	\$274,500
SEP Offset Amount:	\$137,250
Type of SEP:	Custom
Project Name:	<i>City of Point Comfort Commercial Water Meter Replacement</i>
Location of SEP:	Calhoun County

The Texas Commission on Environmental Quality (“the Commission” or “TCEQ”) agrees to offset a portion the administrative Penalty Amount assessed in this Agreed Order in exchange for Respondents’ performance of a Supplemental Environmental Project (“SEP”). The SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment B.

1. Project Description

A. Project

Respondents shall hire a contractor to purchase and install approximately 23 commercial ultrasonic water meters, replacing the existing mechanical water meters within the City of Point Comfort. The commercial water meters are owned and operated by the City of Point Comfort. The ultrasonic water meters will be equipped with cellular communication endpoints that will enable the city to have an automatic metering infrastructure/reading capability. Specifically, the SEP Offset Amount shall be used for materials, supplies, and equipment for ultrasonic water meters (the “Project”). Respondents shall solicit bids from qualified contractors to perform the Project. Any advertisement or invitation for bids, including publication, related to the SEP must include the enforcement statement as stated below in Section 6, Publicity. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations, including permits that may be required prior to commencement of the SEP. The Commission’s approval and issuance of this Agreed Order shall not itself be construed to authorize any activity for which Respondents are required by statute or rule to obtain authorization from the Commission.

Respondents shall use the SEP Offset Amount only for the direct cost of implementing the Project, including supplies, materials, and equipment rentals, as listed below in Subsection C. Minimum Expenditure, Estimated Cost Schedule. No portion of the SEP Offset Amount shall be spent on administrative costs, including operating costs, reporting expenses, handling of expenses, project coordination, liability, or equipment breakdowns.

Respondents’ signature affixed to the attached Agreed Order certifies that Respondents have no prior commitment to perform this Project and that the SEP is being performed solely as part of the terms of settlement in this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by installing ultrasonic water meters that will provide better reading accuracy, real-time data, and the ability to detect leaks quickly and reduce water waste, which helps conserve valuable water resources. By promoting efficient water usage, they contribute to sustainability efforts and reduce the environmental strain caused by over-extraction of water sources. Additionally, these meters require less maintenance and have extended durability, reducing the environmental impact associated with frequent replacements and waste from traditional mechanical meters.

C. Minimum Expenditure

Respondents shall spend at least the SEP Offset Amount to complete the project described above in Section 1.A and comply with all other provisions of this SEP. Respondents understand that it may cost more than the SEP Offset Amount to complete the Project. Costs in excess of the SEP Offset Amount shall not be grounds to relieve Respondents of their obligations to perform this SEP.

Estimated Cost Schedule

Item	Total
23 Zenner Ultrasonic Water Meters and Software	\$150,000
Total	\$150,000

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondents shall begin implementation of the SEP. Respondents shall have completed the SEP in its entirety within 365 days after the effective date of this Agreed Order.

Executive Director ("ED") staff may grant an extension to any deadline for Respondents' performance of the SEP described herein, upon a written and substantiated showing of good cause. All requests for extensions must be made by Respondents and shall be made in writing to ED staff. Extensions are not effective until Respondents receive written approval from ED staff. The determination of what constitutes good cause rests solely with ED staff. Extension requests shall be sent to the SEP Coordinator by first class mail or electronic mail, at:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087
Email: sepreports@tceq.texas.gov

3. Records and Reporting

A. Progress Report

Within 30 days after the effective date of this Agreed Order, Respondents shall submit a Notice of Commencement to TCEQ describing actions performed to date to implement the Project. Within 90 days after the effective date of this Agreed Order, Respondents shall submit a report detailing the progress made and all actions completed on the Project during the previous 60-day period and setting forth a schedule for achieving completion of the Project within the 365-day timeframe set forth above in Section 2, Performance Schedule. Thereafter, Respondents shall submit progress reports to TCEQ in 90-day increments containing detailed information on all actions completed on the Project to date as set forth below in the Reporting Schedule table:

Reporting Schedule

Days from Effective Order Date	Information Required
30	Notice of Commencement describing actions taken to begin project
90	Actions completed during previous 60-day period
180	Actions completed during previous 90-day period
270	Actions completed during previous 90-day period
365	Notice of SEP completion

B. Final Report

Within 365 days after the effective date of the Agreed Order, or within 30 days after completion of the SEP, whichever is earlier, Respondents shall submit a Final Report to TCEQ, which shall include the following:

1. An itemized list of expenditures and total cost of the Project;
2. Copies of invoices or receipts corresponding to the itemized list in paragraph 3.B.1., above;
3. Copies of cleared checks or payment records corresponding to the itemized list in paragraph 3.B.1., above;
4. Copies of proof of advertisement of invitation for bids, if applicable;
5. A certified statement of SEP completion and document authentication;
6. A detailed map showing the specific location of the project site(s);
7. Dated photographs of the purchased materials and supplies; before and after work being performed during the Project; and of the completed Project; and
8. Any additional information Respondents believe will, or that is requested by TCEQ to demonstrate compliance with this Attachment B.

C. Submittals

Respondents shall submit all SEP reports and any additional information as requested to the SEP Coordinator at the address provided above.

4. Additional Information and Access

Respondents shall provide additional information as requested by TCEQ staff and shall allow access to all records related to the SEP Offset Amount. Respondents shall also allow representatives of TCEQ access to the site of any work being financed in whole or in part by the SEP Offset Amount. This provision shall survive the termination of this Agreed Order.

5. Failure to Fully Perform

If Respondents do not perform their obligations under this Attachment B, including full expenditure of the SEP Offset Amount and submittal of the required reporting described above in Sections 2 through 4, the ED may require immediate payment of all or part of the SEP Offset Amount as set forth in the attached Agreed Order.

In the event the ED determines that Respondents failed to fully implement and complete the Project, Respondents shall remit payment for all or a portion of the SEP Offset Amount,

as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, Respondents shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to the SEP Coordinator at the address provided above.

6. Publicity

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

7. Recognition

Respondents may not seek recognition for this project in any other state or federal regulatory program.

8. Other SEPs by TCEQ or Other Agencies

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