Order 1	Гуре:
Agreed	Order

Media: IWD

Small Business:

Yes

Location Where Violation Occurred:

739 Independence Parkway South, on the west side of Independence Parkway South, approximately one mile north of the intersection of Independence Parkway South and State Highway 225 (Pasadena Highway), near Deer Park, Harris County

Type of Operation:

organic chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, 2022-0727-PWS-E

Past-Due Penalties: \$0
Past-Due Fee: \$105
Other: None
Interested Third-Parties: None

Texas Register Publication Date: December 30, 2022

Comments Received: None

Penalty Information

Total Penalty Assessed: \$145,412

Total Paid to General Revenue: \$72,706

Total Due to General Revenue: \$0

Supplemental Environmental Project:

("SEP") Conditional Offset: \$72,706

Name of SEP: Residential Sewer Line Repair and Replacement

Program

Compliance History Classifications:

Person/CN - Satisfactory Site/RN - Satisfactory

Major Source: Yes
Statutory Limit Adjustment: None

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Dates: May 28, 2019; February 20, 2020

Complaint Information: May 28, 2019

Alleged runoff of unknown chemicals to a ditch

Complaint Information: February 20, 2020

Alleged an unathorized discharge

Dates of Investigation: April 28 - June 7, 2019

February 20 - 21, 2020

Date of NOV: N/A

Dates of NOEs: August 29, 2019

June 16, 2020

Violation Information

- 1. Failed to prevent an unauthorized discharge of industrial wastewater into or adjacent to any water in the state [Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1) and (4), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0002558000, Permit Conditions Nos. 2.(d) and 2.(g)].
- 2. Failed to install adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention [Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), (4), and (5), and TPDES Permit No. WQ0002558000, Operation Requirements No. 4 and Permit Conditions Nos. 2.(d) and 2.(g)].
- 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. WQ0002558000, Effluent Limitations and Monitoring Requirements (Outfall No. 002) No. 1].
- 4. Failed to report an unauthorized discharge orally to the Regional Office within 24 hours of becoming aware of the noncompliance, and in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance [30 Tex. Admin. Code § 305.125(1) and (9), and TPDES Permit No. WQ0002558000, Monitoring and Reporting Requirements No. 7].
- 5. Failed to prevent an unauthorized discharge of other waste into or adjacent to any water in the state [Tex. Water Code § 26.121(a)(2), 30 Tex. Admin. Code § 305.125(1) and (4), and TPDES Permit No. WQ0002558000, Permit Conditions Nos. 2.(d) and 2.(g) and Other Requirements No. 4].

Corrective Actions/Technical Requirements

Corrective Actions Completed:

- 1. As of May 24, 2022:
 - a. Replaced the leaking surface water clarifier tank with a frac tank as an approved temporary potable water source;
 - b. Ceased using water from the frac tank as a source of drinking water;
 - c. Installed a sump pump alarm in the breezeway;
 - d. Repaired the secondary containment structures and dikes;

- e. Properly disposed of the contaminated stormwater that was being stored onsite;
- f. Ceased all unauthorized discharges of treated surface water from the firewater storage tank relief pipe; and
- g. Determined the source and ceased the discharge of sodium sulfite salt.

Technical Requirements:

1. Within 30 days, conduct an evaluation of the Facility by a Texas registered professional engineer, to determine the necessary upgrades to prevent the discharge of untreated or inadequately treated wastes from the Facility and its wastewater collection system during electrical power failures.

2. Within 60 days:

- a. Clean and remediate any exceedances of risk-based exposure limits in soil that were caused by the discharge of flocculant treated surface water from the leak at the bottom of a surface water clarifying unit, and properly remove and dispose of all contaminated soil, including from the unnamed ditch upstream of stormwater Outfall No. 002.;
- b. Clean and remediate any exceedances of risk-based exposure limits in soil that were caused by the discharge of contaminated stormwater that overflowed and seeped through cracks from the secondary containment for the west tank farm, and properly remove and dispose of all contaminated soil including from the ditch that is part of the Facility's stormwater conveyance system and the area just outside of the secondary containment around the west tank farm and the railcar loading area;
- c. Clean and remediate any exceedances of risk-based exposure limits in soil that were caused by the discharge of treated surface water directly onto the ground from the firewater storage tank's relief pipe, and properly remove and dispose of all contaminated soil, including from area outside of the secondary containment measures;
- d. Clean and remediate any exceedances of risk-based exposure limits in soil that were caused by the discharge of wastewater from the equalization basin and the flume box at the Facility's wastewater treatment plant, and properly remove and dispose of all contaminated soil, including from the stormwater conveyance system; and
- e. Clean and remediate any exceedances of risk-based exposure limits in soil that were caused by the discharge of white material, which was identified as sodium sulfite salt, from the enclosed process unit. Properly remove and dispose of all contaminated soil, including from the sluice gate ditch and the unnamed ditch upstream of stormwater Outfall No. 002.
- 3. Within 130 days submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0002558000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.
- 4. Within 180 days cease use of the temporarily approved frac tank as a source of potable water.
- 5. Submit written certification to demonstrate compliance:
 - a. Within 45 days for Technical Requirement No. 1.
 - b. Within 75 days for Technical Requirement Nos. 2.a. through 2.e.
 - c. Within 195 days for Technical Requirement No. 3.

Litigation Information

Date Petition Filed: N/A
Date Green Card Signed: N/A

Settlement Date: September 2, 2022

Contact Information

TCEQ Attorneys: David Keagle, 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: Betty Sanders, Litigation Division, (512) 239-3992

SEP Third-Party Administrator: Frank O. Simoneaux, P.E, Director of Public Works, City of Baytown,

P.O. Box 424, Baytown, Texas 77522

TCEQ Enforcement Coordinator: Alejandro Laje, Enforcement Division, (512) 239-2547

TCEQ Regional Contact: Westin Massey, Houston Regional Office, (713) 767-3500

Respondent Contact: Kenneth Ghazey, President, GEO SPECIALTY CHEMICALS, INC., 401 South Earl

Avenue, Suite 3A, Lafayette, Indiana 47904

Respondent's Attorney: Timothy A. Wilkins, Bracewell, LLP, 111 Congress Ave., Ste. 2300, Austin,

Texas 78701-4061

\$130,112

	Policy Revision 4 (Ap		nalty Calcu	ulatio	n Worksh	neet (PC	•	Revision March	26, 2014
TCEQ_									
DATES		3-Sep-2019					7		
	PCW	10-May-2021	Screening 12-S	ep-2019	EPA Due				
RESPO	NDENT/FACTIT	TY INFORMATION	N N						
KLSI O			CHEMICALS, INC.						
Reg	g. Ent. Ref. No.		<u> </u>						1
Facili	ty/Site Region	12-Houston			Major/M	linor Source	Major]
	NFORMATION	FOR			Na	of Violations	6		
EN	f./Case ID No.	2019-1322-IWD	. F		NO. C	Order Type			1
Med	lia Program(s)				Government				1
	Multi-Media	race: quarrey					Alejandro Laje		1
	•	_					Enforcement T	eam 3	1
Adr	min. Penalty \$ I	imit Minimum	\$0 Maxi	mum	\$25,000		·		
			Penalty C	alcula	tion Section	on			
TOTAL	L BASE PENA	LTY (Sum of	violation base	penalt	ies)		Subtotal 1	\$1	27,500
		•		•	•				
ADJUS	STMENTS (+	/-) TO SUBTO	TAL 1						
	Subtotals 2-7 are ob	tained by multiplying	the Total Base Penalty	(Subtotal 1)) by the indicated pe		_		
	Compliance His	story		2.0%	Adjustment	Subto	tals 2, 3, & 7		\$2,550
	Notes	Enhan	cement for one NO	V with a o	dissimilar violati	on.			
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	Notes	The Re	spondent does not	meet the	culpability crite	eria.			
	Cood Eaith Eff	ort to Comply T	atal Adjustments				Subtotal 5		<u>+0</u>
	GOOG FAILII EIIC	ort to Comply 1	otal Adjustments				Subtotal 5		\$0
	Economic Bene	efit _		0.0%	Enhancement*		Subtotal 6		\$0
	Estimated	Total EB Amounts Cost of Compliance	\$11,123 \$80,561	*Cappe	d at the Total EB \$ /	Amount			
CLIM (OF CURTOTAL	647							20.050
SUM (OF SUBTOTAL	LS 1-/				F	inal Subtotal	\$1	30,050
OTUE		C HISTIGE M	AV DECLITOE		0.00/		A 45		+62
		Subtotal by the indic	AY REQUIRE		0.0%		Adjustment		\$62
reduces e	or crimarices the rinar						7		
	Notes	Recommended 6	nhancement to cap Violati	oture the on No. 6.	avoided cost as	sociated with			
						Final Day		44	20 112
						Final Per	nalty Amount	\$1	30,112
STATU	JTORY LIMIT	ADJUSTMEN	IT			Final Asse	ssed Penalty	\$1	.30,112
DEFER	OD A I				0.0%	Reduction	Adiustrass		\$0
		nalty by the indicated	percentage.		0.0%	Reduction	Adjustment		ΨU
		in a marcatet	,				7		
	Notes	Defe	rral not offered for	non-expe	dited settlemen	t.			

PAYABLE PENALTY

Screening Date 12-Sep-2019

Docket No. 2019-1322-IWD-E

PCW

Respondent GEO SPECIALTY CHEMICALS, INC.

Case ID No. 58295

Reg. Ent. Reference No. RN100219070

Media Water Quality

Enf. Coordinator Alejandro Laje

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

Compliance History Worksheet

mpliance Hist Component	ory <i>Site</i> Enhancement (Subtotal 2) Number of	Number	Adjust
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	1	2%
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
Orders	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	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
and Consent Decrees	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 (number of events)	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 (number of audits for which notices were submitted)	0	0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	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%

	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%
Other	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) 2%

>> 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 one NOV with a dissimilar violation.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

2%

2%

		ening Date	•			et No. 2019-1322-IWD-	E	PCW
		•		TY CHEMICALS, I	NC.		Policy	Revision 4 (April 2014)
_	_	ase ID No.					PCW Re	evision March 26, 2014
Reg.	Ent. Ref		RN100219070					
	F 6 . 0		Water Quality					
		oorainator tion Number	Alejandro Laje	e <mark>¬</mark>				
	Viola	don Number	<u>T</u>					
		Rule Cite(s)	Texas	Pollutant Dischar	ge Elimination	dmin. Code § 305.125(1) n System ("TPDES") Perm tions Nos. 2.(d) and 2.(g)		
	Violation	n Description	adjacent to treated surf surface w stormwat ("HCFCD") D	o any water in the face water was ob vater clarifying un ter Outfall No. 00 Ditch G111-00-00 amples collected	e state. Specioserved dischait into an unn 2 thence to H, thence to Tu at the site on	rge of industrial wastewat fically, on April 29, 2019, arging from a leak at the b amed ditch which dischard arris County Flood Contro acker Bayou tidal. Laborat April 20, 2019 showed el dissolved solids.	flocculant pottom of a ges from I District ory analysis	
						В	ase Penalty	\$25,000
>> Fnv	ironmer	ntal. Prone	rty and Hur	man Health M	latrix			
, <u>-</u> = 11V	Ommel		_	Harm				
0.0		Release		Moderate	Minor			
OR		Actual			X	Dorgant 15.0	0/	
		Potential				Percent 15.0	90	
>>Prog	gramma	tic Matrix						
		Falsification	Major	Moderate	Minor			
						Percent 0.0	%	
	Matrix Notes			e protective of hu		significant amounts of pollor or environmental receptor		
						Adjustment	\$21,250	
						Adjustment	\$21,250	
						Adjustment	\$21,250	\$3,750
Violatio	on Event	:s				Adjustment	\$21,250	\$3,750
Violatio	on Event							\$3,750
Violatio	on Event		/iolation Events	s <u>2</u>		Adjustment 136 Number of violati		\$3,750
Violatio	on Event			5 2				\$3,750
Violatio	on Event		daily	5 2				\$3,750
Violatio	on Event			5 2				\$3,750
Violatio	on Event		daily weekly monthly quarterly	5 <u>2</u>		136 Number of violati		\$3,750 \$7,500
Violatio	on Event		daily weekly monthly quarterly semiannual	S 2 X		136 Number of violati	on days	
Violatio	on Event		daily weekly monthly quarterly semiannual annual	S 2 X		136 Number of violati	on days	
Violatio	on Event		daily weekly monthly quarterly semiannual	S 2 X		136 Number of violati	on days	
Violatio	on Event	Number of \	daily weekly monthly quarterly semiannual annual single event	X X Commended, calcu		136 Number of violati	on days ase Penalty	
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rec (April 29, 2	commended, calcu		Number of violati Violation B	on days ase Penalty documented	\$7,500
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rec (April 29, 2	X X Commended, calcu	ening date (S	Number of violati Violation B The date the discharge was eptember 12, 2019).	on days ase Penalty	
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rec (April 29, 2	x commended, calculation of the screen of t	ening date (S	Number of violati Violation B The date the discharge was eptember 12, 2019).	on days ase Penalty documented	\$7,500
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rec (April 29, 2	X X 2019) to the scree 0.0% Before NOE/NOV No	ening date (S	Number of violati Violation B The date the discharge was eptember 12, 2019).	on days ase Penalty documented	\$7,500
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rec (April 29, 2) ply Extraordinary	x x 2019) to the scree 0.0% Before NOE/NOV No	ening date (S	Number of violati Violation B The date the discharge was eptember 12, 2019).	on days ase Penalty documented	\$7,500
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rec (April 29, 2) ply Extraordinary Ordinary	Commended, calculation (2019) to the screen (2019)	ening date (So	Violation B The date the discharge was eptember 12, 2019). P/Settlement Offer The deet the good faith criterians and the content of the co	on days ase Penalty documented Reduction	\$7,500
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rec (April 29, 2) ply Extraordinary Ordinary	Commended, calculation (2019) to the screen (2019)	oE/NOV to EDPR	Violation B The date the discharge was eptember 12, 2019). P/Settlement Offer The deet the good faith criteria iolation.	on days ase Penalty documented Reduction	\$7,500
Good F	aith Effo	Two quarterly	daily weekly monthly quarterly semiannual annual single event events are rec (April 29, 2) ply Extraordinary Ordinary	X X 2019) to the scree 0.0% Before NOE/NOV No X The Responders	oE/NOV to EDPR	Violation B The date the discharge was eptember 12, 2019). P/Settlement Offer The deet the good faith criteria iolation.	on days ase Penalty documented Reduction	\$7,500 \$0
Good F	aith Effo	Two quarterly orts to Com	daily weekly monthly quarterly semiannual annual single event events are rec (April 29, 2) ply Extraordinary Ordinary N/A Notes	X X Commended, calculated and the screen commended and calculated and calculate	oE/NOV to EDPR ont does not me for this v	Violation B The date the discharge was eptember 12, 2019). P/Settlement Offer The deet the good faith criteria iolation. Violation Statutory Line	on days ase Penalty documented Reduction asion Subtotal nit Test	\$7,500 \$0 \$7,500
Good F	aith Effo	Two quarterly orts to Com	daily weekly monthly quarterly semiannual annual single event events are rec (April 29, 2) ply Extraordinary Ordinary N/A	X X Commended, calculated and the screen commended and calculated and calculate	oE/NOV to EDPR	Violation B de date the discharge was eptember 12, 2019). P/Settlement Offer deet the good faith criteria iolation. Violation	on days ase Penalty documented Reduction asion Subtotal nit Test	\$7,500 \$0
Good F	aith Effo	Two quarterly orts to Com	daily weekly monthly quarterly semiannual annual single event events are rec (April 29, 2) ply Extraordinary Ordinary N/A Notes	X X Zommended, calculated and the screen composition ion	oE/NOV to EDPR ont does not m for this v	Violation B The date the discharge was eptember 12, 2019). P/Settlement Offer The deet the good faith criteria iolation. Violation Statutory Line	on days ase Penalty documented Reduction asion Subtotal nit Test enalty Total	\$7,500 \$0 \$7,500 \$7,654

Economic Benefit Worksheet Respondent GEO SPECIALTY CHEMICALS, INC. **Case ID No.** 58295 Reg. Ent. Reference No. RN100219070 **Media** Water Quality Years of **Percent Interest Violation No.** 1 **Depreciation** 5.0 15 **Item Cost Date Required Final Date Costs Saved EB Amount** Yrs Interest Saved **Item Description Delayed Costs** Equipment \$10,000 29-Apr-2019 15-Dec-2021 2.63 \$88 \$1,755 \$1,843 **Buildings** 0.00 \$0 \$5,000 8-May-2019 Other (as needed) 29-Apr-2019 0.02 \$0 \$8 \$8 **Engineering/Construction** 0.00 \$0 \$0 \$0 0.00 \$0 **Record Keeping System** 0.00 \$0 \$0 n/a **Training/Sampling** 0.00 \$0 \$0 n/a Remediation/Disposal \$20,000 29-Apr-2019 15-Dec-2021 2.63 \$2,633 \$2,633 n/a **Permit Costs** 0.00 n/a \$0 \$0 Other (as needed) 0.00 \$0 n/a Estimated Equipment cost to repair or replace the surface water clarifier tank. Date required is the date the discharge was documented and the final date is the estimated date of compliance. Estimated Other cost to drain and remove the leaking surface water clarifier tank from service, and install a temporary treatment system consisting of two frac tanks. Date required is date the discharge was documented and the final date is the date of compliance. **Notes for DELAYED costs** Estimated Remediation/Disposal cost to clean and remediate all affected areas at the site, and submit a report demonstrating the applicability of the Texas Risk Reduction Program ("TRRP") to the Executive Director and to comply with all applicable requirements of TRRP. Date required is the date the discharge was documented and the final date is the estimated date of compliance. ANNUALIZE avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** Disposal 0.00 \$0 \$0 Personnel 0.00 \$0 \$0 \$0 Inspection/Reporting/Sampling 0.00 **\$0** <u>\$0</u> \$0 Supplies/Equipment 0.00 \$0 \$0 \$0 0.00 **Financial Assurance** \$0 \$0 \$0 **ONE-TIME** avoided costs 0.00 \$0 \$0 Other (as needed) 0.00 **Notes for AVOIDED costs TOTAL** \$4,484 **Approx. Cost of Compliance** \$35,000

		_	12-Sep-2019			CREC NO. 20	19-1322-IWD-E		PCW
		•	GEO SPECIALT	Y CHEMICALS	, INC.			Policy	Revision 4 (April 2014)
_		ase ID No.						PCW R	evision March 26, 2014
кед.	Ent. Ker		RN100219070						
	Enf C		Water Quality Alejandro Laje						
		tion Number		1					
	Viola	cion italibei		<u> </u>					
		Rule Cite(s)					§ 305.125(1) and ns Nos. 2.(d) and		
	Violation	n Description	adjacent to a sump pump stormwater flowed into a visible sheen i fence. Additio containme Ammonia as	nny water in the failed and an overflowed the ditch that is pure the ditch was anally, industrient and puddle Nitrogen, wer	ne state. Spen nestimated 8 ne secondary part of the Fa nes observed f al wastewate nes of dark bro ne observed ju	cifically, on May 7,000 to 12,000 containment fo cility's stormwallowing southwallowing throuwn liquid, contains	strial wastewater 731, 2019, the beginning gallons of contar for the west tank for the west tank for the exiting the programmer of the secondary contacts in the secondary con	reezeway minated arm and system. A operty at a secondary evels of	
							Bas	se Penalty	\$25,000
>> Env	/ironmer	ital, Propei	rty and Hum		Matrix				
		Release	Major	Harm Moderate	Minor				
OR		Actual		X	1111101				
		Potential				P€	ercent 30.0%		
>>Prog	gramma	tic Matrix Falsification	Major	Moderate	Minor				
		Taisincation	Major	Moderate	MILIOI	Da	ercent 0.0%	1	
							0.0 70	1	
	Matrix Notes				•	•	ounts of pollutant I receptors as a re		
						A alia	tue e set	¢17 F00	
						Adjus	tment	\$17,500	
						Adjus	tment	\$17,500	\$7,500
Violetia	on Event					Adjus	tment	\$17,500	\$7,500
Violatio	on Event	s				Adjus	tment	\$17,500	\$7,500
Violatio	on Event	_	/iolation Events	4				[\$7,500
Violatio	on Event	_	/iolation Events daily weekly monthly				stment	[\$7,500
Violatio	on Event	_	daily	X				ı days	\$7,500 \$30,000
Violatio	on Event	Number of \	daily weekly monthly quarterly semiannual annual single event	X X ommended, ca		104 Nu	umber of violation Violation Bas e discharge (May	days Se Penalty	
		Number of \ Four monthly	daily weekly monthly quarterly semiannual annual single event	X X mmended, ca	date (Septer	104 Nu	umber of violation Violation Bas e discharge (May	days Se Penalty 31, 2019)	\$30,000
		Number of \	daily weekly monthly quarterly semiannual annual single event events are reco	x x mmended, ca the screening	date (Septer	104 Nu	winber of violation Violation Base e discharge (May	days Se Penalty	
		Number of \ Four monthly	daily weekly monthly quarterly semiannual annual single event events are reco	x mmended, ca the screening 0.0% Before NOE/NOV	date (Septer	the date of thember 12, 2019)	winber of violation Violation Base e discharge (May	days Se Penalty 31, 2019)	\$30,000
		Number of \ Four monthly	daily weekly monthly quarterly semiannual annual single event events are reco	mmended, cathe screening 0.0% Before NOE/NOV	date (Septer	the date of thember 12, 2019)	winber of violation Violation Base e discharge (May	days Se Penalty 31, 2019)	\$30,000
		Number of \ Four monthly	daily weekly monthly quarterly semiannual annual single event events are reco	x x mmended, ca the screening 0.0% Before NOE/NOV	date (Septer	the date of thember 12, 2019)	winber of violation Violation Base e discharge (May	days Se Penalty 31, 2019)	\$30,000
		Number of \ Four monthly	daily weekly monthly quarterly semiannual annual single event events are reco	x x mmended, ca the screening 0.0% Before NOE/NOV	NOE/NOV to E	104 Number 12, 2019)	winber of violation Violation Base e discharge (May	days Se Penalty 31, 2019) Reduction	\$30,000
Good F	aith Effo	Four monthly	daily weekly monthly quarterly semiannual annual single event events are reco to ply Extraordinary Ordinary N/A Notes	X mmended, ca the screening 0.0% Before NOE/NOV X The Respond	NOE/NOV to E	104 Number 12, 2019) DPRP/Settlement (Compared to the good violation.	Violation Wiolation Base e discharge (May). Offer Violation	a days See Penalty 31, 2019) Reduction	\$30,000
Good F	aith Effo	Four monthly	daily weekly monthly quarterly semiannual annual single event events are reco to ply Extraordinary Ordinary N/A	X mmended, ca the screening 0.0% Before NOE/NOV X The Respond	NOE/NOV to E	104 Number 12, 2019) DPRP/Settlement (Compared to the good violation.	Violation Base e discharge (May).	a days See Penalty 31, 2019) Reduction	\$30,000
Good F	aith Effo	Four monthly orts to Com	daily weekly monthly quarterly semiannual annual single event events are reco to ply Extraordinary Ordinary N/A Notes	X Dommended, cathe screening O.0% Before NOE/NOV X The Respond	NOE/NOV to E	104 Number 12, 2019) DPRP/Settlement (Control of the date of the mber 12, 2019) DPRP/Settlement (Control of the date of the mber 12, 2019) Significant (Control of the date of the date of the date of the date of the mber 12, 2019)	Violation Base e discharge (May). Offer Violation Violation tatutory Limi	a days See Penalty Reduction Subtotal t Test	\$30,000
Good F	aith Effo	Four monthly orts to Com	daily weekly monthly quarterly semiannual annual single event events are reco to ply Extraordinary Ordinary N/A Notes	X Demmended, cathe screening O.0% Before NOE/NOV X The Respond	NOE/NOV to E NOE/N	104 Number 12, 2019) DPRP/Settlement (Control of the good of violation. State of the good of violation.	Violation Wiolation Base e discharge (May). Offer Violation	a days Se Penalty 31, 2019) Reduction Subtotal t Test halty Total	\$30,000 \$30,000 \$30,615

Economic Benefit Worksheet

Respondent GEO SPECIALTY CHEMICALS, INC.

Case ID No. 58295

Reg. Ent. Reference No. RN100219070

Media Water Quality
Violation No. 2

Years of Depreciation

5.0

15

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

Item Description

Delayed Costs

Equipment (sump pump)
Equipment (sump pump alarm)
Other (as needed)
Construction
Land
Record Keeping System
Disposal
Remediation/Storage
Remediation/Storage
Other (as needed)

5 <u></u>						
\$500	31-May-2019	6-Jun-2019	0.02	\$0	\$1	\$1
\$500	31-May-2019	15-Dec-2021	2.55	\$4	\$85	\$89
			0.00	\$0	\$0	\$0
\$1,000	31-May-2019	15-Dec-2021	2.55	\$8	\$170	\$178
			0.00	\$0	n/a	\$0
			0.00	\$0	n/a	\$0
\$1,000	31-May-2019	15-Dec-2021	2.55	\$127	n/a	\$127
\$5,000	31-May-2019	6-Jun-2019	0.02	\$4	n/a	\$4
\$5,000	31-May-2019	6-Jun-2019	0.02	\$4	n/a	\$4
·	,		0.00	\$0	n/a	\$0

Estimated Equipment cost to repair the breezeway sump pump and install screens to keep solids out of the sump pump. Date required is the date the discharge was documented and the final date is the date of compliance.

Estimated Equipment cost to install a sump pump alarm in the breezeway. Date required is the date of the discharge and the final date is the estimated date of compliance.

Estimated Construction cost to repair the secondary containment to prevent industrial wastewater from discharging through cracks in the dike. Date required is the date of the discharge and the final date is the estimated date of compliance.

Estimated Disposal cost to properly dispose of the industrial wastewater that is being stored in the hold tank and the 18 frac tanks. Date required is the date of the discharge and the final date is the estimated date of compliance.

Notes for DELAYED costs

Estimated Remediation/Storage cost to cease the unauthorized discharge of industrial wastewater from the breezeway by installing a temporary diaphragm pump to pump the industrial wastewater into a temporary holding tank; remove the industrial wastewater from the breezeway, temporarily store the industrial wastewater in frac tanks, and clean the breezeway sump and trench drain. Date required is the date the discharge was documented and the final date is the date of compliance.

Estimated Remediation/Storage cost to aerate and treat approximately 380,000 gallons of industrial wastewater with a commercial bacteria product designed for bioremediation and pump the industrial wastewater from the stormwater ditch into 18 frac tanks for temporary storage. Date required is the date of the discharge and the final date is the compliance date.

Estimated cost to clean and remediate all affected areas at the site, and submit a report demonstrating the applicability of the Texas Risk Reduction Program ("TRRP") to the Executive Director and to comply with all applicable requirements of TRRP is captured in Violation No. 1.

Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs) 0.00 0.00 \$0 \$0 \$0 0.00 \$0 \$0 \$0 0.00 \$0 \$0 \$0 0.00 \$0 \$0 \$0 0.00 \$0 \$0 \$0 0.00 \$0 \$0 \$0

Notes for AVOIDED costs

Other (as needed)

Approx. Cost of Compliance \$13,000 TOTAL \$403

	Screening Date	12-Sep-2019		Dock	et No. 2019-1322-IWD-E		PCW
	Respondent		Y CHEMICALS	, INC.		Policy	Revision 4 (April 2014)
_	Case ID No.					PCW R	evision March 26, 2014
Reg.	Ent. Reference No.						
		Water Quality					
	Enf. Coordinator Violation Number						
	Rule Cite(s)						
	Nuie ene(3)	Tex. Water Co			dmin. Code § 305.125(1) and only only only only and 2 and 2		
	Violation Description	adjacent to a	iny water in the secondary co	ne state. Specific ontainment meas	rge of industrial wastewater in ally, a firewater storage tank l sures was discharging treated ectly onto the ground.	ocated	
					Base	Penalty[\$25,000
>> En	vironmental, Propei	rty and Hum	an Health	Matrix			
			Harm				
OR	Release	Major	Moderate	Minor			
OK	Actual Potential			X	Percent 15.0%		
	i occinciai				13.070		
>>Pro	grammatic Matrix						
	Falsification	Major	Moderate	Minor			
					Percent 0.0%		
	11				::::	ka vulai ala	
			protective of I		ignificant amounts of pollutant environmental receptors as a		
					Adjustment	\$21,250	
							¢2.750
						L	\$3,750
Violati	on Events						
	N	,, , , , , , , , , , , , , , , , , , ,			N. I. C. I.I.	•	
	Number of V	iolation Events	2		104 Number of violation d	lays	
		daily					
		weekly					
		monthly					
		quarterly semiannual	Х		Violation Base	Penalty	\$7,500
		annual					
		single event					
	Two quarterly			lculated from the date (Septembe	e date of the discharge (May 3 r 12, 2019).	1, 2019)	
Good F	aith Efforts to Com	ply	0.0%			eduction	\$0
	a.t and to to com			NOE/NOV to EDPRE		Caaction	40
		Extraordinary					
		Ordinary					
		N/A	X				
		Notes	The Respond	ent does not me this viol	et the good faith criteria for ation.		
					Violation 9	Subtotal[\$7,500
Econoi	nic Benefit (EB) for	this violation	on		Statutory Limit	Test	
	Fetimate	ed EB Amount		\$445	Violation Final Pena	lty Total	\$7,654
	Louinace	milvuiit				-	
			This viol	ation Final Ass	essed Penalty (adjusted fo	r limits)	\$7,654

	E	conomic	Benefit	Wo	rksheet		
Respondent	GEO SPECIAL	TY CHEMICALS, IN	NC.				
Case ID No.		•					
Reg. Ent. Reference No.		1					
	Water Quality						Years of
Violation No.						Percent Interest	Depreciation
Violation No.	3						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings			-	0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$2,500	31-May-2019	15-Dec-2021	2.55	\$21	\$424	\$445
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 Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs	estimated date Estimated cos applicability of	e of compliance. t to clean and rem	nediate all affec eduction Progra	ted area	as at the site, and RP") to the Execut	d and the final date submit a report der tive Director and to	monstrating the
Avoided Costs	ANNU	ALIZE avoided co	osts before er	tering	item (except for	r one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
nspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0 \$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$2,500			TOTAL		\$445

	Screening Date	12-Sep-2019	Docket No. 2019-1322-IWD-E	PCW
	Respondent	GEO SPECIALTY CHEMICALS	, INC.	Policy Revision 4 (April 2014)
	Case ID No.	58295		PCW Revision March 26, 2014
Reg.	Ent. Reference No.	RN100219070		
		Water Quality		
	Enf. Coordinator			
	Violation Number			
	Rule Cite(s)	and TPDES Permit No. WQ00	(a)(1), 30 Tex. Admin. Code § 305.125(1), (4), and $(a)(0)(0)(0)(0)(0)$ 002558000, Operational Requirements No. 4 and Peronditions Nos. 2.(d) and 2.(g)	
	Violation Description	inadequately treated wastes power sources, standby go 2019, the equalization wastewater treatment plant conveyance system whi discharges from stormwate	safeguards to prevent the discharge of untreated of during electrical power failures by means of alternations, and/or retention. Specifically, on May 3 basin and the flume box at the Facility's industrial were overflowing and discharging into the stormwhich directly discharges to the unnamed ditch which or Outfall No. 002 thence to HCFCD Ditch G111-00-11, as a result of electrical issues that caused the put to cease working.	nate 1, ater 00,
			Base Pen	salty \$25,000
>> Env	rironmental, Prope	rty and Human Health	Matrix	
	Release	Harm Major Moderate	Minor	
OR	Actual		Minor	
	Potential		Percent 30.0%	
		71.		
>>Prog	grammatic Matrix			
	Falsification	Major Moderate	Minor	
			Percent 0.0%	
			1	
	Matrix		n exposed to significant amounts of pollutants which	
	Notes not exceed lev	leis that are protective or num	nan health or environmental receptors as a result o violation.	rtne
			Violation.	
			Adjustment ¢17	500
			Adjustment \$17	,500
			Adjustment \$17	,500 \$7,500
\/: - - + : -	-		Adjustment \$17	
Violatio	on Events		Adjustment \$17	
Violatio		Violation Events		
Violatio		Violation Events 8	Adjustment \$17 104 Number of violation days	
Violatio		/iolation Events 8 daily		
Violatio		daily weekly		
Violatio		daily weekly X	104 Number of violation days	\$7,500
Violatio		daily weekly monthly X quarterly		\$7,500
Violatio		daily weekly monthly X quarterly semiannual	104 Number of violation days	\$7,500
Violatio		daily weekly monthly X quarterly	104 Number of violation days	\$7,500
Violatio	Number of \	daily weekly monthly quarterly semiannual annual single event	104 Number of violation days Violation Base Pen	\$7,500
Violatio	Number of \\ Eight mo	daily weekly monthly quarterly semiannual annual single event nthly events are recommender rom the date of the unauthor	104 Number of violation days	\$7,500
	Number of Number	daily weekly monthly Quarterly semiannual annual single event nthly events are recommender rom the date of the unauthor (Sept	Violation Base Pened, four monthly events for each unit of treatment. ized discharges (May 31, 2019) to the screening day ember 12, 2019).	\$7,500 alty \$60,000
	Number of \\ Eight mo	daily weekly monthly quarterly semiannual annual single event nthly events are recommender rom the date of the unauthor (Sept	Violation Base Peneral discharges (May 31, 2019) to the screening days ember 12, 2019).	\$7,500 alty \$60,000
	Number of Number	daily weekly monthly quarterly semiannual annual single event nthly events are recommender rom the date of the unauthor (Sept	Violation Base Pened, four monthly events for each unit of treatment. ized discharges (May 31, 2019) to the screening day ember 12, 2019).	\$7,500 alty \$60,000
	Number of Number	daily weekly monthly quarterly semiannual annual single event nthly events are recommender from the date of the unauthor (Sept	Violation Base Peneral discharges (May 31, 2019) to the screening days ember 12, 2019).	\$7,500 alty \$60,000
	Number of Number	daily weekly monthly quarterly semiannual annual single event nthly events are recommender rom the date of the unauthor (Sept	Violation Base Peneral discharges (May 31, 2019) to the screening days ember 12, 2019).	\$7,500 alty \$60,000
	Number of Number	daily weekly monthly quarterly semiannual annual single event nthly events are recommender from the date of the unauthor (Sept	Violation Base Peneral discharges (May 31, 2019) to the screening days ember 12, 2019).	\$7,500 alty \$60,000
	Number of Number	daily weekly monthly quarterly semiannual annual single event nthly events are recommender rom the date of the unauthor (Sept ply 0.0% Before NOE/NOV Extraordinary Ordinary N/A X	Violation Base Peneral discharges (May 31, 2019) to the screening days ember 12, 2019).	\$7,500 alty \$60,000
	Number of Number	daily weekly monthly quarterly semiannual annual single event nthly events are recommender from the date of the unauthor (Sept Before NOE/NOV Extraordinary Ordinary N/A X The Responder	Violation Base Pen ed, four monthly events for each unit of treatment. ized discharges (May 31, 2019) to the screening da ember 12, 2019). Reduce NOE/NOV to EDPRP/Settlement Offer ent does not meet the good faith criteria for	\$7,500 \$60,000 Inte
Good F	Eight mo Calculated f	daily weekly monthly quarterly semiannual annual single event nthly events are recommender rom the date of the unauthor (Sept ply D.0% Before NOE/NOV Extraordinary Ordinary N/A X Notes The Respond	Violation Base Pen d, four monthly events for each unit of treatment. ized discharges (May 31, 2019) to the screening daember 12, 2019). Reduce NOE/NOV to EDPRP/Settlement Offer ent does not meet the good faith criteria for this violation. Violation Subt	\$7,500 alty \$60,000 ction \$0
Good F	Eight mo Calculated f	daily weekly monthly quarterly semiannual annual single event nthly events are recommender from the date of the unauthori (Seption of the unauthori	Violation Base Pen In this violation. Violation Base Pen Reduce NOE/NOV to EDPRP/Settlement Offer Lent does not meet the good faith criteria for this violation. Violation Subt Statutory Limit Tes	\$7,500 alty \$60,000 ction \$0 ctotal \$60,000
Good F	Eight mo Calculated f	daily weekly monthly quarterly semiannual annual single event nthly events are recommender rom the date of the unauthor (Sept ply D.0% Before NOE/NOV Extraordinary Ordinary N/A X Notes The Respond	Violation Base Pen d, four monthly events for each unit of treatment. ized discharges (May 31, 2019) to the screening daember 12, 2019). Reduce NOE/NOV to EDPRP/Settlement Offer ent does not meet the good faith criteria for this violation. Violation Subt	\$7,500 alty \$60,000 ate \$60,000
Good F	Eight mo Calculated f	daily weekly monthly quarterly semiannual annual single event nthly events are recommender from the date of the unauthor (Sept Ply O.0% Before NOE/NOV Extraordinary Ordinary N/A X Notes The Respond This violation ed EB Amount	Violation Base Pen In this violation. Violation Base Pen Reduce NOE/NOV to EDPRP/Settlement Offer Lent does not meet the good faith criteria for this violation. Violation Subt Statutory Limit Tes	\$7,500 \$60,000 tetion

Respondent		Comonnic	Benefit	Wo	rksheet		
	GEO SPECIAL	ΓΥ CHEMICALS, IN	NC.				
Case ID No.	58295						
g. Ent. Reference No.	RN100219070						
Media	Water Quality					Dawasat Intonset	Years of
Violation No.						Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Équipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$10,000	31-May-2019	15-Dec-2021	2.55	\$85	\$1,697	\$1,782
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 Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
L L				114 165 1		,	ectrical power
Notes for DELAYED costs	date of compli Estimated cost applicability of	Date Required is t ance. t to clean and rem	nediate all affec eduction Progra	charge ted are m ("TR	was documented a as at the site, and RP") to the Execut	and the final date is submit a report der	the estimated
Notes for DELAYED costs	date of compli Estimated cost applicability of applicable requ	Date Required is t ance. t to clean and rem the Texas Risk R uirements of TRR	nediate all affec eduction Progra P is captured in	charge ted are m ("TR Violatio	was documented a as at the site, and RP") to the Execut on No. 1.	and the final date is submit a report der ive Director and to	the estimated monstrating the comply with all
Notes for DELAYED costs Avoided Costs	date of compli Estimated cost applicability of applicable requ	Date Required is t ance. t to clean and rem the Texas Risk R uirements of TRR	nediate all affec eduction Progra P is captured in	ted are m ("TR Violatio	was documented as at the site, and RP") to the Executon No. 1. item (except for	and the final date is submit a report der tive Director and to	monstrating the comply with all
Notes for DELAYED costs	date of compli Estimated cost applicability of applicable requ	Date Required is t ance. t to clean and rem the Texas Risk R uirements of TRR	nediate all affec eduction Progra P is captured in	ted are m ("TR Violation tering 0.00	was documented as at the site, and RP") to the Executor No. 1. item (except for \$0	submit a report der sive Director and to	monstrating the comply with all d costs)
Notes for DELAYED costs Avoided Costs Disposal Personnel	date of compli Estimated cost applicability of applicable requ	Date Required is t ance. t to clean and rem the Texas Risk R uirements of TRR	nediate all affec eduction Progra P is captured in	ted are m ("TR Violatio	was documented as at the site, and RP") to the Executon No. 1. item (except for	and the final date is submit a report der tive Director and to	monstrating the comply with all d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	date of compli Estimated cost applicability of applicable requ	Date Required is t ance. t to clean and rem the Texas Risk R uirements of TRR	nediate all affec eduction Progra P is captured in	ted area m ("TR Violation tering 0.00 0.00	was documented a as at the site, and RP") to the Execut on No. 1. item (except for \$0 \$0	submit a report derive Director and to	monstrating the comply with all d costs)
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	date of compli Estimated cost applicability of applicable requ	Date Required is t ance. t to clean and rem the Texas Risk R uirements of TRR	nediate all affec eduction Progra P is captured in	ted area m ("TR Violation on the violation of the violation on the violation of the violation on the violation of violation of violation on the violation of violation	was documented as at the site, and RP") to the Executor No. 1. item (except for \$0 \$0 \$0 \$0	submit a report der cive Director and to	monstrating the comply with all documents of the costs of
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	date of compli Estimated cost applicability of applicable requ	Date Required is t ance. t to clean and rem the Texas Risk R uirements of TRR	nediate all affec eduction Progra P is captured in	ted area ("TR Violation of tering of	was documented as at the site, and RP") to the Executor No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	submit a report derive Director and to one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	monstrating the comply with all some some some some some some some some
Avoided Costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance	date of compli Estimated cost applicability of applicable requ	Date Required is t ance. t to clean and rem the Texas Risk R uirements of TRR	nediate all affec eduction Progra P is captured in	ted area ("TR Violation of the tring of tring of the tring of the tring of tring of the tring of tring of the tring of tring	was documented a as at the site, and RP") to the Execut on No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	submit a report derive Director and to one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	monstrating the comply with all the complex with all the comp
Avoided Costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	date of compli Estimated cost applicability of applicable requ	Date Required is t ance. t to clean and rem the Texas Risk R uirements of TRR	nediate all affec eduction Progra P is captured in	ted area ("TR Violation of tering of	was documented as at the site, and RP") to the Executor No. 1. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	submit a report derive Director and to one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	monstrating the comply with all some some some some some some some some

	Screening Date	12-Sen-2019		Docl	ket No. 2019-1322-IWD-E		PCW
	Respondent		CHEMICALS		2013 1322 1WD L	Policy	Revision 4 (April 2014)
	Case ID No.			, -			evision March 26, 2014
Rea.	Ent. Reference No.						
		Water Quality					
	Enf. Coordinator	- ,					
	Violation Number						
			ode § 26.121	(a)(1), 30 Tex.	Admin. Code § 305.125(1) and	d TPDES	
	Rule Cite(s)		_		itations and Monitoring Require		
				(Outfall No. 0	· · · · · · · · · · · · · · · · · · ·		
		Failed to see	anly with non	mitted offlyent	limitations Cassifically such s	n man lo a	
					limitations. Specifically, grab so t the Total Organic Carbon sing		
	Violation Description	-	_		er ("mg/L") was exceeded on		
					ne 7, 2019 (67 mg/L).	, ,	
			,	<u>.</u> ,			
					Base	e Penalty	\$25,000
						,	-,
>> En	vironmental, Prope	ty and Hum		Matrix			
	Release	Major	Harm Moderate	Minor			
OR	Actual		Moderate	X			
	Potential			Λ	Percent 15.0%		
	. 555.15.5				13.676		
>>Pro	grammatic Matrix						
	Falsification	Major	Moderate	Minor			
					Percent 0.0%		
	Matrix			•	significant amounts of pollutar		
	Notes do not exceed	levels that are		human health o the violation.	r environmental receptors as a	a result of	
				the violation.			
					Adjustment	\$21,250	
					Tiu j uo amena	+ ==/===	
						L	\$3,750
Violati	on Events						
Violati	on Events						
	Number of \	/iolation Events	1		2 Number of violation	days	
		_					
		daily					
		weekly					
		monthly			Violeties Beer	. Danaltu "	±2.750
		quarterly semiannual	X		Violation Base	e Penaity	\$3,750
		annual					
		single event					
		-					
	One quarterly	event is recomn	mended for th	ne grah sample (exceedances on May 31, 2019	and lune	
	one quarterly	evene is reconn	nended for th	7, 2019.	exceedances on hay 31, 2013	and same	
				·			
Good F	aith Efforts to Com	ply	0.0%			Reduction	\$0
	2110160 60 60111				RP/Settlement Offer		40
		Extraordinary	<u> </u>	·			
		Ordinary					
		N/A	Х				
		Í	T I 5				
		Notes	The Respond		eet the good faith criteria for plation.		
				uiis vid	old di Oli		
		_				Cuber 1	10.750
					Violation	Subtotal	\$3,750
Econo	mic Benefit (EB) for	this violation	on		Statutory Limit	Test	
	Ectimate	ed EB Amount		\$3,947	Violation Final Pena	alty Total	\$3,827
	EStillate	M ED MINOUIIL					
			This vio	lation Final As	sessed Penalty (adjusted for	or limits)	\$3,827

	E	conomic	Ronofit	Wa	rkshoot		
				VVO	KSHEEL		
· · · · · · · · · · · · · · · · · · ·		ΓΥ CHEMICALS, IN	NC.				
Case ID No.	58295						
Reg. Ent. Reference No.	RN100219070						
	Water Quality						Years of
Violation No.						Percent Interest	Depreciation
Violation No.	3					F 0	_
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Équipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$20,000	31-May-2019	25-Mar-2022	2.82	\$188	\$3,759	\$3,947
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		o return to compli	ance with perm	itted ef	•	necessary repairs/a Date required is the e of compliance.	_
Avoided Costs	ANNUA	ALIZE avoided co	osts before er	tering		r one-time avoide	d 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 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$20,000			TOTAL		\$3,947

	Scre	ening Date	12-Sep-2019		Docket No. 2019-13	222-144D-C	PCW
		• · · · · · · · · · · · · · · · · · · ·		Y CHEMICALS, INC.		Poli	icy Revision 4 (April 2014)
	_	ase ID No.				PCW	V Revision March 26, 2014
Reg.	Ent. Ref		RN100219070				
			Water Quality				
			Alejandro Laje	a			
	Viola	ation Number					_
		Rule Cite(s)	30 Tex. Admin	. Code § 305.125(1	and (9), and TPDES Permi	t No. WO0002558000	0.
			30 TEXT HUMIN		Reporting Requirements No		
					discharge orally to the Reg		
			Office and the	Enforcement Divisi	e noncompliance, and in wri on within five working days	of becoming aware o	l l
	Violatio	n Description	·		n unauthorized discharge o larifying unit on April 29, 20		· ·
			_		er occurred from the secon	•	
					storage tank, and the equa		
				•	ial wastewater treatment p	•	
			and the Re	spondent did not su	bmit noncompliance notifica	ations to the TCLQ.	
						Base Penalt	\$25,000
>> Env	/ironme	ntal, Prope	rty and Hun	nan Health Mat	rix		
		Release	Major	Harm Moderate Mi	nor		
OR		Actual		Moderate M	1101		
OK		Potential			Percen	t 0.0%	
				l l		01070	
>>Prog	gramma	tic Matrix					
		Falsification	Major	Moderate M	nor		
			Х		Percen	t 15.0%	
							_
	Matrix Notes		10	0% of the rule requi	rements were not met.		
					Adjustmon	± ¢21.2Ε	.0
					Adjustmer	nt \$21,25	
					Adjustmer	nt \$21,25	\$3,750
Violatio	on Event	ts			Adjustmer	s21,25	
Violatio	on Event	ts			Adjustmer	nt \$21,25	
Violatio	on Event		/iolation Events	5		s21,25 of violation days	
Violatio	on Event			5			
Violatio	on Event		daily	5			
Violatio	on Event		daily weekly	5			
Violatio	on Event		daily weekly monthly	5	135 Number	of violation days	\$3,750
Violatio	on Event		daily weekly	5	135 Number		\$3,750
Violatio	on Event		daily weekly monthly quarterly semiannual annual	5	135 Number	of violation days	\$3,750
Violatio	on Event		daily weekly monthly quarterly semiannual	5	135 Number	of violation days	\$3,750
Violatio	on Event		daily weekly monthly quarterly semiannual annual	5 X	135 Number	of violation days	\$3,750
Violatio	on Event	Number of \	daily weekly monthly quarterly semiannual annual single event	X	135 Number	of violation days	\$3,750
		Number of \	daily weekly monthly quarterly semiannual annual single event	X commended, one ev	135 Number	of violation days	\$3,750 \$18,750
		Number of \	daily weekly monthly quarterly semiannual annual single event	X commended, one ev	135 Number	of violation days	\$3,750 \$18,750
		Number of \	daily weekly monthly quarterly semiannual annual single event	X commended, one events of the commended of the commende	135 Number Vie vent for each discharge requ	of violation days	\$3,750 \$18,750
		Number of \	daily weekly monthly quarterly semiannual annual single event	X commended, one expenses of the commended of the commen	135 Number Vie vent for each discharge requ	of violation days	\$3,750 \$18,750
		Number of \	daily weekly monthly quarterly semiannual annual single event e events are re	X commended, one events of the commended of the commende	135 Number Vie vent for each discharge requ	of violation days	\$3,750 \$18,750
		Number of \	daily weekly monthly quarterly semiannual annual single event e events are re ply Extraordinary Ordinary	X commended, one events of the commended of the commende	View to EDPRP/Settlement Offer	of violation days olation Base Penalt uiring notification. Reductio	\$3,750 \$18,750
		Number of \	daily weekly monthly quarterly semiannual annual single event e events are re ply Extraordinary Ordinary	Commended, one expenses of the Respondent do	135 Number Vie vent for each discharge requ	of violation days olation Base Penalt uiring notification. Reductio	\$3,750 \$18,750
		Number of \	daily weekly monthly quarterly semiannual annual single event e events are re Extraordinary Ordinary	Commended, one expenses of the Respondent do	vent for each discharge required to EDPRP/Settlement Offer poes not meet the good faith	of violation days olation Base Penalt uiring notification. Reductio	\$3,750 \$18,750
		Number of \	daily weekly monthly quarterly semiannual annual single event e events are re Extraordinary Ordinary	Commended, one expenses of the Respondent do	vent for each discharge required to EDPRP/Settlement Offer poes not meet the good faith	of violation days olation Base Penalt uiring notification. Reductio	\$3,750 \$18,750 n \$0
Good F	aith Effo	Five single	daily weekly monthly quarterly semiannual annual single event e events are re Extraordinary Ordinary	Commended, one evaluation of the Respondent do	vent for each discharge requirement Offer Does not meet the good faith this violation.	of violation days colation Base Penalt uiring notification. Reductio criteria for	\$3,750 \$18,750 n \$0
Good F	aith Effo	Five single orts to Com	daily weekly monthly quarterly semiannual annual single event e events are re Extraordinary Ordinary N/A Notes	O.0% Before NOE/NOV NOE/N X The Respondent do On	View vent for each discharge requirement of the second sec	of violation days olation Base Penalt uiring notification. Reductio criteria for Violation Subtota	\$3,750 \$18,750 n \$0
Good F	aith Effo	Five single orts to Com	daily weekly monthly quarterly semiannual annual single event e events are re Extraordinary Ordinary N/A Notes	O.0% Before NOE/NOV NOE/I X The Respondent do On	View vent for each discharge requirement of the second sec	of violation days olation Base Penalt uiring notification. Reductio criteria for Violation Subtota tory Limit Test n Final Penalty Tota	\$3,750 \$18,750 n \$0 \$18,750

	E	conomic	Benefit	Wo	rksheet		
Respondent	GEO SPECIAL	ΓΥ CHEMICALS, ΙΝ	NC.				
Case ID No.		,					
Reg. Ent. Reference No.		1					
	Water Quality						Years of
Violation No.						Percent Interest	Depreciation
Violation No.	O						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
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 Record Keeping System				0.00	\$0 \$0	n/a n/a	\$0 \$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							
Avoided Costs	ANNUA	ALIZE avoided c	osts before er	itering	item (except for	r one-time avoide	d 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 ONE-TIME avoided costs	\$51	7-Jun-2019	12-Sep-2019	0.00	\$0 \$1	\$0 \$51	\$0 \$52
Other (as needed)	\$10		12-Sep-2019		\$0	\$10	\$10
					-	tharge within 24 hou	
			•	-		oral notifications =	-
	•	•			• •	ne current period. D	
						nted and the final da	
	screening date						
Notes for AVOIDED costs							
11111111111111111	Estimated One	e-time avoided co	st to submit wri	tten no	tification within fiv	e working days of b	ecoming aware
						ed cost and interes	
	· ·	•		•		the final notificatio	
		is the screening d	•				
Approx. Cost of Compliance		\$61			TOTAL		\$62
Approx. Cost of Compliance	1	⊅ 01			IUIAL	I	⇒0∠

\$15,300

	Policy Revision 4 (Ap		nalty Calc	ulatio	n Worksł	neet (Po	,	evision March 26, 20	14
TCEQ_									
DATES		22-Jun-2020							
	PCW	10-May-2021	Screening 16-J	lul-2020	EPA Due				
RESPO	NDENT/FACTIT	TY INFORMATION	ON						
			CHEMICALS, INC.						
Reg	g. Ent. Ref. No.								
Facili	ty/Site Region	12-Houston			Major/N	Minor Source	Major		
	NFORMATION f./Case ID No.	59205			No	of Violation	- 1		
EII		2019-1322-IWD-	-F		NO.	Order Type			
Med	lia Program(s)		_		Governmen				
	Multi-Media	<u> </u>					r Alejandro Laje		
	•					EC's Tean	Enforcement Te	eam 3	
Adr	min. Penalty \$ I	_imit Minimum	\$0 Maxi	mum	\$25,000				
			Penalty C	alcula	tion Section	on			
TOTAL	L BASE PENA	LTY (Sum of	violation base	penali	ties)		Subtotal 1	\$15,00	00
		, (00 01			,			1 - 7 -	
ADJUS	STMENTS (+	/-) TO SUBTO	ΤΔΙ 1						
ADJU.			the Total Base Penalty	(Subtotal 1) by the indicated p	ercentage.			
	Compliance His		·	2.0%	Adjustment		otals 2, 3, & 7	\$30	00
	Notes	Enhan	cement for one NO	V with a	dissimilar violati	ion.			
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	Notes	The Re	spondent does not	meet the	culpability crite	eria.			
	Good Faith Eff	ort to Comply T	otal Adjustments				Subtotal 5		<u>+ 0</u>
	Good Faith En	of to comply it	otai Aujustilleilts				Subtotal 5		\$0
	Economic Bene				Enhancement*		Subtotal 6	9	\$0
	Estimated	Total EB Amounts Cost of Compliance	\$352	*Cappe	d at the Total EB \$	Amount			
	LStilliated	cost of compliance	\$6,000						
SUM (OF SUBTOTAL	LS 1-7					Final Subtotal	\$15,30	00
								1 - 7 -	
OTHE	R FACTORS A	S JUSTICE M	AY REQUIRE		0.0%		Adjustment		\$0
Reduces of	or enhances the Final	Subtotal by the indic	ated percentage.				_		
	Notes								
							<u> </u>	44 = 24	
						Final Pe	nalty Amount	\$15,30	<u> </u>
STATI	ITODV I TMTT	ADJUSTMEN	IT			Einal As-	occod Donaltis	\$15,30	<u> </u>
SIAIL	JIOKI LIMII	ADJUSTMEN				rınai ASS	essed Penalty	\$15,5t	, 0
DEFER	RAI				0.0%	Reduction	Adjustment		\$0
		nalty by the indicated	I percentage.		0.0 70	Reduction	Aujustillelit		<u>, </u>
	Notes	Defe	rral not offered for	non-expe	edited settlemen	nt.			

PAYABLE PENALTY

Screening Date 16-Jul-2020

Docket No. 2019-1322-IWD-E

PCW

Respondent GEO SPECIALTY CHEMICALS, INC.

Case ID No. 58295

Reg. Ent. Reference No. RN100219070

Media Water Quality

Enf. Coordinator Alejandro Laje

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

Adjust.

Compliance History Worksheet

>>	Compliance Hist	tory <i>Sit</i> e Enhancement (Subtotal 2)	
	Component	Number of	Number

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>)	0	0%
	Other written NOVs	1	2%
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
Orders	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		0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
and Consent Decrees	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%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (number of events)	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 (number of audits for which notices were submitted)		0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)		0%

	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%
Other	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) 2%

>> 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 one NOV with a dissimilar violation.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

2%

2%

		ening Date				et No. 2019-132	2-IWD-E		PCW
		•	GEO SPECIALT	Y CHEMICALS,	INC.			Policy	Revision 4 (April 2014)
_		ase ID No.						PCW Re	evision March 26, 2014
Reg.	Ent. Ref		RN100219070						
	Enf C		Water Quality						
		ation Number	Alejandro Laje	1					
	VIOIC	acion Number							
		Rule Cite(s)	Texas	Pollutant Disch	arge Eliminatio	dmin. Code § 305. n System ("TPDES' l), 2(g), and Other	") Permit N	0.	
	Violatio	n Description	water in the st which was ide process unit ir thence to an thence to F thence to Tuck	tate. Specificall entified as sodiu nto an undergro unnamed ditch Harris County F ter Bayou tidal.	y, on February Im sulfite salt vound stormwath In which dischar Iood Control Di Laboratory an	e of other waste int 20 and 21, 2020, was observed leaking er pipe, thence into ges from stormwath strict ("HCFCD") Disalysis results from ed elevated levels of	white liquicing from an a sluice goter Outfall Nitch G111-0 samples co	I material enclosed ate ditch, No. 002, 00-00, ollected at	
							Base	Penalty	\$25,000
>> Env	vironme	ntal, Prope	rty and Hun		Matrix				
		Release	Major	Harm Moderate	Minor				
OR		Actual		X	MINO				
		Potential				Percent	30.0%		
_									
>>Pro	gramma	tic Matrix Falsification	Major	Moderate	Minor				
		Faisincation	Major	Moderate	MITIOI	Percent	0.0%		
						rercent	0.0 70		
		Human health	or the environ	ment has heen	exposed to sig	nificant amounts of	f nollutants	which do	
	Matrix Notes			rotective of hu	man health or	environmental rece	•		
				th	ne violation.				
						Adjustment		\$17,500	
						Adjustment[\$17,500	\$7,500
Violatio	on Event	łc				Adjustment[\$17,500	\$7,500
Violatio	on Event	ts				Adjustment		\$17,500	\$7,500
Violatio	on Event		/iolation Events	2			f violation (\$7,500
Violatio	on Event			2			f violation (\$7,500
Violatio	on Event		daily	2			f violation (\$7,500
Violatio	on Event		daily weekly	2			f violation (\$7,500
Violatio	on Event		daily weekly monthly	2 X		147 Number o		days	
Violatio	on Event		daily weekly	2 X		147 Number o	f violation o	days	\$7,500 \$15,000
Violatio	on Event		daily weekly monthly quarterly semiannual annual	2 X		147 Number o		days	
Violatio	on Event		daily weekly monthly quarterly semiannual	2 X		147 Number o		days	
Violatio	on Event	Number of \	daily weekly monthly quarterly semiannual annual single event	X		147 Number o	ation Base	days • Penalty	
Violatio	on Event	Number of \	daily weekly monthly quarterly semiannual annual single event	X X Commended, ca		Number o Viola he date the dischar	ation Base	days • Penalty	
Violatio	on Event	Number of \	daily weekly monthly quarterly semiannual annual single event	X X Commended, ca		147 Number o	ation Base	days • Penalty	
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rece (February	ommended, ca		Number o Viola he date the dischar	ge was doo	days Penalty cumented	\$15,000
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rece (February	x x ommended, ca 20, 2020) to t	<mark>he screening d</mark>	147 Number o Viola he date the discharate (July 16, 2020)	ge was doo	days • Penalty	
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rece (February	ommended, ca 20, 2020) to t 0.0% Before NOE/NOV	<mark>he screening d</mark>	Number o Viola he date the dischar	ge was doo	days Penalty cumented	\$15,000
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rec (February	x x commended, ca 20, 2020) to t 0.0% Before NOE/NOV	<mark>he screening d</mark>	147 Number o Viola he date the discharate (July 16, 2020)	ge was doo	days Penalty cumented	\$15,000
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rec (February	x x commended, ca 20, 2020) to t Commended	<mark>he screening d</mark>	147 Number o Viola he date the discharate (July 16, 2020)	ge was doo	days Penalty cumented	\$15,000
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rece (February ply Extraordinary Ordinary	ommended, ca 20, 2020) to t	NOE/NOV to EDPF	Number o Viola he date the discharate (July 16, 2020)	ge was doo	days Penalty cumented	\$15,000
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rece (February ply Extraordinary Ordinary	ommended, ca 20, 2020) to t O.0% Before NOE/NOV	NOE/NOV to EDPF	Number o Viola he date the discharate (July 16, 2020) RP/Settlement Offer meet the good faith	ge was doo	days Penalty cumented	\$15,000
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rec (February ply Extraordinary Ordinary	ommended, ca 20, 2020) to t O.0% Before NOE/NOV	NOE/NOV to EDPF	Number o Viola he date the discharate (July 16, 2020) RP/Settlement Offer meet the good faith	ge was doo	days Penalty cumented	\$15,000
		Number of \	daily weekly monthly quarterly semiannual annual single event events are rec (February ply Extraordinary Ordinary	ommended, ca 20, 2020) to t O.0% Before NOE/NOV	NOE/NOV to EDPF	Number o Viola he date the discharate (July 16, 2020) RP/Settlement Offer meet the good faith violation.	ge was doo	days Penalty cumented Reduction	\$15,000
Good F	aith Effo	Number of \ Two quarterly orts to Com	daily weekly monthly quarterly semiannual annual single event events are rec (February ply Extraordinary Ordinary	ommended, ca 20, 2020) to t O.0% Before NOE/NOV X The Respond	NOE/NOV to EDPF	Violation.	ge was doo	days Penalty Cumented Reduction	\$15,000
Good F	aith Effo	Number of \ Two quarterly orts to Com	daily weekly monthly quarterly semiannual annual single event events are rece (February ply Extraordinary Ordinary N/A Notes	ommended, ca 20, 2020) to t O.0% Before NOE/NOV X The Respond	NOE/NOV to EDPP	Violation. Violation Number of Violation Violation Violation Violation	criteria Violation ry Limit	days Penalty Cumented Reduction Subtotal Test	\$15,000 \$0 \$15,000
Good F	aith Effo	Number of \ Two quarterly orts to Com	daily weekly monthly quarterly semiannual annual single event events are rece (February Ply Extraordinary Ordinary N/A Notes	Ommended, care 20, 2020) to	NOE/NOV to EDPF dent does not r for this v	Violation.	criteria Violation ry Limit	e Penalty Cumented Reduction Test	\$15,000 \$0 \$15,000 \$15,300

	E	conomic	Benefit	Wo	rksheet		
Respondent	GEO SPECIAL	TY CHEMICALS, IN	IC.				
Case ID No.		,					
Reg. Ent. Reference No.		1					
_	Water Quality	•					Years of
Violation No.						Percent Interest	Depreciation
Violation No.	1					[
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
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 #0	n/a	\$0 \$0
Training/Sampling Remediation/Disposal				0.00	\$0 \$0	n/a n/a	<u>\$0</u> \$0
Permit Costs				0.00	\$0	n/a	\$0 \$0
Other (as needed)	\$5,000	20-Feb-2020	18-May-2021	1.24	\$310	n/a	\$310
Notes for DELAYED costs	identified as so date is the est Estimated Rer report demons	odium sulfite salt. imated date of co mediation/Disposa strating the applic	Date Required mpliance. I cost clean and ability of the Te	is the d remed exas Ris	late the discharge iate all affected ar k Reduction Progra	of leaking white mate was documented ar eas at the site, and am ("TRRP") to the red in Violation No.	nd the final submit a Executive
Avoided Costs	ANNU/	ALIZE avoided co	osts before er	tering	item (except for	r one-time avoide	d costs)
Disposal -				0.00	\$0	\$0	\$0
Personnel				0.00	\$0 \$0	\$0 \$0	\$0 \$0
nspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance				0.00	\$0	\$0 \$0	<u> </u>
ONE-TIME avoided costs				0.00	\$0	\$0 \$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$5,000			TOTAL		\$310

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 CN602953598, RN100219070, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, CN602953598, GEO SPECIALTY

or Owner/Operator: CHEMICALS, INC.

Regulated Entity: RN100219070, GEO SPECIALTY

CHEMICALS

Complexity Points: 21 Repeat Violator: NO

CH Group: 05 - Chemical Manufacturing

Location: 739 Independence Parkway South, on the west side of Independence Parkway South, approximately one mile

north of the intersection of Independence Parkway South and State Highway 225 (Pasadena Highway) in the

City of Deer Park, Harris County, Texas 77536

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG4998P

AIR NEW SOURCE PERMITS PERMIT 8052

AIR NEW SOURCE PERMITS AFS NUM 4820101384

UNDERGROUND INJECTION CONTROL PERMIT WDW223

WASTEWATER EPA ID TX0089567

POLLUTION PREVENTION PLANNING ID NUMBER

P00296

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TX0000187823

AIR OPERATING PERMITS PERMIT 1595

Classification: SATISFACTORY

Classification: SATISFACTORY

Rating: 0.13

Rating: 0.13

AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG4998P UNDERGROUND INJECTION CONTROL PERMIT WDW222

WASTEWATER PERMIT WQ0002558000

AIR EMISSIONS INVENTORY ACCOUNT NUMBER

HG4998P

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 81932

Compliance History Period: September 01, 2015 to August 31, 2020 Rating Year: 2020 Rating Date: 09/01/2020

Date Compliance History Report Prepared: January 11, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 11, 2016 to January 11, 2021

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

Name: Alejandro Laje Phone: (512) 239-2547

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:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1 January 14, 2016 ((1316893)
Item 2 February 06, 2016	(1326257)
Item 3 February 24, 2016	(1312234)
Item 4 March 10, 2016	(1333012)
Item 5 March 30, 2016	(1321584)

Item 6	April 08, 2016	(1340150)
Item 7	May 06, 2016	(1346962)
Item 8	June 09, 2016	(1353390)
Item 9	July 01, 2016	(1343710)
Item 10	July 18, 2016	(1360363)
Item 11	August 09, 2016	(1351903)
Item 12	September 15, 2016	(1373499)
Item 13	September 21, 2016	(1358908)
Item 14	October 05, 2016	(1364379)
Item 15	October 17, 2016	(1379674)
Item 16	November 07, 2016	(1385619)
Item 17	December 09, 2016	(1391750)
Item 18	January 17, 2017	(1398375)
Item 19	February 13, 2017	(1405277)
Item 20	February 14, 2017	(1393615)
Item 21	March 13, 2017	(1412350)
Item 22	April 11, 2017	(1418856)
Item 23	May 09, 2017	(1426513)
Item 24	June 08, 2017	(1432512)
Item 25	July 05, 2017	(1423426)
Item 26	July 17, 2017	(1441069)
Item 27	July 28, 2017	(1428515)
Item 28	July 31, 2017	(1420699)
Item 29	August 17, 2017	(1444747)
Item 30	September 15, 2017	,
		(1451337)
Item 31	October 09, 2017	(1457207)
Item 32	November 11, 2017	(1462658)
Item 33	December 08, 2017	(1469062)
Item 34	December 12, 2017	(1438899)
Item 35	January 17, 2018	(1475767)
Item 36	February 16, 2018	(1487942)
Item 37	March 15, 2018	(1491629)
Item 38	April 12, 2018	(1494878)
Item 39	April 16, 2018	(1480493)
Item 40	May 11, 2018	(1501831)
Item 41	June 14, 2018	(1508938)
Item 42	July 03, 2018	(1498303)
Item 43	July 09, 2018	(1481809)
Item 44	July 12, 2018	(1515257)
Item 45	August 16, 2018	(1521307)
Item 46	September 05, 2018	(1493514)
Item 47	September 17, 2018	(1528489)
Item 48	October 02, 2018	(1518960)
Item 49	October 11, 2018	(1534827)
Item 50	November 14, 2018	(1542680)
Item 51	December 15, 2018	(1546423)
Item 52	January 11, 2019	(1563347)
Item 53	February 14, 2019	(1563345)
Item 54	February 25, 2019	(1549553)
Item 55	March 18, 2019	(1563346)
Item 56	April 12, 2019	(1573046)
Item 57	May 17, 2019	(1585694)
Item 58	June 18, 2019	(1585695)
Item 59	July 15, 2019	(1594403)
Item 60	August 16, 2019	(1600696)
Item 61	August 30, 2019	(1591574)
Item 62	September 12, 2019	(1607611)
Item 63	October 04, 2019	(1614481)
Item 64	October 21, 2019	(1602740)
Item 65	November 08, 2019	(1620270)
Item 66	December 12, 2019	(1627619)
	, -	/

Item 67	January 08, 2020	(1617699)
Item 68	January 10, 2020	(1635250)
Item 69	February 05, 2020	(1625284)
Item 70	February 12, 2020	(1641865)
Item 71	March 12, 2020	(1648379)
Item 72	April 13, 2020	(1654731)
Item 73	May 18, 2020	(1661297)
Item 74	June 10, 2020	(1667824)
Item 75	July 13, 2020	(1674772)
Item 76	August 16, 2020	(1681542)
Item 77	September 16, 2020	(1673084)
Item 78	September 17, 2020	(1688120)
Item 79	October 12, 2020	(1694476)

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

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

1 Date: 05/19/2020 (1632201)

> 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)

FOP, General Terms & Conditions OP

Description: Failure to report all instances of deviations for the reporting period November 1,

2018 through April 30, 2019 (Category B3)

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING GEO SPECIALTY CHEMICALS, INC.; RN100219070

3	BEFORE THE
§ §	TEXAS COMMISSION ON
§	ENVIRONMENTAL QUALIT

AGREED ORDER

DOCKET NO. 2019-1322-IWD-E I. JURISDICTION AND STIPULATIONS

On	, the Texas Commission on Environmental Quality
("Commission" or "T	CCEQ") considered this agreement of the parties, resolving an enforcement
action regarding GE	O SPECIALTY CHEMICALS, INC. ("Respondent") under the authority of
TEX. WATER CODE chs	. 7 and 26. The Executive Director of the TCEQ, represented by the Litigation
Division, and Respo	ndent, represented by Timothy Wilkins of the law firm Bracewell LLP, together
stipulate that:	

- 1. Respondent owns and operates an organic chemical manufacturing plant located at 739 Independence Parkway South, on the west side of Independence Parkway South, approximately one mile north of the intersection of Independence Parkway South and State Highway 225 (Pasadena Highway) near Deer Park, Harris County, Texas (the "Facility"). The Facility is near or adjacent to water in the state, as defined in Tex. Water Code § 26.001(5).
- 2. The Executive Director and Respondent agree that TCEQ has jurisdiction to enter this Order pursuant to Tex. Water Code §§ 7.002, 7.051, and 7.073, and that Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to Tex. Water Code § 5.013 because it alleges violations of Tex. Water Code ch. 26 and the rules of the TCEQ.
- 3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 4. An administrative penalty in the amount of one hundred forty-five thousand four hundred twelve dollars (\$145,412.00) is assessed by the Commission in settlement of the violations alleged in Section II. Respondent has paid seventy-two thousand seven hundred six dollars (\$72,706.00) of the penalty. Pursuant to Tex. Water Code § 7.067, seventy-two thousand seven hundred six dollars (\$72,706.00) of the penalty shall be conditionally offset by Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the SEP Agreement ("Attachment A" incorporated herein by reference). Respondent's 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.
- 5. The Executive Director and Respondent agree on a settlement of the matters addressed in this Order, subject to final approval in accordance with 30 Tex. Admin. Code § 70.10(a). Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.

- 6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions contained in this Order.
- 7. 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.
- 8. This Order shall terminate five years from its effective date or upon full compliance with all the terms and conditions set forth in this Order, whichever is later.
- 9. The Executive Director recognizes that Respondent implemented the following corrective measures at the Facility as of May 24, 2022:
 - a. Replaced the leaking surface water clarifier tank with a frac tank as an approved temporary potable water source;
 - b. Ceased using water from the frac tank as a source of drinking water;
 - c. Installed a sump pump alarm in the breezeway;
 - d. Repaired the secondary containment structures and dikes;
 - e. Properly disposed of the contaminated stormwater that was being stored onsite;
 - f. Ceased all unauthorized discharges of treated surface water from the firewater storage tank relief pipe; and
 - g. Determined the source and ceased the discharge of sodium sulfite salt.
- 10. The Executive Director recognizes that Respondent received conditional approval to construct a well to source potable water at the Facility as of August 8, 2022 (P-06032022-036).

II. ALLEGATIONS

- 1. During investigations conducted on April 28 through June 7, 2019, and February 20 through 21, 2020, TCEQ investigators determined that Respondent:
 - a. Failed to prevent an unauthorized discharge of industrial wastewater 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 (4), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0002558000, Permit Conditions Nos. 2.(d) and 2.(g). Specifically, on April 29, 2019, flocculant treated surface water was observed discharging from a leak at the bottom of a surface water clarifying unit into an unnamed ditch which discharges from stormwater Outfall No. 002 thence to Harris County Flood Control District ("HCFCD") Ditch G111-00-00, thence to Tucker Bayou tidal. Laboratory analysis results from samples collected at the site on April 20, 2019, showed elevated levels of aluminum and total dissolved solids:
 - b. Failed to prevent an unauthorized discharge of industrial wastewater 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 (4), and TPDES Permit No. WQ0002558000, Permit Conditions Nos. 2.(d) and 2.(g). Specifically, on May 31, 2019, the breezeway sump pump failed and an estimated 8,000 to 12,000 gallons of contaminated stormwater overflowed the secondary containment for the west tank farm and flowed into a ditch that is part of the Facility's stormwater conveyance system. A visible sheen in the ditch was observed flowing southward exiting the property at a fence. Additionally, industrial wastewater seeped through cracks in the secondary

- containment and puddles of dark brown liquid, containing elevated levels of ammonia as nitrogen, were observed just outside of the secondary containment around the west tank farm and the railcar loading area;
- c. Failed to prevent an unauthorized discharge of industrial wastewater 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 (4), and TPDES Permit No. WQ0002558000, Permit Conditions Nos. 2.(d) and 2.(g). Specifically, a firewater storage tank located outside of the secondary containment measures was discharging treated surface water from a relief pipe directly onto the ground;
- d. Failed to install adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention, in violation of Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), (4), and (5), and TPDES Permit No. WQ0002558000, Operation Requirements No. 4 and Permit Conditions Nos. 2.(d) and 2. (g). Specifically, on May 31, 2019, the equalization basin and the flume box at the Facility's wastewater treatment plant were overflowing and discharging into the stormwater conveyance system which directly discharges to the unnamed ditch which discharges from stormwater Outfall No. 002 thence to HCFCD Ditch G111-00-00, thence to Tucker Bayou tidal, as a result of electrical issues that caused the pumps to cease working;
- e. 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. WQ0002558000, Effluent Limitations and Monitoring Requirements (Outfall No. 002) No. 1. Specifically, grab samples collected by the investigator revealed that the Total Organic Carbon single grab concentration limit of 55 milligrams per liter ("mg/L") was exceeded on May 31, 2019 (248 mg/L) and June 7, 2019 (67 mg/L);
- f. Failed to report an unauthorized discharge orally to the Regional Office within 24 hours of becoming aware of the noncompliance, and in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and (9), and TPDES Permit No. WQ0002558000, Monitoring and Reporting Requirement No. 7. Specifically, an unauthorized discharge of industrial wastewater occurred from the surface water clarifying unit on April 29, 2019; and unauthorized discharges of industrial wastewater occurred from the secondary containment for the west tank farm, the firewater storage tank, and the equalization basin and the flume box at the Facility's industrial wastewater treatment plant on May 31, 2019, and Respondent did not submit noncompliance notifications to the TCEQ, and
- g. Failed to prevent an unauthorized discharge of other waste into or adjacent to any water in the state, in violation of Tex. Water Code § 26.121(a)(2), 30 Tex. Admin. Code § 305.125(1) and (4), and TPDES Permit No. WQ0002558000, Permit Conditions Nos. 2. (d) and 2.(g) and Other Requirements No. 4. Specifically, on February 20 and 21, 2020, white liquid material which was identified as sodium sulfite salt was observed leaking from an enclosed process unit into an underground stormwater pipe, thence into a sluice gate ditch, thence to an unnamed ditch which discharges from stormwater Outfall No. 002, thence to HCFCD Ditch G111-00-00, thence to Tucker Bayou tidal. Laboratory analysis results from samples collected at the site on February 21, 2020, showed elevated levels of aluminum.

III. DENIALS

Respondent generally denies each Allegation in Section II.

IV. ORDERING PROVISIONS

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

- 1. Respondent is assessed an administrative penalty as set forth in Section I, Paragraph 4. The payment of this penalty and Respondent's compliance with all of the requirements set forth in this Order resolve only the Allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
- 2. Respondent shall implement and complete a SEP as set forth in Section I, Paragraph 4. The amount of seventy-two thousand seven hundred six dollars (\$72,706.00) of the assessed administrative penalty is conditionally offset based on Respondent's implementation and completion of a SEP pursuant to the terms and conditions contained in the SEP Agreement, as defined in Attachment A. 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. Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order, Respondent shall conduct an evaluation of the Facility by a Texas registered professional engineer, to determine the necessary upgrades to prevent the discharge of untreated or inadequately treated wastes from the Facility and its wastewater collection system during electrical power failures.
 - b. Within 45 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.h, to demonstrate compliance with Ordering Provision No. 3.a.
 - c. Within 60 days of the effective date of this Order:
 - i. Clean and remediate any exceedances of risk-based exposure limits in soil that were caused by the discharge of flocculant treated surface water from the leak at the bottom of a surface water clarifying unit, and properly remove and dispose of any such contaminated soil, including from the unnamed ditch upstream of stormwater Outfall No. 002;
 - ii. Clean and remediate any exceedances of risk-based exposure limits in soil that were caused by the discharge of contaminated stormwater that overflowed and seeped through cracks from the secondary containment for the west tank farm, and properly remove and dispose of any such contaminated soil including from the ditch that is part of the Facility's stormwater conveyance system and the area just outside of the secondary containment around the west tank farm and the railcar loading area;
 - iii. Clean and remediate any exceedances of risk-based exposure limits in soil that were caused by the discharge of treated surface water directly onto the ground from the firewater storage tank's relief pipe, and properly remove and dispose of any such contaminated soil, including from area outside of the secondary containment measures;
 - iv. Clean and remediate any exceedances of risk-based exposure limits in soil that were caused by the discharge of wastewater from the equalization basin and the flume box at the Facility's wastewater treatment plant, and properly remove and dispose of any such contaminated soil, including from the stormwater conveyance system, and
 - v. Clean and remediate any exceedances of risk-based exposure limits in soil that were caused by the discharge of white material, which was identified as

sodium sulfite salt, from the enclosed process unit. Properly remove and dispose of any such contaminated soil, including from the sluice gate ditch and the unnamed ditch upstream of stormwater Outfall No. 002.

- d. Within 75 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.h, to demonstrate compliance with Ordering Provision Nos. 3.c.i, through 3.c.v.
- e. Within 130 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.h, of compliance with the permitted effluent limitations of TPDES Permit No. WQ0002558000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.
- f. Within 180 days after the effective date of this Order, cease use of the temporarily approved frac tank referenced in Section I.9.a. of this Order as a source of potable water.
- g. Within 195 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.h. to demonstrate compliance with compliance with Ordering Provision No. 3.f.
- h. All certifications required under this Order shall be accompanied by detailed supporting documentation, including photographs, receipts, and/or other records, shall be signed by Respondent, and shall include the following certification language:

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

The written certification and supporting documentation necessary to demonstrate compliance with these Ordering Provisions shall be sent to:

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

and:

Water Section Manager Houston Regional Office Texas Commission on Environmental Quality 5425 Polk Street, Suite H Houston, Texas 77023-1452

- 4. All relief not expressly granted in this Order is denied.
- 5. The duties and provisions imposed by this Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 6. 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 Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives 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.
- 7. If Respondent fails 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, Respondent's failure to comply is not a violation of this Order. Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Respondent shall notify the Executive Director within seven days after Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 8. This Order, issued by the Commission, shall not be admissible against Respondent in a civil proceeding, unless the proceeding is brought by the 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 the TCEQ under such a statute.
- 9. 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 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.
- 10. 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		
<u>C</u> For	Thermasic Buken the Executive Director			
I, tl atta ack	ne undersigned, have read and understa ached Order, and I do agree to the term	and the attached Order. I am authorized to agree to the s and conditions specified therein. I further eayment for the penalty amount, is materially relying on		
	so understand that failure to comply wi imely pay the penalty amount may resu	th the Ordering Provisions in this Order and/or failure alt in:		
•	A negative impact on compliance histo	ry;		
•	Greater scrutiny of any permit applicat	ions;		
•	 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 enfor	cement actions;		
=	Automatic referral to the Attorney General's office of any future enforcement actions; and			
-	TCEQ seeking other relief as authorized	d by law.		
	ddition, I understand that any falsificat ninal prosecution.	cion of any compliance documents may result in		
	Steve Outlaw	9-2-2022		
	nature – Steve Outlaw, r Park Site Manager	Date		
	SPECIALTY CHEMICALS, INC.			
	South Earl Avenue, Suite 3A			
Lara	ayette, Indiana 47904			
	-0	check this box and provide the new address below:		

Attachment A

Docket Number: 2019-1322-IWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	GEO SPECIALTY CHEMICALS, INC.
Penalty Amount:	\$145,412
SEP Offset Amount:	\$72,706
Type of SEP:	Contribution to a Third-Party Administrator SEP
Third-Party Administrator:	City of Baytown
Project Name:	Residential Sewer Line Repair and Replacement Program
Total Project Budget:	\$19,959,000
Location of SEP:	Fort Bend, Grimes, Harris, Liberty, Montgomery, San Jacinto, Walker, and Waller Counties

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order in exchange for Respondent's contribution to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon timely submittal of the same amount to the above-named Third-Party Administrator, in accordance with the terms of this Attachment A.

1. Project Description

A. Project

Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to **City of Baytown** for the *Residential Sewer Line Repair and Replacement Program* (the "Project"). The Project is to repair or replace eligible homeowners' private sewer lines, thereby reducing inflow and infiltration ("I&I") of storm water into the Third-Party Administrator's wastewater system. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and the TCEQ.

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

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

B. Environmental Benefit

The City of Baytown had 164 Sanitary Sewer Overflows ("SSOs") in 2017, which included 3,406,735 gallons of untreated wastewater polluting waterways. It is a common industry estimate that 50% of I&I originates from private sewer laterals. This program could effectively address over 1.5 million gallons of untreated wastewater that pollutes Texas waterways each year.

C. Minimum Expenditure

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

2. Performance Schedule

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

Frank O. Simoneaux, P.E. Director of Public Works P.O. Box 424 Baytown, Texas 77522

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

5. Publicity

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

GEO SPECIALTY CHEMICALS, INC Attachment A

6. Recognition

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

7. Other SEPs by TCEQ or Other Agencies

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