

Executive Summary – Enforcement Matter – Case No. 59702
Chevron Phillips Chemical Company LP
RN103919817
Docket No. 2020-1111-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Chevron Phillips Chemical Cedar Bayou Plant, 9500 IH-10 East, Baytown, Harris County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: July 9, 2021

Comments Received: No

Penalty Information

Total Penalty Assessed: \$13,126

Amount Deferred for Expedited Settlement: \$2,625

Total Paid to General Revenue: \$5,251

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$5,250

Name of SEP: Anahuac Independent School District (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: January 26, 2018 through March 22, 2018 and September 19, 2018 through June 3, 2020

Date(s) of NOE(s): July 31, 2020

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RN103919817
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Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 213.40 pounds ("lbs") of carbon monoxide ("CO"), 363.90 lbs of volatile organic compounds ("VOC"), and 106.90 lbs of nitrogen oxides ("NOx") from Flare SYS-740, Emissions Point Number ("EPN") 136, during an emissions event (Incident No. 257347) that began on May 3, 2017 and lasted three hours and one minute. The emissions event occurred when the ethylene feed valve to the R-203 Reactor transferred to the close position while the reactor was in operation that caused a sudden loss of feed to the reactor, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit Nos. 37063 and N178, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2114, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 18, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 452.00 lbs of CO, 700.10 lbs of VOC, and 63.00 lbs of NOx from Flare Z-1101, EPN 1798-22, during an emissions event (Incident No. 273410) that occurred on November 29, 2017 and lasted one hour and 20 minutes. The emissions event occurred due to the loss of power to the ethylene feed pumps for the reactor, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit Nos. 37063 and N178, SC No. 1, FOP No. O2114, GTC and STC No. 18, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

a. By November 6, 2017, replaced the failed Positioner FC-2103-3, inspected all similar positioners on the NAO-1797 Reactor feed valves, and trained and communicated within the Instrument Department to verify the length of excess wire in a housing to prevent wire pinching hazards in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 257347; and

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b. By September 18, 2018, created a Site Instrument and Electrical Quality Assurance Plan specific to wire termination and revised the Site Safety Instrumented System Test Procedure to include console switches and wiring in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 273410.

Technical Requirements:

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

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Mackenzie Mehlmann, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-2572; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565

SEP Third-Party Administrator: Anahuac Independent School District, P.O. Box 638, Anahuac, Texas 77514

Respondent: Gary Piana, Plant Manager, Chevron Phillips Chemical Company LP, 9500 IH-10 East, Baytown, Texas 77521

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	28-Jul-2020	Screening	3-Aug-2020	EPA Due	
	PCW	5-Mar-2021				

RESPONDENT/FACILITY INFORMATION	
Respondent	Chevron Phillips Chemical Company LP
Reg. Ent. Ref. No.	RN103919817
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	59702	No. of Violations	2
Docket No.	2020-1111-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Mackenzie Mehlmann
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$7,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	100.0% Adjustment	Subtotals 2, 3, & 7	\$7,500
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Notes: Enhancement for seven NOVs with same or similar violations, four NOVs with dissimilar violations, six orders containing a denial of liability, and two orders without a denial of liability. Reduction for five notices of intent to conduct an audit and one disclosure of violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$1,874
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$1,341
Estimated Cost of Compliance	\$51,500

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$13,126
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0% Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$13,126
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$13,126
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DEFERRAL	20.0% Reduction	Adjustment	-\$2,625
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$10,501
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Screening Date 3-Aug-2020

Docket No. 2020-1111-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 4 (April 2014)

Case ID No. 59702

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN103919817

Media Air

Enf. Coordinator Mackenzie Mehlmann

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	7	35%
	Other written NOVs	4	8%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	5	-5%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 206%

>> 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 seven NOVs with same or similar violations, four NOVs with dissimilar violations, six orders containing a denial of liability, and two orders without a denial of liability. Reduction for five notices of intent to conduct an audit and one disclosure of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 206%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 3-Aug-2020
Respondent Chevron Phillips Chemical Company LP
Case ID No. 59702
Reg. Ent. Reference No. RN103919817
Media Air
Enf. Coordinator Mackenzie Mehlmann

Docket No. 2020-1111-AIR-E

PCW

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

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit Nos. 37063 and N178, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2114, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 18, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 213.40 pounds ("lbs") of carbon monoxide ("CO"), 363.90 lbs of volatile organic compounds ("VOC"), and 106.90 lbs of nitrogen oxides ("NOx") from Flare SYS-740, Emissions Point Number ("EPN") 136, during an emissions event (Incident No. 257347) that began on May 3, 2017 and lasted three hours and one minute. The emissions event occurred when the ethylene feed valve to the R-203 Reactor transferred to the close position while the reactor was in operation that caused a sudden loss of feed to the reactor, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential					

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1 1 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction \$937

Before NOE/NOV NOE/NOV to EDRP/Settlement Offer

Extraordinary		
Ordinary	x	
N/A		

Notes The Respondent achieved compliance by November 6, 2017, prior to the Notice of Enforcement ("NOE") dated July 21, 2020.

Violation Subtotal \$2,813

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,281

Violation Final Penalty Total \$6,563

This violation Final Assessed Penalty (adjusted for limits) \$6,563

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 59702
Reg. Ent. Reference No. RN103919817
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$50,000	3-May-2017	6-Nov-2017	0.51	\$1,281	n/a	\$1,281

Notes for DELAYED costs

Estimated cost to replace the failed Positioner FC-2103-3, inspect all similar positioners on the NAO-1797 Reactor feed valves, and train and communicate within the Instrument Department to verify the length of excess wire in a housing to prevent wire pinching hazards in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 257347. The Date Required is the date the emissions event began and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50,000

TOTAL

\$1,281

Screening Date 3-Aug-2020

Docket No. 2020-1111-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 4 (April 2014)

Case ID No. 59702

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN103919817

Media Air

Enf. Coordinator Mackenzie Mehlmann

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 37063 and N178, SC No. 1, FOP No. O2114, GTC and STC No. 18, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 452.00 lbs of CO, 700.10 lbs of VOC, and 63.00 lbs of NOx from Flare Z-1101, EPN 1798-22, during an emissions event (Incident No. 273410) that occurred on November 29, 2017 and lasted one hour and 20 minutes. The emissions event occurred due to the loss of power to the ethylene feed pumps for the reactor, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual				x	15.0%
Potential					

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
					0.0%

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1 1 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction \$937

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	

Notes The Respondent achieved compliance by September 18, 2018, prior to the NOE dated July 31, 2020.

Violation Subtotal \$2,813

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$60 Violation Final Penalty Total \$6,563

This violation Final Assessed Penalty (adjusted for limits) \$6,563

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 59702
Reg. Ent. Reference No. RN103919817
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	29-Nov-2017	18-Sep-2018	0.80	\$60	n/a	\$60

Notes for DELAYED costs

Estimated cost to create a Site Instrument and Electrical Quality Assurance Plan specific to wire termination and revise the Site Safety Instrumented System Test Procedure to include console switches and wiring in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 273410. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$60



Compliance History Report

Compliance History Report for CN600303614, RN103919817, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN600303614, Chevron Phillips Chemical Company LP	Classification: SATISFACTORY	Rating: 6.75
Regulated Entity:	RN103919817, CHEVRON PHILLIPS CHEMICAL CEDAR BAYOU PLANT	Classification: SATISFACTORY	Rating: 18.38
Complexity Points:	41	Repeat Violator:	NO
CH Group:	05 - Chemical Manufacturing		
Location:	9500 INTERSTATE 10 E BAYTOWN, TX 77521-8155, HARRIS COUNTY		
TCEQ Region:	REGION 12 - HOUSTON		

ID Number(s):

- AIR OPERATING PERMITS** ACCOUNT NUMBER HG0310V
- AIR OPERATING PERMITS** PERMIT 2114
- AIR OPERATING PERMITS** PERMIT 2370
- AIR NEW SOURCE PERMITS** REGISTRATION 75577
- AIR NEW SOURCE PERMITS** AFS NUM 4820100018
- AIR NEW SOURCE PERMITS** PERMIT 6517A
- AIR NEW SOURCE PERMITS** PERMIT 2462C
- AIR NEW SOURCE PERMITS** REGISTRATION 24093
- AIR NEW SOURCE PERMITS** PERMIT 37063
- AIR NEW SOURCE PERMITS** REGISTRATION 40534
- AIR NEW SOURCE PERMITS** REGISTRATION 44005
- AIR NEW SOURCE PERMITS** PERMIT 46305
- AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX748
- AIR NEW SOURCE PERMITS** REGISTRATION 50757
- AIR NEW SOURCE PERMITS** REGISTRATION 50370
- AIR NEW SOURCE PERMITS** REGISTRATION 95539
- AIR NEW SOURCE PERMITS** EPA PERMIT N148
- AIR NEW SOURCE PERMITS** REGISTRATION 140351
- AIR NEW SOURCE PERMITS** REGISTRATION 136473
- AIR NEW SOURCE PERMITS** REGISTRATION 120563
- AIR NEW SOURCE PERMITS** REGISTRATION 139886
- AIR NEW SOURCE PERMITS** REGISTRATION 118637
- AIR NEW SOURCE PERMITS** REGISTRATION 139762
- AIR NEW SOURCE PERMITS** REGISTRATION 134693
- AIR NEW SOURCE PERMITS** REGISTRATION 123965
- AIR NEW SOURCE PERMITS** REGISTRATION 111071
- AIR NEW SOURCE PERMITS** REGISTRATION 135701
- AIR NEW SOURCE PERMITS** REGISTRATION 132981
- AIR NEW SOURCE PERMITS** REGISTRATION 111072
- AIR NEW SOURCE PERMITS** REGISTRATION 116896
- AIR NEW SOURCE PERMITS** REGISTRATION 122707
- AIR NEW SOURCE PERMITS** REGISTRATION 151993
- AIR NEW SOURCE PERMITS** PERMIT AMOC32
- AIR NEW SOURCE PERMITS** REGISTRATION 153141
- AIR NEW SOURCE PERMITS** PERMIT AMOC84
- AIR NEW SOURCE PERMITS** REGISTRATION 162317
- AIR NEW SOURCE PERMITS** EPA PERMIT N298
- AIR NEW SOURCE PERMITS** REGISTRATION 149583
- AIR NEW SOURCE PERMITS** REGISTRATION 146135
- AIR NEW SOURCE PERMITS** REGISTRATION 151216
- AIR NEW SOURCE PERMITS** REGISTRATION 143865

- AIR OPERATING PERMITS** PERMIT 2113
- AIR OPERATING PERMITS** PERMIT 2115
- AIR OPERATING PERMITS** PERMIT 3247
- AIR NEW SOURCE PERMITS** ACCOUNT NUMBER HG0310V
- AIR NEW SOURCE PERMITS** PERMIT 1504A
- AIR NEW SOURCE PERMITS** REGISTRATION 7403A
- AIR NEW SOURCE PERMITS** PERMIT 19027
- AIR NEW SOURCE PERMITS** REGISTRATION 32866
- AIR NEW SOURCE PERMITS** REGISTRATION 38590
- AIR NEW SOURCE PERMITS** REGISTRATION 41691
- AIR NEW SOURCE PERMITS** REGISTRATION 44759
- AIR NEW SOURCE PERMITS** REGISTRATION 49322
- AIR NEW SOURCE PERMITS** REGISTRATION 71530
- AIR NEW SOURCE PERMITS** REGISTRATION 50758
- AIR NEW SOURCE PERMITS** PERMIT 83791
- AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX748M1
- AIR NEW SOURCE PERMITS** REGISTRATION 111073
- AIR NEW SOURCE PERMITS** EPA PERMIT GHGPSDTX9
- AIR NEW SOURCE PERMITS** REGISTRATION 110925
- AIR NEW SOURCE PERMITS** REGISTRATION 139001
- AIR NEW SOURCE PERMITS** REGISTRATION 131535
- AIR NEW SOURCE PERMITS** REGISTRATION 139753
- AIR NEW SOURCE PERMITS** PERMIT 135086
- AIR NEW SOURCE PERMITS** REGISTRATION 136457
- AIR NEW SOURCE PERMITS** REGISTRATION 111069
- AIR NEW SOURCE PERMITS** REGISTRATION 131650
- AIR NEW SOURCE PERMITS** EPA PERMIT N178
- AIR NEW SOURCE PERMITS** REGISTRATION 131542
- AIR NEW SOURCE PERMITS** REGISTRATION 114897
- AIR NEW SOURCE PERMITS** REGISTRATION 131970
- AIR NEW SOURCE PERMITS** EPA PERMIT N224
- AIR NEW SOURCE PERMITS** REGISTRATION 154368
- AIR NEW SOURCE PERMITS** PERMIT AMOC10
- AIR NEW SOURCE PERMITS** REGISTRATION 153749
- AIR NEW SOURCE PERMITS** REGISTRATION 163274
- AIR NEW SOURCE PERMITS** EPA PERMIT N148M2
- AIR NEW SOURCE PERMITS** REGISTRATION 163272
- AIR NEW SOURCE PERMITS** PERMIT AMOC100
- AIR NEW SOURCE PERMITS** PERMIT AMOC87
- AIR NEW SOURCE PERMITS** REGISTRATION 150060
- AIR NEW SOURCE PERMITS** REGISTRATION 147744

AIR NEW SOURCE PERMITS EPA PERMIT N178M1
AIR NEW SOURCE PERMITS REGISTRATION 156170
AIR NEW SOURCE PERMITS REGISTRATION 155920
AIR NEW SOURCE PERMITS EPA PERMIT N148M1
AIR NEW SOURCE PERMITS REGISTRATION 157396
AIR NEW SOURCE PERMITS PERMIT AMOC143
AIR NEW SOURCE PERMITS REGISTRATION 152085
AIR NEW SOURCE PERMITS REGISTRATION 154060
WATER LICENSING LICENSE 1012335

STORMWATER PERMIT TXR05Q341
WASTEWATER EPA ID TX0003948

POLLUTION PREVENTION PLANNING ID NUMBER P00134

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
REGISTRATION # (SWR) 30091

TAX RELIEF ID NUMBER 19706
TAX RELIEF ID NUMBER 16769
TAX RELIEF ID NUMBER 19933
TAX RELIEF ID NUMBER 19926
TAX RELIEF ID NUMBER 19930
TAX RELIEF ID NUMBER 16766
TAX RELIEF ID NUMBER 20824
TAX RELIEF ID NUMBER 19932
TAX RELIEF ID NUMBER 19517
TAX RELIEF ID NUMBER 18791
TAX RELIEF ID NUMBER 19707
TAX RELIEF ID NUMBER 20833
TAX RELIEF ID NUMBER 20822
TAX RELIEF ID NUMBER 22307
TAX RELIEF ID NUMBER 22313
TAX RELIEF ID NUMBER 22314

AIR NEW SOURCE PERMITS REGISTRATION 160762
AIR NEW SOURCE PERMITS REGISTRATION 158288
AIR NEW SOURCE PERMITS REGISTRATION 159932
AIR NEW SOURCE PERMITS EPA PERMIT N296
AIR NEW SOURCE PERMITS EPA PERMIT N178M2
AIR NEW SOURCE PERMITS REGISTRATION 152516
AIR NEW SOURCE PERMITS EPA PERMIT N294
AIR NEW SOURCE PERMITS REGISTRATION 160298
MUNICIPAL SOLID WASTE NON PERMITTED ID NUMBER
HOU00074
WASTEWATER PERMIT WQ0001006000
AIR EMISSIONS INVENTORY ACCOUNT NUMBER HG0310V

INDUSTRIAL AND HAZARDOUS WASTE EPA ID
TXD003913381
TAX RELIEF ID NUMBER 18796

TAX RELIEF ID NUMBER 19928
TAX RELIEF ID NUMBER 19925
TAX RELIEF ID NUMBER 17668
TAX RELIEF ID NUMBER 16767
TAX RELIEF ID NUMBER 19931
TAX RELIEF ID NUMBER 19927
TAX RELIEF ID NUMBER 20828
TAX RELIEF ID NUMBER 19515
TAX RELIEF ID NUMBER 19519
TAX RELIEF ID NUMBER 20184
TAX RELIEF ID NUMBER 19705
TAX RELIEF ID NUMBER 17669
TAX RELIEF ID NUMBER 20825
TAX RELIEF ID NUMBER 23340
TAX RELIEF ID NUMBER 22310

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

Date Compliance History Report Prepared: January 14, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 14, 2016 to January 14, 2021

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

Name: Mackenzie Mehlmann

Phone: (512) 239-2572

Site and Owner/Operator History:

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

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

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

1 Effective Date: 08/09/2016 ADMINORDER 2015-1664-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions. The Respondent released 6,765 lbs of ethylene and 0.56 lb of NOx from EPN F-130 and 136, respectively, during an emissions event (Incident No. 215154) that occurred on June 2, 2015 and lasted 42 minutes. The emissions event occurred at the 1797 Normal Alpha Olefins Unit due to a significant gas leak when an improper gasket was installed in the sight glass assembly for the D-120-A Knockout Drum.

2 Effective Date: 10/18/2016 ADMINORDER 2016-0289-AIR-E (1660 Order-Agreed Order With Denial)

Compliance History Report for CN600303614, RN103919817, Rating Year 2020 which includes Compliance History (CH) components from January 14, 2016, through January 14, 2021.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 906.37 pounds ("lbs") of ethylene, 2,402.74 lbs of carbon monoxide, 332.83 lbs of nitrogen oxides, 42.46 lbs of butene, and 7.12 lbs of propylene, and 59.82 lbs of other volatile organic compounds from the Z-1101 Flare, Emission Point No. 1798-22, during an avoidable emissions event (Incident No. 221567) that occurred on October 13, 2015, and lasted 17 hours and 35 minutes. The emissions event occurred due to low air

3 Effective Date: 09/26/2018 ADMINORDER 2017-0855-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions and to maintain no more than 1,200 lbs of HRVOC during a one-hour block. This emissions event was determined to be an excessive emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions and to maintain no more than 1,200 lbs of HRVOC during a one-hour block. This emissions event was determined to be an excessive emissions event.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Since this emissions event could have been avoided by better maintenance and/or operating practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

4 Effective Date: 09/26/2018 ADMINORDER 2017-1328-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Failed to comply with the representations with regard to construction plans and operation procedures in an application for a permit. Specifically, on June 10, 2014, unauthorized melt loading into drums of the polymer solids stream, tetrafluoroethylene ("TFE") bottoms was initially conducted due to an inconsistency in the polymer solids stream, resulting in 4.345 tons per year of unauthorized volatile organic compounds. [Category B19g1]

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.310(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP ST&C 16 OP
NSR SC 1 PERMIT

Description: Failure to limit carbon monoxide emissions from the Hot Oil Heater (EPN 26, Unit ID. H-602) to not more than 1.80 lbs/hr. (Category A12.i.(6))

5 Effective Date: 05/23/2019 ADMINORDER 2017-1562-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: GT&Cs and ST&Cs No. 16 OP
Special Condition 1 PERMIT

Description: The Respondent failed to prevent unauthorized emissions and failed to limit HRVOC emissions to 1,200 lbs per one-hour block period.

6 Effective Date: 09/03/2019 ADMINORDER 2018-1424-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 13D PERMIT
Special Term and Condition 1A and 18 OP

Description: Failure to operate each monitoring system at least 95 percent ("%") of the time when the flare is operational, averaged over a calendar year. Specifically, Flare CB-701, Emissions Point Number 1592-16, operated continuously during calendar year 2016, but the flow meter had 3,408 downtime hours from April 14, 2016 through September 3, 2016, resulting in the flare being monitored only 61.1% of the time in calendar year 2016

7 Effective Date: 05/12/2020 ADMINORDER 2019-0112-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT
Special Condition No. 2 PERMIT

Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event. (Category A12.i.(6))

8 Effective Date: 07/20/2020 ADMINORDER 2019-0809-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: 37063, SC 1 PERMIT

Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event. [Category A12(i)(6)]

Classification: Moderate

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

Description: Failure to comply with reporting requirements for an emission event. [Category B3]

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event. (Category A12(i)(6))

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 20, 2016	(1315593)
Item 2	January 29, 2016	(1300007)
Item 3	March 10, 2016	(1331714)
Item 4	April 13, 2016	(1315463)
Item 5	April 15, 2016	(1338877)
Item 6	June 20, 2016	(1352118)
Item 7	August 15, 2016	(1365517)
Item 8	September 07, 2016	(1342903)
Item 9	September 16, 2016	(1372218)
Item 10	September 23, 2016	(1355992)
Item 11	October 14, 2016	(1378395)
Item 12	November 17, 2016	(1384354)
Item 13	December 12, 2016	(1390491)
Item 14	January 20, 2017	(1397108)
Item 15	February 17, 2017	(1403992)
Item 16	March 20, 2017	(1387609)
Item 17	April 13, 2017	(1417596)
Item 18	May 16, 2017	(1425185)
Item 19	June 04, 2017	(1408289)
Item 20	June 15, 2017	(1431188)
Item 21	July 18, 2017	(1439797)
Item 22	July 31, 2017	(1417488)
Item 23	August 18, 2017	(1443485)
Item 24	September 18, 2017	(1450112)
Item 25	October 18, 2017	(1455932)
Item 26	November 01, 2017	(1421326)
Item 27	December 20, 2017	(1467792)
Item 28	February 16, 2018	(1486723)
Item 29	March 09, 2018	(1465643)
Item 30	March 16, 2018	(1490400)
Item 31	April 13, 2018	(1493637)
Item 32	May 17, 2018	(1500555)
Item 33	June 14, 2018	(1507672)
Item 34	July 12, 2018	(1513989)
Item 35	July 24, 2018	(1500315)
Item 36	August 15, 2018	(1520051)
Item 37	September 17, 2018	(1511137)
Item 38	September 19, 2018	(1527216)
Item 39	October 16, 2018	(1533574)
Item 40	November 05, 2018	(1525860)
Item 41	November 15, 2018	(1541409)
Item 42	December 13, 2018	(1545193)
Item 43	January 17, 2019	(1559554)
Item 44	April 08, 2019	(1553437)
Item 45	April 11, 2019	(1571790)
Item 46	April 14, 2019	(1553529)
Item 47	April 23, 2019	(1552327)
Item 48	May 14, 2019	(1553575)
Item 49	May 17, 2019	(1583189)
Item 50	June 17, 2019	(1575871)
Item 51	June 18, 2019	(1583190)
Item 52	August 05, 2019	(1582023)
Item 53	August 07, 2019	(1539569)
Item 54	August 16, 2019	(1599449)
Item 55	August 20, 2019	(1582037)
Item 56	August 22, 2019	(1582844)
Item 57	September 12, 2019	(1606354)
Item 58	September 27, 2019	(1590260)

Item 59	October 17, 2019	(1581224)
Item 60	November 08, 2019	(1606092)
Item 61	November 20, 2019	(1619014)
Item 62	December 16, 2019	(1612946)
Item 63	January 15, 2020	(1634007)
Item 64	February 18, 2020	(1640626)
Item 65	March 18, 2020	(1647146)
Item 66	May 20, 2020	(1660068)
Item 67	August 19, 2020	(1680304)
Item 68	August 27, 2020	(1659440)
Item 69	September 14, 2020	(1686874)
Item 70	September 22, 2020	(1672980)
Item 71	October 20, 2020	(1693220)

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: 03/31/2020 (1653482)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 2 Date: 05/31/2020 (1666573)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 3 Date: 06/30/2020 (1673530)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 4 Date: 08/20/2020 (1592287)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6602
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 1A OP
NSR Special Condition 5F PA
Description: Failure to conduct annual oil and filter change for emergency engine, EPN 1792-43
(Category B1)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR Special Condition 1 PA
Special Term and Condition 16 OP
Description: Failure to comply with the maximum allowable emission rate (MAER) for carbon
monoxide (CO), volatile organic compounds (VOC), and nitrogen oxides (NOx) for flare,
EPN 45; Unit ID; X-901(Category B17)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6655(f)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 1A OP
Description: Failure to record engine run time with an elapsed run time meter; EPN 1792-43 (P-930)
(Category C4)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 16 OP
NSR Special Condition 12 PA

Description: Failure to meet 95% destruction efficiency for H-3030 catalytic incinerator, EPN; 1792-4B (Category B17)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(1)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP

Description: Failure to monitor flare operational parameters for the flare (Unit X-901) (Category B1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP
NSR Special Condition 9D PA

Description: Failure to operate the HRVOC monitoring system for the flare (Unit X-901) at least 95% of the time. (Category B1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP

Description: Failure to obtain HRVOC flare (Unit X-901) sample during online analyzer malfunction. (Category B1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 16 OP
NSR Special Condition 8 PA

Description: Failure to comply with vacuum truck operations requirements during periods of maintenance, start-up and shutdown activities. (Category B1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR Special Condition 20.A PA
Special Term and Condition 16 OP

Description: Failure to conduct weekly audio, visual, olfactory (AVO) inspections (Category B1)

5 Date: 08/24/2020 (1592275)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP

Description: Failure to submit deviation report within 30 days of reporting period end date (Category B3)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2455(a)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 16 OP
Special Term and Condition 15 PA

Description: Failure to maintain destruction rate efficiency (DRE) for catalytic incinerator, EPN 1796-06G (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 9 PA
Special Term and Condition 16 OP

Description: Failure to maintain particulate matter (PM) filtering system. (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 26C(2) PA
Special Term and Condition 16 OP

Description: Failure to verify functionality for Lower Explosive Limit (LEL) monitors (Category

C1)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter Q 106.393
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 16 OP
Description: Failure to prevent visible emissions from plastic conveying activity; EPN 1796-19B (Category C4)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 6A PA
Special Term and Condition 1A OP
Description: Failure to maintain flare net heating value; EPN: 1796-10A (Category C4)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 16 OP
NSR Special Condition 1 PA
Description: Failure to prevent exceedance of the maximum allowable emission rate (MAER); EPN 1796-10A (Category B12)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP
Description: Failure to obtain daily sample during online analyzer malfunction; EPN FS-541 (Category B1)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR Special Condition 21E PA
Special Term and Condition 16 OP
Description: Failure to conduct weekly audio, visual, olfactory (AVO) inspections for connectors (Category B1)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR Special Condition 8 PA
Special Term and Condition 16 OP
Description: Failure to comply with vacuum truck operations requirements (Category C4)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6F(2) PA
Special Term and Condition 16 OP
Description: Failure to conduct valve and car seal inspections; EPN 1796-10A (Category B1)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 24 PA
Special Term and Condition 16 OP
Description: Failure to comply with MSS operation and recordkeeping requirements (Category B3)

6 Date: 08/31/2020 (1612920)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Terms& Conditions (ST&C) 18 PERMIT
Description: Failure to comply with the maximum allowable emission rate (MAER) for Volatile Organic Compounds (VOC), carbon monoxide (CO), and nitrogen oxides (NOx) for

flare, EPN 110 (Unit ID: Z-101) (Category B12).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Terms & Conditions (ST&C) 18 OP

Description: Failure to comply with the maximum allowable emission rate (MAER) for Volatile Organic Compounds (VOC) at emission point number (EPN) 127UU (Unit ID: TK-28) (Category B12)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Terms & Conditions (ST&C) 18 OP

Description: Failure to comply with the maximum allowable emission rate (MAER) for Volatile Organic Compounds (VOC) at emission point number (EPN) 117Q, (Unit ID: TK-800) (Category B12)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms & Conditions (ST&C) 18 OP
Standard Condition 7 PERMIT

Description: Failure to maintain minimum liquid flow rate of 10 gallons per minute on the absorber (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(a)(1)
5C THSC Chapter 382 382.085(b)
FOP, Special Term & Condition 1A OP

Description: Failure to maintain records showing minimum differential pressure between cooling water and heat exchanger (E-2721) containing ethylbenzene (Category B3).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 8 PERMIT
Special Terms & Condition (ST&C) 16 OP

Description: Failure to comply with vacuum truck operations requirements (Category B1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21 PERMIT
Special Terms & Conditions 18 OP

Description: Failure to keep records of Maintenance, Startup and Shutdown (MSS) activity (Category B3).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 23 PERMIT
Special Terms & Conditions (ST&C) 18 OP

Description: Failure to monitor VOC concentration during MSS activity (Category B1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Conditions 24 PERMIT
Special Terms & Conditions (ST&C) 18 OP

Description: Failure to prevent open ended lines (OEL) within units F-1795-66 and F-130. (Category C10)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms & Conditions (ST&C) 18 OP

Description: Failure to conduct weekly audible, visual, olfactory (AVO) inspections on connectors. (Category B1)

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Terms & Conditions (ST&C) 1(A) OP		
Description:	Failure to conduct daily flare observations; EPN 110 (Category B1)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(d) 5C THSC Chapter 382 382.085(b) Special Terms & Conditions (ST&C) 1(A) OP		
Description:	Failure to operate flare in accordance with design. EPN 110 (Category C4)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 5D PA Special Terms & Conditions (ST&C) 1(A) OP		
Description:	Failure to prevent visible emissions from flare: EPN 110 (Category C4)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Terms & Conditions (ST&C) 1(A) OP		
Description:	Failure to perform flare sampling on EPN 110 (Category B1)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.132(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Terms & Conditions (ST&C) 1(A) OP		
Description:	Failure to maintain seal on API Separator; EPN 134A, 134AA (Category C4)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.126(1)(A)(iv) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Terms & Conditions (ST&C) 1(A) OP		
Description:	Failure to monitor VOC emission concentrations from carbon cannisters; EPN 134A, 134AA (Category B1)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Terms & Conditions (ST&C) 1(A) OP		
Description:	Failure to record daily flare observations on EPN 1798-22. (Category B1)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 10(H) PERMIT Special Terms and Conditions 18 OP		
Description:	Failure to route vapors from loading operations to Z-1101 flare. (Category B17)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Terms and Conditions 1(A) OP		
Description:	Failure to conduct daily flare observations for EPN 129 (Category B1)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(d) 5C THSC Chapter 382 382.085(b) Special Terms and Conditions 1(A) OP		
Description:	Failure to operate flare in accordance with design for EPN 129 (Category C4)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.764(a)(3) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Terms and Conditions 1(A) OP		
Description:	Failure to operate cooling tower continuous emission monitoring system (CEMS); Z-201 (Category B1)		

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.764(a)(6) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Terms & Conditions 1(A) OP		
Description:	Failure to collect cooling tower highly reactive volatile organic compound (HRVOC) samples; Z-201 (Category B1)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Conditions 1 PERMIT Special Terms and Conditions 18 OP		
Description:	Failure to comply with the maximum allowable emission rate (MAER) for Volatile Organic Compounds (VOC), emission point number, EPN 1798-12 (Unit ID TK-710A) (Category B12)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 8(C) PERMIT Special Terms and Conditions 18 OP		
Description:	Failure to replace polishing canister on the Thin Film Evaporator (TFE) within 24 hours upon VOC breakthrough. (Category C4)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 106, SubChapter A 106.6(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP, Special Term & Condition 19 OP		
Description:	Failure to update NSR permit by rule (PBR) emissions (Category B13)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 106, SubChapter A 106.8(c)(6) FOP, Special Term & Condition 19 OP		
Description:	Failure to maintain records for documentation of PBR registration conditions (Category B3)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Terms and Condition 1(A) OP		
Description:	Failure to prevent visible emissions; EPN SYS-910-1 (Category C4)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 117, SubChapter B 117.345(f)(6)(B) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Description:	Failure to document non-emergency engine operation; SYS-910 (Category B3)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) NSR, Special Condition 8(D)(2) PERMIT Special Terms and Condition 18 OP		
Description:	Failure to maintain records of the carbon adsorption system canister readings (EPN Load-Melt) (Category B3)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 5C THSC Chapter 382 382.085(b) Special Terms and Conditions 1(A) OP		
Description:	Failure to maintain flare net heating value (NHV); Z-101 (Category C4)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Conditions 1(A) PERMIT Special Terms and Conditions 18 OP		
Description:	Failure to comply with maximum allowable emission rate (MAER) for Z-1101 (Category B12)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.112(e)(1)		

Description: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions 1(A) OP
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions 1(A) OP
 Description: Failure to maintain tank working pressure; EPN 117Q (Category C4)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions 1(A) OP
 Description: Failure to validate HRVOC readings on cooling tower (Z-201) (Category B1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Conditions 11(E) PERMIT
 Special Terms and Conditions 18 OP
 Description: Failure to monitor tank temperature (storage tank TK-27) (Category B1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Conditions 9(B) PERMIT
 Special Terms and Conditions 18 OP
 Description: Failure to maintain flare pilot flame monitoring data (flares: Z-101; Z-251; Z-1101; SYS-740) (Category C4)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 5E PA
 Special Term and Condition 18 OP
 Description: Failure to record flare operating parameters; EPN 129 (Category B1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 5E PA
 Special Term and Condition 18 OP
 Description: Failure to record flare operating parameters (EPN 110) (Category B1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to record flare operating parameters on EPN 136 (Category B1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 10.F PA
 Special Term and Condition 18 OP
 Description: Failure to route vapors from loading operations to Z-101 flare (EPN 110) (Category B17)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(d)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to operate flare in accordance with design; EPN 1798-22 (Category C4)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 5E PA
 Special Term and Condition 18 OP
 Description: Failure to record flare operating parameters; EPN 1798-22 (Category B1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to perform flare sampling; EPN 1798-22 (Category B1)

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
Description:	Failure to perform flare sampling for highly reactive organic compounds (HRVOC); EPN 129 (Category B1)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.144(1) 5C THSC Chapter 382 382.085(b) Special Condition 17C PA Special Term and Condition 18 OP		
Description:	Failure to maintain cooling tower conductivity readings; Z-201 (Category B3)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PA Special Term and Condition 18 OP		
Description:	Failure to comply with the maximum allowable emission rate (MAER) for Volatile Organic Compounds (VOC), carbon monoxide (CO), and Nitrogen Oxides (NO) for flare, EPN 136 (Unit ID; SYS 740) (Category B12)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 14 PA Special Term and Condition 18 OP		
Description:	Failure to maintain tank net filling rate of less 300 gallons per minute, emission point number (EPN); 126E and 127GG (Category C4)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PA Special Term and Condition 18 OP		
Description:	Failure to comply with maximum allowable emission rate (MAER); Z-251 (Category B12)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
Description:	Failure to maintain flare net heating value (NHV); Z-1101 (Category C4)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 9B PA Special Term and Condition 18 OP		
Description:	Failure to maintain flare pilot flame; EPN 129 (Category C4)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
Description:	Failure to maintain flare net heating value; Z-251 (Category C4)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.116(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Permit Application PA Special Term and Condition 18 OP		
Description:	Failure to operate within registration 135701 represented filling rate of two drums per hour. (Category C4)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.116(a)(1)		

30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Permit Application PA
 Special Term and Condition 18 OP
 Description: Failure to comply with allowable VOC limit as represented in PBR registration 135701
 (Category B12)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to represent all operating conditions for each unit in FOP O-02114 (Category B3)

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Date: 08/31/2020 (1533304)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 18 OP
 Special Condition 1 PERMIT
 Description: Failure to operate cracking furnace BA-117 (EPN: 1592-38) within the Maximum
 Allowable Emission Rate (MAER). (Category B13 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 18 OP
 Special Condition 1 PERMIT
 Description: Failure to operate flare CB-710 (EPN: 1592-40) within the Maximum Allowable Emission
 Rate (MAER). (Category B13 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 18 OP
 Special Condition 25 PERMIT
 Description: Failure to analyze fuel gas. (Category C1 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 18 OP
 Special Condition 1 PERMIT
 Description: Failure to operate boiler BF-801C (EPN: 1592-11) within the Maximum Allowable
 Emission Rate (MAER). (Category B13 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 18 OP
 Special Condition 10 PERMIT
 Description: Failure to operate cracking furnaces and boiler (EPNs: H-103, H-105 through H-108 &
 PK-830) within the ammonia concentration limit. (Category B13 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Description: Failure to report all instances of deviations in a deviation report. (Category B3 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 18 OP
 Special Condition 1 PERMIT
 Description: Failure to operate cooling tower EF-751 (EPN: 1592-41) within the Maximum Allowable
 Emission Rate (MAER). (Category B13 Violation)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(b)(1)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 18 OP
 Special Condition 4 PERMIT
 Description: Failure to conduct monthly benzene concentration sampling on the biotreatment unit EBU. (Category C1 Violation)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 18 OP
 Special Condition 1 PERMIT
 Description: Failure to operate cracking furnaces (EPN: H-101, H-102, H-104 through H-108) within the Maximum Allowable Emission Rate (MAER). (Category B13 Violation)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 18 OP
 Special Condition 1 PERMIT
 Description: Failure to operate VHP boiler (EPN: PK-830) within the Maximum Allowable Emission Rate (MAER). (Category B13 Violation)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 17 OP
 FOP Special Term and Condition 1A OP
 Periodic Monitoring Summary OP
 Description: Failure to document visible emissions observations on cracking furnaces (EPNs: H-101 through H-108). (Category C1 Violation)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 18 OP
 Special Condition 22E PERMIT
 Description: Failure to record weekly AVO inspections conducted within the EU 1594 process fugitives area. (Category C1 Violation)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT XX 63.1086(a)(2)(ii)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 18 OP
 Special Condition 24 PERMIT
 Description: Failure to conduct weekly cooling tower (EPNs: PK-840 & 1592-41) sampling. (Category C1 Violation)
 Self Report? NO Classification: Moderate

Citation: 5C THSC Chapter 382 382.085(b)
 Special Condition 3 PERMIT
 Description: Failure to capture and store photos of the flare (EPN: PK-905) every 15 seconds. (Category B3 Violation)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13C PERMIT
 Special Term and Condition 18 OP
 Description: Failure to prevent EU 1594 flare (EPN: PK-905) smoking. (Category C4 Violation)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1h PERMIT
 Special Term and Condition 18 OP
 Description: Failure to operate cracking furnaces (EPNs: H-101, H-103, H-104 & PK-830) within maximum allowable firing rate. (Category C4 Violation)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 8(B)(2) PERMIT
 Special Term and Condition 18 OP
 Description: Failure to operate cracking furnaces (EPNs: H-101 through H-108) within NOx emissions limit. (Category B13 Violation)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 8(E)(2) PERMIT
 Special Term and Condition 18 OP
 Description: Failure to operate boiler (EPN: PK-830) within NOx emissions limit. (Category B13 Violation)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 23 PERMIT
 Special Term and Condition 18 OP
 Description: Failure to conduct cooling tower water (EPNs: PK-840 & 1592-41) HRVOC sampling. (Category C1 Violation)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)(B)
 5C THSC Chapter 382 382.085(b)
 Description: Incorrect applicability determinations referenced in FOP for units identified in PBR Registration. (Category C7 Violation)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to complete daily flare (EPNs: 1592-16 & 1592-40) observations. (Category C1 Violation)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(d)(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(d)
 40 CFR Part 63, Subpart A 63.11(b)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13 PERMIT
 Special Condition 3 PERMIT
 Special Condition 5 PERMIT
 Special Term and Condition 18 OP
 Special Term and Condition 1A OP
 Description: Failure to monitor and maintain flare (EPNs: 1592-16 & 1592-40) records. (Category C1 Violation)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to conduct flare (EPNs: 1592-16 & 1592-40) HRVOC sampling. (Category C1 Violation)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 8 PERMIT
 Special Term and Condition 18 OP
 Description: Failure to maintain records relating to MSS. (Category B3 Violation)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13E(2)(b) PERMIT
 Special Term and Condition 18 OP
 Description: Failure to complete monthly car seal inspections. (Category C1 Violation)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 26 PERMIT
Special Condition 31 PERMIT
Special Term and Condition 18 OP

Description: Failure to meet requirements and maintain records relating to MSS. (Category B3 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to monitor HRVOC Pressure Safety Valves (PSVs). (Category C1 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
Special Condition 4 PERMIT
Special Term and Condition 18 OP
Special Term and Condition 1A OP

Description: Failure to complete carbon canister breakthrough monitoring. (Category C1 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to conduct daily diesel tank level readings. (Category C1 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(6)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to log engine run time meter readings. (Category C1 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to prevent exceedance of the CO ppm concentration (Category B13).

8 Date: 11/23/2020 (1672376)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 27 PERMIT
STC 17 OP

Description: Failure to prevent visible emissions. (Category C4)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 1 OP

Description: Failure to operate an engine runtime meter. (Category C4)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 27 PERMIT
STC 17 OP

Description: Failure to conduct visible inspections of bag filters. (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 12 PERMIT
STC 17 OP

Description: Failure to maintain catalytic incinerator efficiency above 95%. (Category B18(g))

(1))
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1 PERMIT
 STC 17 OP
 Description: Failure to maintain flare VOC emissions rate within the permitted limit. (Category B18(g)(1))

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Date: 12/07/2020 (1672420)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Term and Condition 18 OP
 Description: Failure to prevent exceedance of volatile organic compounds (VOC) limit for a CB-701 flare vent header (Unit ID/EPN 1592-16). (Category B13 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 10 PERMIT
 Special Term and Condition 18 OP
 Special Term and Condition 1A OP
 Description: Failure to maintain ammonia concentration below the limit for cracking furnace Unit ID/EPN H-103. (Category C7 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 10 PERMIT
 Special Term and Condition 18 OP
 Special Term and Condition 1A OP
 Description: Failure to maintain ammonia concentration below the limit for cracking furnace Unit ID/EPN H-104. (Category B13 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 10 PERMIT
 Special Term and Condition 18 OP
 Special Term and Condition 1A OP
 Description: Failure to maintain ammonia concentration below the limit for cracking furnace Unit ID/EPN H-101. (Category C7 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Term and Condition 18 OP
 Description: Failure to not exceed the nitrogen oxide (NOx) emission limit for cracking furnace Unit ID/EPN H-105. (Category B13 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Term and Condition 18 OP
 Description: Failure to not exceed the nitrogen oxide (NOx) emission limit for cracking furnace Unit ID/EPN H-106. (Category B13 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Condition 18 OP
 Description: Failure to not exceed the nitrogen oxide (NOx) emission limit for cracking furnace

Self Report?	NO	Unit ID/EPN H-101. (Category B13 violation)	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Term and Condition 18 OP		
Description:		Failure to not exceed the nitrogen oxide (NOx) emission limit for cracking furnace Unit ID/EPN H-102. (Category B13 violation)		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Term and Condition 18 OP		
Description:		Failure to not exceed the nitrogen oxide (NOx) emission limit for cracking furnace Unit ID/EPN H-107. (Category B13 violation)		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Term and Condition 18 OP		
Description:		Failure to prevent exceedance of carbon monoxide (CO) limit for a CB-701 flare vent header (Unit ID/EPN 1592-16). (Category C7 violation)		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Term and Condition 18 OP		
Description:		Failure to not exceed the nitrogen oxide (NOx) emission limit for cracking furnace Unit ID/EPN H-108. (Category C7 violation)		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Term and Condition 18 OP		
Description:		Failure to not exceed the nitrogen oxide (NOx) emission limit for cracking furnace Unit ID/EPN H-104. (Category C7 violation)		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5) 5C THSC Chapter 382 382.085(b) Special Condition 13B PERMIT Special Term and Condition 18 OP Special Term and Condition 1A OP		
Description:		Failure to maintain flare CB-710 pilots. (Category C4 violation)		
Self Report?	NO		Classification:	Minor
Citation:		30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(3) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
Description:		Failure to submit Kb notification within 30 days of visual inspection. (Category C3 violation)		
Self Report?	NO		Classification:	Minor
Citation:		30 TAC Chapter 115, SubChapter H 115.725(d)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
Description:		Failure to collect valid samples for flare CB-701 (Unit ID CB-701). (Category C1 violation)		
Self Report?	NO		Classification:	Minor
Citation:		30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP		
Description:		Failure to include all deviations in the deviation report for the period of August 1, 2018 through January 31, 2019. (Category C3 violation)		

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
Description:	Failure to maintain carbon monoxide (CO) concentration limit for cracking furnace Unit ID/EPN H-104. (Category B13 violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Term and Condition 18 OP		
Description:	Failure to not exceed the nitrogen oxide (NOx) emission limit for VHP Boiler (Unit ID/EPN PK-830). (Category C7 violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 117, SubChapter B 117.345(f)(6)(B) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
Description:	Failure to properly document hours of operation for emergency generators (Unit IDs/EPNs PK-871 and PK-872). (Category B3 violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Term and Condition 18 OP		
Description:	Failure to not exceed the nitrogen oxide (NOx) emission limit for the flare (Unit ID/EPN PK-905). (Category C7 violation)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 29B PERMIT Special Term and Condition 18 OP		
Description:	Failure to maintain sampling records for maintenance of tank TK-612 and pumps P-9113A/B. (Category C3 violation)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP		
Description:	Failure to include all deviations in the deviation report for the period of February 1, 2018 through July 31, 2018. (Category C3 violation)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 22I PERMIT Special Term and Condition 18 OP		
Description:	Failure to record weekly audio, visual, and olfactory (AVO) inspections for furnace, fractionation, and compression areas (Unit ID F-1594). (Category B3 violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(B) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 10 PERMIT Special Term and Condition 18 OP Special Term and Condition 1A OP		
Description:	Failure to maintain ammonia concentration below the limit for cracking furnace Unit ID/EPN H-102. (Category C7 violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(B) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 10 PERMIT Special Term and Condition 18 OP Special Term and Condition 1A OP		

Description: Failure to maintain ammonia concentration below the limit for cracking furnace Unit ID/EPN H-106. (Category B13 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term and Condition 18 OP

Description: Failure to not exceed the nitrogen oxide (NOx) emission limit for cracking furnace Unit ID/EPN H-103. (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term and Condition 18 OP

Description: Failure to not exceed the nitrogen oxide (NOx) emission limit for cracking furnace BA-117 (Unit ID BA-117/EPN 1592-38). (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to maintain carbon monoxide (CO) concentration limit for cracking furnace Unit ID/EPN H-106. (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term and Condition 18 OP

Description: Failure to prevent exceedance of carbon monoxide (CO) limit for cracking furnace BA-102 (Unit ID BA-102/ EPN 1592-01B). (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 23 PERMIT
Special Term and Condition 18 OP

Description: Failure to prevent exceedance of allowable downtime of the flow meter and HRVOC analyzer for cooling tower (Unit ID/ EPN PK-840). (Category B1 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 17B PERMIT
Special Term and Condition 18 OP

Description: Failure to conduct a cylinder gas audit (CGA) for VHP Boiler PK-830 (Unit ID/ EPN PK-830). (Category B1 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter X 106.533(g)(5)(C)(i)
30 TAC Chapter 106, SubChapter X 106.533(g)(5)(C)(ii)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)

Description: Failure to properly monitor carbon canisters for Unit ID EBU. (Category C1 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to prevent opacity exceedance for cracking furnace (Unit ID H-101). (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to prevent opacity exceedance for cracking furnace (Unit ID H-102). (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to prevent opacity exceedance for cracking furnace (Unit ID H-103). (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to prevent opacity exceedance for cracking furnace (Unit ID H-104). (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to prevent opacity exceedance for cracking furnace (Unit ID H-105). (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to prevent opacity exceedance for cracking furnace (Unit ID H-106). (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to prevent opacity exceedance for cracking furnace (Unit ID H-107). (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to prevent opacity exceedance for cracking furnace (Unit ID H-108). (Category C7 violation)

10 Date: 12/15/2020 (1684125)

Self Report? NO Classification: Moderate

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

Description: Failure to prevent the unauthorized discharge of wastewater. Specifically, during the 18 months preceding the investigation, one unauthorized discharge was reported to the TCEQ during the monitoring period of September 2019 (Incident No. 324663).

11 Date: 01/08/2021 (1692012)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 8B PERMIT
ST&C 1 OP
ST&C 11 OP

Description: Failure to prevent loss of flare pilot flame (Unit ID FS-9004) (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1 OP

Description: Failure to prevent the operation of fire pumps (Unit ID SYS9006) for testing or maintenance situations during the hours between 6:00 am and 12:00 pm (Category B1).

F. Environmental audits:

Compliance History Report for CN600303614, RN103919817, Rating Year 2020 which includes Compliance History (CH) components from January 14, 2016, through January 14, 2021.

Notice of Intent Date: 07/22/2019 (1582503)

No DOV Associated

Notice of Intent Date: 09/04/2019 (1597928)

No DOV Associated

Notice of Intent Date: 02/11/2020 (1632787)

No DOV Associated

Notice of Intent Date: 03/27/2020 (1645403)

No DOV Associated

Notice of Intent Date: 06/02/2020 (1658341)

Disclosure Date: 11/20/2020

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.726(d)(4)

Rqmt Prov: PERMIT SC 8(D)

Description: Failure to correctly enter the tip area for FS-9004 into the software and maintain velocity records for FS-9004.

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CHEVRON PHILLIPS CHEMICAL	§	
COMPANY LP	§	
RN103919817	§	ENVIRONMENTAL QUALITY

**AGREED ORDER
DOCKET NO. 2020-1111-AIR-E**

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Chevron Phillips Chemical Company LP (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a chemical manufacturing plant located at 9500 Interstate 10 East in Baytown, Harris County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the 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. HEALTH & SAFETY CODE ch. 382 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 the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$13,126 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$5,251 of the penalty and \$2,625 of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

Pursuant to TEX. WATER CODE § 7.067, \$5,250 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The 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 the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). 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 the Respondent has not complied with one or more of the terms or conditions 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 compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
 - a. By November 6, 2017, replaced the failed Positioner FC-2103-3, inspected all similar positioners on the NAO-1797 Reactor feed valves, and trained and communicated within the Instrument Department to verify the length of excess wire in a housing to prevent wire pinching hazards in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 257347.
 - b. By September 18, 2018, created a Site Instrument and Electrical Quality Assurance Plan specific to wire termination and revised the Site Safety Instrumented System Test Procedure to include console switches and wiring in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 273410.

II. ALLEGATIONS

1. During a record review conducted from January 26, 2018 through March 22, 2018, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review

("NSR") Permit Nos. 37063 and N178, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2114, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 18, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 213.40 pounds ("lbs") of carbon monoxide ("CO"), 363.90 lbs of volatile organic compounds ("VOC"), and 106.90 lbs of nitrogen oxides ("NOx") from Flare SYS-740, Emissions Point Number ("EPN") 136, during an emissions event (Incident No. 257347) that began on May 3, 2017 and lasted three hours and one minute. The emissions event occurred when the ethylene feed valve to the R-203 Reactor transferred to the close position while the reactor was in operation that caused a sudden loss of feed to the reactor, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

2. During a record review conducted from September 19, 2018 through June 3, 2020, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit Nos. 37063 and N178, SC No. 1, FOP No. O2114, GTC and STC No. 18, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 452.00 lbs of CO, 700.10 lbs of VOC, and 63.00 lbs of NOx from Flare Z-1101, EPN 1798-22, during an emissions event (Incident No. 273410) that occurred on November 29, 2017 and lasted one hour and 20 minutes. The emissions event occurred due to the loss of power to the ethylene feed pumps for the reactor, resulting in flaring. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the 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 action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Chevron Phillips Chemical Company LP, Docket No. 2020-1111-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall implement and complete an SEP as set forth in Section I, Paragraph No. 4. The amount of \$5,250 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of 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. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
5. If the 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, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
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 the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or

reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

Date

12/01/2021

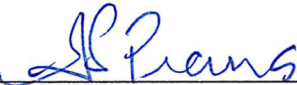
Date

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

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

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

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



Signature

5/25/2021

Date

G L PIWA

Name (Printed or typed)
Authorized Representative of
Chevron Phillips Chemical Company LP

PLANT MGR

Title

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

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.

Attachment A
Docket Number: 2020-1111-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Chevron Phillips Chemical Company LP
Payable Penalty Amount:	\$10,501
SEP Offset Amount:	\$5,250
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Anahuac Independent School District
Project Name:	<i>Clean School Bus Project</i>
Location of SEP:	Texas Air Quality Control Region 216, Houston - Galveston

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

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Anahuac Independent School District** for the *Clean School Bus Project*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the SEP Offset Amount will be used to purchase a lower-emission school bus that is model year 2010 or newer (“Replacement Bus”) to replace a bus that is model year 1995 (“Older Bus”), thus removing the Older Bus from the roads. The Third-Party Administrator shall ensure that the Replacement Bus has an engine that meets 2010 EPA Standards. The Third-Party Administrator certifies that the Older Bus is currently in use, driven on a regular route on a weekly basis for at least the past two years. The Third-Party Administrator shall own and operate the Replacement Bus for at least five years following the date of purchase. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to 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.

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

b. Environmental Benefit

The SEP will benefit air quality by reducing harmful exhaust emissions from an older school bus. Older school bus engines emit larger amounts of nitrogen oxides and particulate matter, as well as other harmful pollutants such as volatile organic compounds and carbon monoxide than new buses. These pollutants contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma, especially in children. The Project will reduce these emissions by replacing a model year 1995 school bus with a new, lower-emission bus.

c. Minimum Expenditure

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

2. Performance Schedule

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

Anahuac Independent School District
Attention: Business Manager
P.O. Box 638
Anahuac, Texas 77514

3. Records and Reporting

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

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

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount 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 the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to:

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

5. Publicity

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

6. Recognition

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

7. Other SEPs by TCEQ or Other Agencies

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