

Executive Summary – Enforcement Matter – Case No. 59911
Indorama Ventures Oxides LLC
RN100219252
Docket No. 2020-1274-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Huntsman Port Neches, 2701 Spur 136, Port Neches, Jefferson County

Type of Operation:

Petrochemical plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket Nos. 2021-0909-AIR-E and 2021-1200-IWD-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: April 1, 2022

Comments Received: No

Penalty Information

Total Penalty Assessed: \$37,250

Amount Deferred for Expedited Settlement: \$7,450

Total Paid to General Revenue: \$15,200

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$14,600

Name of SEP: Southeast Texas Regional Planning Commission (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

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Docket No. 2020-1274-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: August 18, 2020, September 28, 2020, and December 3, 2020

Date(s) of NOE(s): September 23, 2020, October 30, 2020, and January 12, 2021

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 13,459 pounds ("lbs") of volatile organic compounds ("VOC") and 41 lbs of acetone as fugitive emissions, during an emissions event (Incident No. 335200) that occurred on May 7, 2020 and lasted 15 minutes. The emissions event occurred due to an open bleeder valve in the tert-butanol ("TBA") flush system and excessive vibration from excessive and cyclic flow through the TBA flush line that caused the plug on the bleeder valve to come off, resulting in the release to the atmosphere. 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 No. 20160, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O3056, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,759.78 lbs of VOC, 380.36 lbs of nitrogen oxides ("NOx"), 35 lbs of acetone, and 2,771.66 lbs of carbon monoxide ("CO") from the Propylene Oxide ("PO") Ground Flare, Emissions Point Number ("EPN") POFLARE, during an emissions event (Incident No. 335589) that began on May 16, 2020 and lasted 26 hours and two minutes. The emissions event occurred due to fouling in the float chamber of Level Controller Transmitter LT-2752 that caused Level Controller Transmitter LT-2752 to fail and Compressor C-005 to safely shut down, 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 No. 20160, SC No. 1,

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Docket No. 2020-1274-AIR-E

FOP No. O3056, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent reported a duration of 37 hours and two minutes on the final record for Incident No. 335589, but after further review and investigation, the Respondent determined that the full duration of the emissions event was 26 hours and two minutes [30 TEX. ADMIN. CODE §§ 101.201(b)(1)(F) and 122.143(4), FOP No. O3056, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4. Failed to prevent unauthorized emissions. Specifically, the Respondent released 289.72 lbs of VOC, 70.66 lbs of NO_x, 516.89 lbs of CO, and 17.72 lbs of acetone from the PO Ground Flare, EPN POFLARE, and 17,253.34 lbs of VOC as fugitive emissions from the F4 Unit (3,702.85 lbs), the F6 Unit (7,109.53 lbs), and the F8 Unit (6,440.96 lbs), during an emissions event (Incident No. 343692) that began on October 9, 2020 and lasted eight hours. The emissions event occurred due to an area-wide power interruption that caused various pieces of process equipment to shut down, resulting in the releases to the atmosphere and in flaring. Since the amount and duration of the unauthorized emissions and any bypass of pollution control equipment were not minimized, 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 No. 5952A, SC No. 1; NSR Permit No. 5972A, SC No. 1; NSR Permit No. 20160, SC No. 1; NSR Permit No. 106169, SC No. 1; FOP No. O1320, GTC and STC No. 16; FOP No. O3056, GTC and STC No. 17; 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 providing the actual duration of Incident No. 335589, on August 25, 2020;
- b. By evaluating the TBA flush logic to minimize excessive cycling action, by modifying the TBA flush logic to operate with a primary hydrocarbons valve and a secondary backup hydrocarbons valve, by evaluating the use of restrictive flow orifices in the TBA flush lines to allow for two-valve flow at an appropriate flow rate, by monitoring the hydrocarbon valves for signs of hammering and slow travel speed as necessary to reduce vibrations, by verifying all bleed valves

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Indorama Ventures Oxides LLC
RN100219252
Docket No. 2020-1274-AIR-E

and plugs are closed and in place in the TBA flush systems, by evaluating the site-wide policy to identify potential areas of improvement to minimize the risk of leaving bleed valves open, by performing pipe stress analysis on the TBA flush system, by installing additional piping supports as necessary, by evaluating the unit procedures and policies to ensure that they effectively minimize the risk of leaving bleed valves open during non-standard clearing and safing procedures, by evaluating the procedures and communication around the capital and inspections group hydrotesting to minimize risk of leaving bleed valves open, and by obtaining senior manager verification of the incident in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 335200, by July 28, 2021;

c. By confirming the integrity of lightning protection system, by ensuring the operators are following the procedures, by moving the IP-21 Server to an alternate location to avoid power loss, by improving or finding an alternate communication when there is radio loss, by determining if the gas flow to the contractor should be shut off during a plant-wide trip, by ensuring that the Carbon Dioxide System is lined up, by replacing the existing fiber optic/lashing system with a combination fiber optic/support cable system that eliminates the need for the lashing, by developing a procedure on how to respond to environmental emissions in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 343692, by November 30, 2021.

d. By installing a tag on the methanol supply valve that reads "Do Not Operate without Supervision Approval."; by communicating the findings via Learning Event Report; by pulling another displacer to determine if buildup is present throughout the propylene system; by considering periodic blowdowns; by communicating the expectation that repeat failures of a device are escalated to relevant engineers for review; by implementing a procedure for the proper operation of the methanol injection; by conducting training for the proper operation of the methanol injection; by implementing a training document covering the operation of the propylene refrigeration system, the operation of the propylene condensers, and techniques for proper sight glass operation on the propylene condensers; by implementing a regular Preventive Maintenance Program for the displacers and sight glasses in the propylene system; by replacing or upgrading the sight glass; and by conducting training for all Operations personnel on the propylene refrigeration training document in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 335589, by December 30, 2021.

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e. By conducting training for the emissions event reporting requirements in order to ensure that the final records for reportable emissions events identify all of the required information, on August 4, 2022.

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: Amanda Diaz, Enforcement Division, Enforcement Team 4, MC R-12, (713) 422-8912; 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: Southeast Texas Regional Planning Commission, 2210 Eastex Freeway, Beaumont, Texas 77703

Respondent: Chad Anderson, Vice President of Manufacturing, Indorama Ventures Oxides LLC, P.O. Box 847, Port Neches, Texas 77651
Kimberly A. Hoyt, Site Director, Indorama Ventures Oxides LLC, P.O. Box 847, Port Neches, Texas 77651

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

DATES	Assigned	30-Sep-2020	Screening	30-Sep-2020	EPA Due	
	PCW	19-Aug-2022				

RESPONDENT/FACILITY INFORMATION

Respondent	Indorama Ventures Oxides LLC				
Reg. Ent. Ref. No.	RN100219252				
Facility/Site Region	10-Beaumont		Major/Minor Source	Major	

CASE INFORMATION

Enf./Case ID No.	59911	No. of Violations	4
Docket No.	2020-1274-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Amanda Diaz
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$19,000
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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	\$19,000
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Notes: Enhancement for four NOVs with same/similar violations, two NOVs with dissimilar violations, and four orders containing a denial of liability. Reduction for two 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	-\$750
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$10,805
Estimated Cost of Compliance \$171,750
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$37,250
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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	\$37,250
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$37,250
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DEFERRAL	20.0%	Reduction	Adjustment	-\$7,450
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$29,800
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Screening Date	30-Sep-2020	Docket No.	2020-1274-AIR-E	PCW
Respondent	Indorama Ventures Oxides LLC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	59911			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN100219252			
Media	Air			
Enf. Coordinator	Amanda Diaz			

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>)	4	20%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments 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>)	2	-2%
	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) 100%

>> 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 four NOVs with same/similar violations, two NOVs with dissimilar violations, and four orders containing a denial of liability. Reduction for two notices of intent to conduct an audit and one disclosure of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 100%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date	30-Sep-2020	Docket No.	2020-1274-AIR-E	PCW
Respondent	Indorama Ventures Oxides LLC			<i>Policy Revision 4 (April 2014)</i>
Case ID No.	59911			<i>PCW Revision March 26, 2014</i>
Reg. Ent. Reference No.	RN100219252			
Media	Air			
Enf. Coordinator	Amanda Diaz			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4); New Source Review ("NSR") Permit No. 20160, Special Conditions ("SC") No. 1; Federal Operating Permit ("FOP") No. 03056, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 17; and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 13,459 pounds ("lbs") of volatile organic compounds ("VOC") and 41 lbs of acetone as fugitive emissions, during an emissions event (Incident No. 335200) that occurred on May 7, 2020 and lasted 15 minutes. The emissions event occurred due to an open bleeder valve in the tert-butanol ("TBA") flush system and excessive vibration from excessive and cyclic flow through the TBA flush line that caused the plug on the bleeder valve to come off, resulting in the release to the atmosphere. 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		
		Major	Moderate	Minor
	Actual		x	
	Potential			
		Percent		
		30.0%		
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
		Percent		
		0.0%		
Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
	Adjustment	\$17,500		
		\$7,500		
Violation Events				
	Number of Violation Events	1	1	Number of violation days
	daily			
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			
		Violation Base Penalty		
		\$7,500		
	One monthly event is recommended.			
Good Faith Efforts to Comply		10.0%		Reduction
		\$750		
		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary			
	Ordinary		x	
	N/A			
	Notes	The Respondent completed the corrective measures by July 28, 2021, after the Notice of Enforcement dated September 17, 2020.		
		Violation Subtotal	\$6,750	
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount	\$3,062	Violation Final Penalty Total	\$14,250
	This violation Final Assessed Penalty (adjusted for limits)			\$14,250

Economic Benefit Worksheet

Respondent Indorama Ventures Oxides LLC
Case ID No. 59911
Reg. Ent. Reference No. RN100219252
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	7-May-2020	28-Jul-2021	1.22	\$3,062	n/a	\$3,062

Notes for DELAYED costs

Estimated cost to evaluate the TBA flush logic to minimize excessive cycling action, modify the TBA flush logic to operate with a primary hydrocarbons valve and a secondary backup hydrocarbons valve, evaluate the use of restrictive flow orifices in the TBA flush lines to allow for two-valve flow at an appropriate flow rate, monitor the hydrocarbon valves for signs of hammering and slow travel speed as necessary to reduce vibrations, verify all bleed valves and plugs are closed and in place in the TBA flush systems, evaluate the site-wide policy to identify potential areas of improvement to minimize the risk of leaving bleed valves open, perform pipe stress analysis on the TBA flush system, install additional piping supports as necessary, evaluate the unit procedures and policies to ensure that they effectively minimize the risk of leaving bleed valves open during non-standard clearing and safing procedures, evaluate the procedures and communication around the capital and inspections group hydrotesting to minimize risk of leaving bleed valves open, and obtain senior manager verification of the incident in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 335200. 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

\$3,062

Screening Date	30-Sep-2020	Docket No.	2020-1274-AIR-E	PCW	
Respondent	Indorama Ventures Oxides LLC			<i>Policy Revision 4 (April 2014)</i>	
Case ID No.	59911			<i>PCW Revision March 26, 2014</i>	
Reg. Ent. Reference No.	RN100219252				
Media	Air				
Enf. Coordinator	Amanda Diaz				
Violation Number	2				
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4); NSR Permit No. 20160, SC No. 1; FOP No. 03056, GTC and STC No. 17; and Tex. Health & Safety Code § 382.085(b)				
Violation Description	<p>Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,759.78 lbs of VOC, 380.36 lbs of nitrogen oxides ("NOx"), 35 lbs of acetone, and 2,771.66 lbs of carbon monoxide ("CO") from the Propylene Oxide ("PO") Ground Flare, Emissions Point Number ("EPN") POFLARE, during an emissions event (Incident No. 335589) that began on May 16, 2020 and lasted 26 hours and two minutes. The emissions event occurred due to fouling in the float chamber of Level Controller Transmitter LT-2752 that caused Level Controller Transmitter LT-2752 to fail and Compressor C-005 to safely shut down, 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.</p>				
		Base Penalty	\$25,000		
>> Environmental, Property and Human Health Matrix					
OR	Release	Harm			
		Major	Moderate	Minor	
	Actual			x	
	Potential				Percent 15.0%
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
					Percent 0.0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.				
		Adjustment	\$21,250		
			\$3,750		
Violation Events					
	Number of Violation Events	1	2	Number of violation days	
	daily				
	weekly				
	monthly				
	quarterly	x			Violation Base Penalty \$3,750
	semiannual				
	annual				
	single event				
	One quarterly event is recommended.				
Good Faith Efforts to Comply					
		0.0%	Reduction	\$0	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary				
	Ordinary				
	N/A	x			
Notes	The Respondent does not meet the good faith criteria for this violation.				
	Violation Subtotal	\$3,750			
Economic Benefit (EB) for this violation					
	Statutory Limit Test				
Estimated EB Amount	\$4,721	Violation Final Penalty Total	\$7,500		
This violation Final Assessed Penalty (adjusted for limits)		\$7,500			

Economic Benefit Worksheet

Respondent Indorama Ventures Oxides LLC
Case ID No. 59911
Reg. Ent. Reference No. RN100219252
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
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$20,000	16-May-2020	4-Nov-2020	0.47	\$31	\$628	\$659
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	16-May-2020	30-Dec-2021	1.62	\$4,062	n/a	\$4,062
Notes for DELAYED costs	Estimated costs to install a tag on the methanol supply valve that reads "Do Not Operate without Supervision Approval."; communicate the findings via Learning Event Report; pull another displacer to determine if buildup is present throughout the propylene system; consider periodic blowdowns; communicate the expectation that repeat failures of a device are escalated to relevant engineers for review; implement a procedure for the proper operation of the methanol injection; conduct training for the proper operation of the methanol injection; implement a training document covering the operation of the propylene refrigeration system, the operation of the propylene condensers, and techniques for proper sight glass operation on the propylene condensers; implement a regular Preventive Maintenance Program for the displacers and sight glasses in the propylene system; replace or upgrade the sight glass; and conduct training for all Operations personnel on the propylene refrigeration training document in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 335589. 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	\$70,000			TOTAL		\$4,721	

Screening Date	30-Sep-2020	Docket No.	2020-1274-AIR-E	PCW
Respondent	Indorama Ventures Oxides LLC	Policy Revision 4 (April 2014)		
Case ID No.	59911	PCW Revision March 26, 2014		
Reg. Ent. Reference No.	RN100219252			
Media	Air			
Enf. Coordinator	Amanda Diaz			
Violation Number	3			
Rule Cite(s)	30 Tex. Admin. Code §§ 101.201(b)(1)(F) and 122.143(4); FOP No. O3056, GTC and STC No. 2.F; and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent reported a duration of 37 hours and two minutes on the final record for Incident No. 335589, but after further review and investigation, the Respondent determined that the full duration of the emissions event was 26 hours and two minutes.			
Base Penalty				\$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				
	Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
			x	
Matrix Notes	Less than 30% of the rule requirement was not met.			

Adjustment \$24,750

\$250

Violation Events

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

Violation Base Penalty \$250

One single event is recommended for the inaccurate final record.

Good Faith Efforts to Comply

	0.0%		Reduction
			\$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$250

Economic Benefit (EB) for this violation

Estimated EB Amount	\$166	Violation Final Penalty Total	\$500
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This violation Final Assessed Penalty (adjusted for limits) \$500

Economic Benefit Worksheet

Respondent Indorama Ventures Oxides LLC
Case ID No. 59911
Reg. Ent. Reference No. RN100219252
Media Air
Violation No. 3

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	\$1,500	31-May-2020	4-Aug-2022	2.18	\$163	n/a	\$163
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	31-May-2020	25-Aug-2020	0.24	\$3	n/a	\$3

Notes for DELAYED costs

Estimated costs to provide the actual duration of Incident No. 335589 (\$250) and to conduct training for the emissions event reporting requirements in order to ensure that the final records for reportable emissions events identify all of the required information (\$1,500). The Dates Required are the date the final record was due and the Final Dates are the date the actual duration of Incident No. 335589 was provided and 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

\$1,750

TOTAL

\$166

Screening Date	30-Sep-2020	Docket No.	2020-1274-AIR-E	PCW		
Respondent	Indorama Ventures Oxides LLC			<i>Policy Revision 4 (April 2014)</i>		
Case ID No.	59911			<i>PCW Revision March 26, 2014</i>		
Reg. Ent. Reference No.	RN100219252					
Media	Air					
Enf. Coordinator	Amanda Diaz					
Violation Number	4					
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4); NSR Permit No. 5952A, SC No. 1; NSR Permit No. 5972A, SC No. 1; NSR Permit No. 20160, SC No. 1; NSR Permit No. 106169, SC No. 1; FOP No. O1320, GTC and STC No. 16; FOP No. O3056, GTC and STC No. 17; and Tex. Health & Safety Code § 382.085(b)					
Violation Description	<p>Failed to prevent unauthorized emissions. Specifically, the Respondent released 289.72 lbs of VOC, 70.66 lbs of NOx, 516.89 lbs of CO, and 17.72 lbs of acetone from the PO Ground Flare, EPN POFLARE, and 17,253.34 lbs of VOC as fugitive emissions from the F4 Unit (3,702.85 lbs), the F6 Unit (7,109.53 lbs), and the F8 Unit (6,440.96 lbs), during an emissions event (Incident No. 343692) that began on October 9, 2020 and lasted eight hours. The emissions event occurred due to an area-wide power interruption that caused various pieces of process equipment to shut down, resulting in the releases to the atmosphere and in flaring. Since the amount and duration of the unauthorized emissions and any bypass of pollution control equipment were not minimized, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.</p>					
		Base Penalty	\$25,000			
>> Environmental, Property and Human Health Matrix						
OR		Harm				
	Release	Major	Moderate	Minor		
	Actual		x			
	Potential					
					Percent	30.0%
>>Programmatic Matrix						
	Falsification	Major	Moderate	Minor		
					Percent	0.0%
Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.					
		Adjustment	\$17,500			
			\$7,500			
Violation Events						
	Number of Violation Events	1	1	Number of violation days		
	daily					
	weekly					
	monthly	x				
	quarterly					
	semiannual					
	annual					
	single event					
	One monthly event is recommended.					
Good Faith Efforts to Comply		0.0%		Reduction	\$0	
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary					
	Ordinary					
	N/A	x				
	Notes	The Respondent does not meet the good faith criteria for this violation.				
		Violation Subtotal	\$7,500			
Economic Benefit (EB) for this violation						
		Statutory Limit Test				
	Estimated EB Amount	\$2,856	Violation Final Penalty Total	\$15,000		
	This violation Final Assessed Penalty (adjusted for limits)					\$15,000

Economic Benefit Worksheet

Respondent Indorama Ventures Oxides LLC
Case ID No. 59911
Reg. Ent. Reference No. RN100219252
Media Air
Violation No. 4

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	9-Oct-2020	30-Nov-2021	1.14	\$2,856	n/a	\$2,856

Notes for DELAYED costs

Estimated cost to confirm the integrity of lightning protection system, ensure the operators are following the procedures, move the IP-21 Server to an alternate location to avoid power loss, improve or find an alternate communication when there is radio loss, determine if the gas flow to the contractor should be shut off during a plant-wide trip, ensure that the Carbon Dioxide System is lined up, replace the existing fiber optic/lashing system with a combination fiber optic/support cable system that eliminates the need for the lashing, develop a procedure on how to respond to environmental emissions in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 343692. 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

\$2,856



Compliance History Report

Compliance History Report for CN605743038, Indorama Ventures Oxides LLC, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN605743038, Indorama Ventures Oxides LLC	Classification:	SATISFACTORY	Rating:	7.06
Regulated Entity:	RN100219252, HUNTSMAN PORT NECHES	Classification:	SATISFACTORY	Rating:	10.03
Complexity Points:	33	Repeat Violator:	NO		
CH Group:	05 - Chemical Manufacturing				
Location:	2701 SPUR 136, PORT NECHES, JEFFERSON COUNTY, TEXAS 77651-4320				
TCEQ Region:	REGION 10 - BEAUMONT				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER JE0052V

AIR OPERATING PERMITS PERMIT 2286

AIR OPERATING PERMITS PERMIT 2288

AIR NEW SOURCE PERMITS AFS NUM 4824500006

AIR NEW SOURCE PERMITS REGISTRATION 51736

AIR NEW SOURCE PERMITS REGISTRATION 54551

AIR NEW SOURCE PERMITS REGISTRATION 44034

AIR NEW SOURCE PERMITS REGISTRATION 45090

AIR NEW SOURCE PERMITS REGISTRATION 45277

AIR NEW SOURCE PERMITS REGISTRATION 47065

AIR NEW SOURCE PERMITS REGISTRATION 47555

AIR NEW SOURCE PERMITS REGISTRATION 47887

AIR NEW SOURCE PERMITS REGISTRATION 48176

AIR NEW SOURCE PERMITS REGISTRATION 49493

AIR NEW SOURCE PERMITS PERMIT 647B

AIR NEW SOURCE PERMITS PERMIT 5952A

AIR NEW SOURCE PERMITS REGISTRATION 7761

AIR NEW SOURCE PERMITS PERMIT 19823

AIR NEW SOURCE PERMITS PERMIT 20160

AIR NEW SOURCE PERMITS REGISTRATION 31443

AIR NEW SOURCE PERMITS REGISTRATION 36453

AIR NEW SOURCE PERMITS REGISTRATION 40103

AIR NEW SOURCE PERMITS REGISTRATION 41444

AIR NEW SOURCE PERMITS REGISTRATION 41757

AIR NEW SOURCE PERMITS REGISTRATION 42153

AIR NEW SOURCE PERMITS REGISTRATION 70726

AIR NEW SOURCE PERMITS REGISTRATION 56073

AIR NEW SOURCE PERMITS REGISTRATION 54219

AIR NEW SOURCE PERMITS REGISTRATION 54231

AIR NEW SOURCE PERMITS REGISTRATION 54234

AIR NEW SOURCE PERMITS REGISTRATION 72907

AIR NEW SOURCE PERMITS REGISTRATION 75597

AIR NEW SOURCE PERMITS REGISTRATION 75748

AIR NEW SOURCE PERMITS REGISTRATION 55753

AIR NEW SOURCE PERMITS PERMIT 56390

AIR NEW SOURCE PERMITS REGISTRATION 70571

AIR NEW SOURCE PERMITS REGISTRATION 72310

AIR NEW SOURCE PERMITS REGISTRATION 52077

AIR NEW SOURCE PERMITS REGISTRATION 74296

AIR NEW SOURCE PERMITS REGISTRATION 76732

AIR NEW SOURCE PERMITS REGISTRATION 92256

AIR OPERATING PERMITS PERMIT 1320

AIR OPERATING PERMITS PERMIT 2287

AIR OPERATING PERMITS PERMIT 3056

AIR NEW SOURCE PERMITS PERMIT 29516

AIR NEW SOURCE PERMITS REGISTRATION 52715

AIR NEW SOURCE PERMITS REGISTRATION 54565

AIR NEW SOURCE PERMITS REGISTRATION 44434

AIR NEW SOURCE PERMITS REGISTRATION 45094

AIR NEW SOURCE PERMITS REGISTRATION 46791

AIR NEW SOURCE PERMITS REGISTRATION 47066

AIR NEW SOURCE PERMITS REGISTRATION 47577

AIR NEW SOURCE PERMITS REGISTRATION 48178

AIR NEW SOURCE PERMITS PERMIT 49247

AIR NEW SOURCE PERMITS ACCOUNT NUMBER JE0052V

AIR NEW SOURCE PERMITS PERMIT 5807A

AIR NEW SOURCE PERMITS PERMIT 5972A

AIR NEW SOURCE PERMITS PERMIT 16909

AIR NEW SOURCE PERMITS PERMIT 20134

AIR NEW SOURCE PERMITS REGISTRATION 23568

AIR NEW SOURCE PERMITS PERMIT 36646

AIR NEW SOURCE PERMITS REGISTRATION 39725

AIR NEW SOURCE PERMITS REGISTRATION 40527

AIR NEW SOURCE PERMITS REGISTRATION 41301

AIR NEW SOURCE PERMITS REGISTRATION 42103

AIR NEW SOURCE PERMITS REGISTRATION 42154

AIR NEW SOURCE PERMITS REGISTRATION 53551

AIR NEW SOURCE PERMITS REGISTRATION 70011

AIR NEW SOURCE PERMITS REGISTRATION 53979

AIR NEW SOURCE PERMITS REGISTRATION 54570

AIR NEW SOURCE PERMITS REGISTRATION 50360

AIR NEW SOURCE PERMITS REGISTRATION 75203

AIR NEW SOURCE PERMITS REGISTRATION 76018

AIR NEW SOURCE PERMITS PERMIT 83816

AIR NEW SOURCE PERMITS REGISTRATION 70024

AIR NEW SOURCE PERMITS REGISTRATION 56243

AIR NEW SOURCE PERMITS REGISTRATION 70781

AIR NEW SOURCE PERMITS REGISTRATION 71751

AIR NEW SOURCE PERMITS REGISTRATION 73663

AIR NEW SOURCE PERMITS REGISTRATION 75202

AIR NEW SOURCE PERMITS REGISTRATION 80149

AIR NEW SOURCE PERMITS REGISTRATION 77129

AIR NEW SOURCE PERMITS REGISTRATION 78974
AIR NEW SOURCE PERMITS REGISTRATION 80702
AIR NEW SOURCE PERMITS REGISTRATION 81415
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX780
AIR NEW SOURCE PERMITS REGISTRATION 139463
AIR NEW SOURCE PERMITS REGISTRATION 142196
AIR NEW SOURCE PERMITS REGISTRATION 109215
AIR NEW SOURCE PERMITS REGISTRATION 110809
AIR NEW SOURCE PERMITS REGISTRATION 110813
AIR NEW SOURCE PERMITS REGISTRATION 150484
AIR NEW SOURCE PERMITS REGISTRATION 150307
AIR NEW SOURCE PERMITS REGISTRATION 152982
AIR NEW SOURCE PERMITS REGISTRATION 163020
AIR NEW SOURCE PERMITS REGISTRATION 164604
AIR NEW SOURCE PERMITS REGISTRATION 163874
AIR NEW SOURCE PERMITS REGISTRATION 160594
AIR NEW SOURCE PERMITS REGISTRATION 161151
AIR NEW SOURCE PERMITS REGISTRATION 148227
AIR NEW SOURCE PERMITS REGISTRATION 150168
AIR NEW SOURCE PERMITS REGISTRATION 156133
AIR NEW SOURCE PERMITS REGISTRATION 159322
AIR NEW SOURCE PERMITS REGISTRATION 160045
AIR NEW SOURCE PERMITS REGISTRATION 157572
AIR NEW SOURCE PERMITS REGISTRATION 155634
AIR NEW SOURCE PERMITS REGISTRATION 160606

PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 79935
AIR EMISSIONS INVENTORY ACCOUNT NUMBER JE0052V

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50363
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TX0000201202
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 30029
TAX RELIEF ID NUMBER 17986
TAX RELIEF ID NUMBER 18840
TAX RELIEF ID NUMBER 17984
TAX RELIEF ID NUMBER 17100
TAX RELIEF ID NUMBER 17940
TAX RELIEF ID NUMBER 17977
TAX RELIEF ID NUMBER 17970
TAX RELIEF ID NUMBER 17088

AIR NEW SOURCE PERMITS REGISTRATION 79529
AIR NEW SOURCE PERMITS REGISTRATION 81531
AIR NEW SOURCE PERMITS REGISTRATION 82922
AIR NEW SOURCE PERMITS REGISTRATION 91994
AIR NEW SOURCE PERMITS PERMIT 106169
AIR NEW SOURCE PERMITS REGISTRATION 110757
AIR NEW SOURCE PERMITS REGISTRATION 110787
AIR NEW SOURCE PERMITS REGISTRATION 110808
AIR NEW SOURCE PERMITS REGISTRATION 150790
AIR NEW SOURCE PERMITS REGISTRATION 153791
AIR NEW SOURCE PERMITS REGISTRATION 152840
AIR NEW SOURCE PERMITS REGISTRATION 154036
AIR NEW SOURCE PERMITS REGISTRATION 164694
AIR NEW SOURCE PERMITS REGISTRATION 164877
AIR NEW SOURCE PERMITS REGISTRATION 155871
AIR NEW SOURCE PERMITS REGISTRATION 160459
AIR NEW SOURCE PERMITS REGISTRATION 151107
AIR NEW SOURCE PERMITS REGISTRATION 143027
AIR NEW SOURCE PERMITS REGISTRATION 150992
AIR NEW SOURCE PERMITS PERMIT 79802
AIR NEW SOURCE PERMITS REGISTRATION 155472
AIR NEW SOURCE PERMITS REGISTRATION 161628
AIR NEW SOURCE PERMITS REGISTRATION 152402
AIR NEW SOURCE PERMITS REGISTRATION 155384
PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 40711
IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION # (SWR) 30029
POLLUTION PREVENTION PLANNING ID NUMBER P00679

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50055
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD008076846
TAX RELIEF ID NUMBER 17954

TAX RELIEF ID NUMBER 17093
TAX RELIEF ID NUMBER 17974
TAX RELIEF ID NUMBER 17095
TAX RELIEF ID NUMBER 17975
TAX RELIEF ID NUMBER 17983
TAX RELIEF ID NUMBER 18835
TAX RELIEF ID NUMBER 17985

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

Date Compliance History Report Prepared: June 18, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: June 18, 2016 to June 18, 2021

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

Name: Richard Garza

Phone: (512) 239-2697

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: 07/12/2016 ADMINORDER 2015-1838-AIR-E (1660 Order-Agreed Order With Denial)

Compliance History Report for CN605743038, RN100219252, Rating Year 2020 which includes Compliance History (CH) components from June 18, 2016, through June 18, 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: General Terms and Conditions OP
NSR 20160 Special Condition 1 PERMIT
Special Condition 17 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that occurred on August 20, 2015, TCEQ Incident 219088.

2 Effective Date: 09/13/2016 ADMINORDER 2015-0195-AIR-E (1660 Order-Agreed Order With Denial)

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
Special Term and Condition 19 OP

Description: Failed to comply with annual emission rates.

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
Special Condition 6 PERMIT
Special Condition 7 PERMIT
Special Terms and Conditions No. 19 OP

Description: Failed to comply with annual emissions rates.

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: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 7 PERMIT
Special Terms and Condition 19 OP

Description: Failed to limit the air contaminants emitted to those listed in Attachment 1 of NSR Permit No. 49247.

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
Special Terms and Conditions No. 14 OP

Description: Failed to prevent unauthorized emissions.

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
Special Terms and Conditions No. 15 OP

Description: Failed to prevent unauthorized emissions.

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

Special Condition 19 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Terms and Conditions No. 10 OP

Description: Failed to submit the initial notification for a reportable emissions event within 24 hours of discovery.

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

Rqmt Prov: General Terms and Conditions OP

Description: Failure to report all instances of deviations.

3 Effective Date: 10/08/2018 ADMINORDER 2017-1219-AIR-E (1660 Order-Agreed Order With Denial)

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: General Terms and Conditions OP

Special Condition 1 PERMIT

Special Condition 14 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that occurred on September 23, 2016, TCEQ/STEERS Incident No. 244445.

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: General Terms and Conditions OP

Special Condition 1 PERMIT

Special Condition 19 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that occurred on October 20, 2016, TCEQ/STEERS Incident No. 245872.

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: General Terms and Conditions OP

Special Condition 1 PERMIT

Special Condition 17 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that occurred on March 17, 2017, TCEQ Incident 254371.

4 Effective Date: 10/27/2020 ADMINORDER 2016-1906-AIR-E (1660 Order-Agreed Order With Denial)

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)

Rqmt Prov: General Terms and Conditions OP

Special Condition 1 PERMIT

Special Condition 14 OP

Special Condition 17 OP

Special Condition 19 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 175.47 pounds ("lbs") of volatile organic compounds ("VOC") from the F6 Reabsorber Vent during an emissions event (Incident No. 222751) that began on November 7, 2015 and lasted 24 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: General Terms and Conditions OP
Special Condition 2F OP

Description: Failure to provide the estimated total quantities of all compounds or mixtures of air contaminants released during an emissions event in the final records (TCEQ/STEERS Incident No. 222751).

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)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 14 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 366 lbs of VOC from the F6 Reabsorber Vent during an emissions event (Incident No. 227974) that began on February 18, 2016 and lasted for 16 minutes.

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)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 14 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,150.14 lbs of VOC from the F6 Reabsorber Vent during an emissions event (Incident No. 230209) that began on March 28, 2016 and lasted for 18 hours.

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)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 17 OP
Special Condition 19 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,966 lbs of VOC, 2,149 lbs of CO, and 297 lbs of NOx from the PO Ground Flare, EPN POFLARE, 1,357 lbs of VOC, 2,936 lbs of CO, and 368 lbs of NOx from Flare No. 3, EPN UER037, and 607 lbs of CO, and 39 lbs of NOx collectively from Flare No. 1, EPN UER044, and Flare No. 2, EPN UER046, during an emissions event (Incident No. 239362) that began on July 19, 2016 and lasted for 48 hours.

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)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 19 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 148.98 lbs of NOx and 301.63 lbs of CO from Flare Nos. 1 and 2, EPNs UER046 and UER044, respectively, and 1,580.26 lbs of VOC, 405.83 lbs of NOx, and 3,237 lbs of CO from Flare No. 3, EPN UER037, during an emissions event (Incident No. 242417) that began on August 28, 2016 and lasted for 14 hours and 39 minutes.

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)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 13 PERMIT
Special Condition 19 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 5,416 lbs of VOC from the F-A3-103 DeMethanizer Pressure Relief Valve ("PRV") during an emissions event (Incident No. 242427) that began on August 28, 2016 and lasted eight minutes.

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)
Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 14 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 22,191 lbs of VOC from the F8 Ethylene Oxide Unit during emissions events (Incident Nos. 233310, 233312, and 233329) that occurred on May 15, 2016 and lasted one hour and 47 minutes and occurred on May 16, 2016 and lasted one hour and 27 minutes.

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP
Special Condition 19 OP
Special Condition 28B PERMIT

Description: Failure to maintain the average annual flow rate for the North and Center Flares below permitted limits.

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	June 20, 2016	(1336844)
Item 2	July 29, 2016	(1343953)
Item 3	July 31, 2016	(1351013)
Item 4	August 03, 2016	(1345098)
Item 6	September 09, 2016	(1358571)
Item 7	October 21, 2016	(1369004)
Item 8	November 30, 2016	(1376851)
Item 10	April 11, 2017	(1396940)
Item 11	April 26, 2017	(1407685)
Item 12	June 27, 2017	(1416519)
Item 13	August 03, 2017	(1424882)
Item 14	August 07, 2017	(1428250)
Item 15	November 20, 2017	(1453411)
Item 16	February 12, 2018	(1465800)
Item 17	May 01, 2018	(1482263)
Item 18	June 14, 2018	(1474203)
Item 19	July 02, 2018	(1499106)
Item 20	August 06, 2018	(1497881)
Item 21	August 14, 2018	(1500326)
Item 22	August 20, 2018	(1474362)
Item 23	August 21, 2018	(1507534)
Item 24	November 05, 2018	(1525865)
Item 25	November 15, 2018	(1526096)
Item 26	December 27, 2018	(1537332)
Item 27	January 22, 2019	(1539063)
Item 28	February 22, 2019	(1540687)
Item 29	February 26, 2019	(1550024)
Item 30	April 08, 2019	(1554750)
Item 31	May 08, 2019	(1555583)
Item 32	June 25, 2019	(1576172)
Item 33	October 22, 2019	(1603077)
Item 34	November 13, 2019	(1605757)
Item 35	November 18, 2019	(1605647)
Item 36	April 03, 2020	(1632892)
Item 37	April 10, 2020	(1632873)
Item 38	May 08, 2020	(1646490)
Item 40	August 14, 2020	(1664481)
Item 41	August 18, 2020	(1666259)

Item 42	October 14, 2020	(1666267)
Item 43	October 27, 2020	(1684137)
Item 44	January 15, 2021	(1690222)
Item 45	May 30, 2021	(1705313)
Item 46	June 03, 2021	(1705331)
Item 47	June 04, 2021	(1706401)
Item 48	June 08, 2021	(1706652)
Item 49	June 09, 2021	(1706708)

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

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

1	Date:	08/14/2020	(1658543)		
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(3) 5C THSC Chapter 382 382.085(b) FOP 02288 General Terms and Conditions OP FOP 02288 Special Condition 19 OP NSR 16909 & PSDTX780 Special Condition 1 PERMIT NSR 16909 & PSDTX780 Special Condition 7 PERMIT			
	Description:	Failure to comply with permitted emissions rates for Boiler HK-11, Emissions Point Number (EPN) UEHK11. EIC B18(g)(1) Mod 2D			
	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 02288 General Terms and Conditions OP FOP 02288 Special Condition 19 OP NSR 19823 Special Condition 8 PERMIT			
	Description:	Failure to maintain the annual and short-term firing rates below permitted limits for Heater H-A3-3, EPN A3HA33. EIC B18(g)(1) Mod 2D			
	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 02288 General Terms and Conditions OP FOP 02288 Special Condition 19 OP NSR 19823 Special Condition 8 PERMIT			
	Description:	Failure to maintain the short-term firing rate below permitted limits for Heater H-A3-4, EPN A3HA34.			
	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 02288 General Terms and Conditions OP FOP 02288 Special Condition 19 OP NSR 19823 Special Condition 25F PERMIT			
	Description:	Failure to maintain wastewater carbon bed Volatile Organic Compounds (VOC) concentrations below permitted limits. EIC B19(g)(1) Mod 2D			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP 02288 General Terms and Conditions OP FOP 02288 Special Condition 19 OP NSR 16909 & PSDTX780 Special Condition 1 PERMIT NSR 16909 & PSDTX780 Special Condition 4 PERMIT			
	Description:	Failure to comply with permitted emissions rates for the Cogen Unit 2, EPN CG2. EIC B18(g)(1) Mod 2D			
	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 02288 General Terms and Conditions OP FOP 02288 Special Condition 19 OP NSR 19823 Special Condition 1 PERMIT NSR 19823 Special Condition 13A PERMIT			

Description: Failure to comply with permitted emissions rates for the Waste Heat Boiler, EPN A3HA35. EIC B18(g)(1) Mod 2D
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 02288 General Terms and Conditions OP
FOP 02288 Special Condition 19 OP
NSR 49247 Special Condition 3 PERMIT

Description: Failure to maintain the minimum concentration in the aeration basins as required. EIC B18(g)(1) Mod 2D
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)
30 TAC Chapter 122, SubChapter B 122.165(a)
30 TAC Chapter 122, SubChapter B 122.165(c)
5C THSC Chapter 382 382.085(b)
FOP 02288 General Terms and Conditions OP

Description: Failure to submit a deviation report signed by a responsible official. EIC B3 Mod 2B
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(d)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP 02288 General Terms and Conditions OP
FOP 02288 Special Condition 19 OP
NSR 19823 General Condition 10 PERMIT

Description: Failure to submit proper notification to alter a permit condition. EIC B18(g)(1) Mod 2G
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
FOP 02288 General Terms and Conditions OP

Description: Failure to report deviations on a deviation report. EIC B3 MOD 2G

2 Date: 08/25/2020 (1670668)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 20160 Special Condition 1 PERMIT
NSR 20160 Special Condition 12A PERMIT
NSR 20160 Special Condition 12D PERMIT
O3056 General Terms and Conditions OP
O3056 Special Condition 17 OP

Description: Failure to comply with permitted emissions rates for Boiler H-K2-003, Emissions Point Number (EPN) HK-F5-003. EIC B18(g)(1) Mod 2D
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 20160 Special Condition 1 PERMIT
NSR 20160 Special Condition 14A PERMIT
NSR 20160 Special Condition 14B PERMIT
NSR 20160 Special Condition 14C PERMIT
NSR 20160 Special Condition 14I PERMIT
O3056 General Terms and Conditions OP
O3056 Special Condition 17 OP

Description: Failure to comply with permitted emissions rates for Boiler H-K2-004, EPN HK-F5-004. EIC B18(g)(1) Mod 2D
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)
5C THSC Chapter 382 382.085(b)
NSR 20160 Special Condition 17G PERMIT
O3056 General Terms and Conditions OP
O3056 Special Condition 17 OP

Description: Failure to maintain the minimum heating value for the PO ground flare, EPN

	POFLARE. EIC B18(g)(1) Mod 2D		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) NSR 20160 Special Condition 1 PERMIT NSR 20160 Special Condition 10D PERMIT O3056 General Terms and Conditions OP O3056 Special Condition 17 OP		
Description:	Failure to comply with permitted emissions rates for Boilers H-K2-001 and H-K2-002, EPN STEAMGEN. EIC B18(g)(1) Mod 2D		
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) NSR 20160 Special Condition 19F PERMIT O3056 General Terms and Conditions OP O3056 Special Condition 17 OP		
Description:	Failure to monitor and record rupture disc integrity weekly as required. EIC C1 Min 3A		
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) O3056 General Terms and Conditions OP		
Description:	Failure to report deviations on a deviation report.	EIC B3	MOD 2G
3	Date: 11/24/2020 (1691052)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.146(2) 5C THSC Chapter 382 382.085(b) FOP O2286 General Terms and Conditions OP FOP O2286 Special Condition 11 OP		
Description:	Failure to submit a timely compliance certification. EIC B3 Mod 2B		
4	Date: 01/14/2021 (1686552)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 116, SubChapter F 116.615(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) FOP O2286 General Terms and Conditions OP FOP O2286 Special Condition 8 OP Standard Permit 153791 GC 2 PERMIT		
Description:	Failure to submit a timely revision application for changes to a Standard Permit. B8 Min 3C		
5	Date: 03/05/2021 (1703206)		
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) O1320 General Terms and Conditions OP		
Description:	Failure to report deviations on a deviation report.	EIC B3	MOD 2G
6	Date: 05/12/2021 (1705409)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) NSR 20160 Special Condition 1 PERMIT NSR 20160 Special Condition 12A PERMIT NSR 20160 Special Condition 12E PERMIT O3056 General Terms and Conditions OP O3056 Special Condition 17 OP		
Description:	Failure to comply with permitted emissions rates for Boiler H-K2-003, Emissions Point Number (EPN) HK-F5-003. EIC B18(g)(1) Mod 2D		
Self Report?	NO	Classification:	Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.115(a)(3)(A)
 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 20160 General Condition 10 PERMIT
 NSR 83816 Special Condition 12(A)(ii) PERMIT
 O3056 General Terms and Conditions OP
 O3056 Special Condition 17 OP

Description: Failure to monitor a Carbon Adsorption System (CAS) as required. EIC B1 Mod 2A

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)
 5C THSC Chapter 382 382.085(b)
 NSR 20160 Special Condition 17G PERMIT
 O3056 General Terms and Conditions OP
 O3056 Special Condition 17 OP

Description: Failure to maintain the minimum heating value for the PO ground flare, EPN POFLARE.
 EIC B18(g)(1) Mod 2D

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 20160 Special Condition 14B PERMIT
 NSR 20160 Special Condition 14I PERMIT
 O3056 General Terms and Conditions OP
 O3056 Special Condition 17 OP

Description: Failure to comply with permitted emissions rates for Boiler H-K2-004, EPN HK-F5-004.
 EIC B18(g)(1) Mod 2D

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)
 O3056 General Terms and Conditions OP

Description: Failure to report deviations on a deviation report. EIC B3 MOD 2G

F. Environmental audits:

Notice of Intent Date: 05/28/2018 (1490235)

Disclosure Date: 07/26/2018

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 10.D.

PERMIT Special Conditions No. 10.E.

Description: Although installed by the compliance date, the BTU analyzers were not capturing and analyzing data as required by Special Condition 10.

Disclosure Date: 09/11/2018

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)

Description: Failed to monitor pressure relief valves that vented on January 8, 2018 and January 17, 2018 within 24 hours after the release.

Disclosure Date: 03/08/2019

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition No. 1

Description: Failed to route emissions from the G6 Glycol Unit's 4th Effect Tower vent as represented in the permit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)

30 TAC Chapter 116, SubChapter B 116.110

30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT General Terms and Conditions

Description: Failed to report an emissions event. Specifically, it was determined during a records review that a reportable amount of NOx released during what was initially calculated to be a recordable event on January 2, 2018. Additionally, the unreported event was not included in the semi-annual deviation report.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)

30 TAC Chapter 116, SubChapter B 116.110
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT General Terms and Conditions

Description: Failed to identify emissions from flaring at the A3 Unit associated with an event that occurred on March 10, 2018 that resulted in a shutdown of the F4 Unit. As a result, CO and NOx emissions exceeded permit limits, but were not included in the recordable event. Additionally, the unreported emissions were not included in the semi-annual deviation report.

Notice of Intent Date: 09/27/2019 (1602679)

No DOV Associated

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOV's Issued During Component Period 6/18/2016 and 6/18/2021

- 1 Date: 06/22/2016 (1330792)
- Self Report? NO Classification: Minor
- Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 3B(iv)(1) OP
- Description: Failure to conduct quarterly visible emissions observations.
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
- Description: Failure to include New Source Review (NSR) authorization changes in a Federal Operating Permit (FOP).
- 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)
General Terms and Conditions OP
Special Condition 14 OP
Special Condition 7 PERMIT
- Description: Failure to maintain Ethylene Oxide concentration in the Wastewater Conveyance below permitted limits.
- 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 deviations on a deviation report.
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(1)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
- Description: Failure to accurately certify compliance with the terms and conditions of permit FOP
O1320. EIC B3 MOD 2B
- 2 Date: 08/01/2016 (1343790)
- 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 a deviation report on time.
- 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 a deviation report on time.
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 14 OP
- Description: Failure to submit a compliance certification on time.
- 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 deviations on a deviation report.
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(1)

30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Description: Failure to accurately certify compliance with the terms and conditions of permit FOP
O2287.

3 Date: 10/20/2016 (1362818)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 14 OP
Description: Failure to submit a compliance certification on time.
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)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 11 OP
Special Condition 11B PERMIT
Description: Failure to operate a flare with a flame present at all times. EIC B19(g)(1) Mod
2D

4 Date: 04/07/2017 (1400481)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 19 OP
Special Condition 4 PERMIT
Description: Failure to comply with permitted emissions rates for the Cogen 1 Unit, EPN CG1.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 19 OP
Special Condition 4 PERMIT
Description: Failure to comply with permitted emissions rates for the Cogen 2 Unit, EPN CG2.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 19 OP
Special Condition 7A PERMIT
Special Condition 7B PERMIT
Description: Failure to comply with permitted emissions rates for Boiler HK-11, EPN UEHK11.
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)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 12A PERMIT
Special Condition 19 OP
Description: Failure to comply with permitted emissions rates for the Waste Heat Boiler, EPN
A3HA35.
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)
General Terms and Conditions OP

Special Condition 19 OP
Special Condition 27 PERMIT
Description: Failure to maintain Heaters H-A3-3 and H-A3-4 short term firing rates below permitted limits.

5

Date: 06/08/2017 (1410176)

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)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 17 OP
Special Condition 9A PERMIT
Special Condition 9D PERMIT

Description: Failure to comply with permitted emissions rates for Boilers H-K2-001 and H-K2-002, EPN STEAMGEN.

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)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 11A(1) PERMIT
Special Condition 11A(4) PERMIT
Special Condition 17 OP

Description: Failure to comply with permitted emissions rates for Boiler H-K2-003, EPN HK-F5-003.

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)
General Terms and Conditions OP
Special Condition 17 OP
Special Condition 4(B)(ii) PERMIT
Special Condition 4(B)(v) PERMIT

Description: Failure to comply with permitted emissions rates for Steam Boiler H-K2-004, EPN HK-F5-004.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 115, SubChapter B 115.143(c)
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 G 63.138(d)(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 17 OP
Special Condition 1A OP
Special Condition 5 PERMIT

Description: Failure to maintain the minimum temperature requirement for a wastewater steam stripper. EIC B19(g)(1) Mod 2D

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)
General Terms and Conditions OP
Special Condition 17 OP
Special Condition 4(A)(ii) PERMIT

Description: Failure to maintain a higher heating value of the fuel for Steam Boiler H-K2-004, EPN HK-F5-004, as required.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620
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 EEE 63.1206(c)(6)(vi)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 17 OP
Special Condition 1A OP
Special Condition 5 PERMIT

Description: Failure to conduct annual refresher training for all applicable hazardous waste combustor control room operators as required.

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 deviations on a deviation report.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(1)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failure to accurately certify compliance with the terms and conditions of permit FOP
O3056. EIC B3 MOD 2B

6 Date: 07/10/2017 (1417161)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.1130
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 A 63.9(b)(4)(v)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDD 63.7545(c)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 14 OP
Special Condition 4 PERMIT

Description: Failure to submit initial notification for the startup of a new boiler as required.

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 deviations on a deviation report.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(1)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failure to accurately certify compliance with the terms and conditions of permit FOP
O1320.

7 Date: 02/22/2018 (1282214)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 17 OP
Special Condition 1F OP
Special Condition 5 PERMIT

Description: Failure to submit a periodic report as required.

8 Date: 03/21/2018 (1466224)

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)
General Terms and Conditions OP
Special Condition 17 OP
Special Condition 9D PERMIT

Description: Failure to comply with permitted emissions rates for Boilers H-K2-001 and H-K2-002,
EPN STEAMGEN.

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)
General Terms and Conditions OP
Special Condition 17 OP

Special Condition 4(B)(ii) PERMIT
 Special Condition 4(B)(v) PERMIT
 Description: Failure to comply with permitted emissions rates for Steam Boiler H-K2-004, EPN HK-F5-004.
 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)
 General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 11A(1) PERMIT
 Special Condition 11A(4) PERMIT
 Special Condition 17 OP
 Description: Failure to comply with permitted emissions rates for Boiler H-K2-003, EPN HK-F5-003.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 115, SubChapter B 115.143(c)
 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 G 63.138(d)(3)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138(d)(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 17 OP
 Special Condition 1A OP
 Special Condition 5 PERMIT
 Description: Failure to maintain the minimum steam flow rate and temperature requirement for a wastewater steam stripper.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 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 60.13(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(e)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 17 OP
 Special Condition 1A OP
 Special Condition 4 PERMIT
 Special Condition 7 PERMIT
 Description: Failure to conduct a Cylinder Gas Audit (CGA) on time as required for Boiler H-K2-002.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.620
 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 EEE 63.1209(d)(2)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 17 OP
 Special Condition 1A OP
 Special Condition 5 PERMIT
 Description: Failure to conduct an Absolute Calibration Audit (ACA) on time as required for Boiler H-K2-002.
 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 deviations on a deviation report.

9

Date: 04/26/2018 (1478633)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 19 OP
 Special Condition 7A PERMIT
 Special Condition 7B PERMIT

Description: Failure to comply with permitted emissions rates for Boiler HK-11, Emissions Point Number (EPN) UEHK11.
 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)
 General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 12A PERMIT
 Special Condition 19 OP

Description: Failure to comply with permitted emissions rates for the Waste Heat Boiler, EPN A3HA35. EIC B19(g)(1) Mod 2D
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 19 OP
 Special Condition 4 PERMIT

Description: Failure to comply with permitted emissions rates for the Cogen 2 Unit, EPN CG2.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 19 OP
 Special Condition 4 PERMIT

Description: Failure to comply with permitted emissions rates for the Cogen 1 Unit, EPN CG1.
 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)
 General Terms and Conditions OP
 Special Condition 19 OP
 Special Condition 23F PERMIT

Description: Failure to maintain wastewater carbon bed VOC concentrations below permitted limits.
 EIC B19(g)(1) Mod 2D
 Self Report? NO Classification: Moderate
 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)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 10C PERMIT
 Special Condition 19 OP
 Special Condition 1A OP

Description: Failure to operate a flare without visible emissions.
 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)
 General Terms and Conditions OP
 Special Condition 19 OP
 Special Condition 26 PERMIT

Description: Failure to maintain Heater H-A3-3, EPN A3HA33, firing rates below permitted limits.
 EIC B19(g)(1) Mod 2D
 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)
 General Terms and Conditions OP
 Special Condition 19 OP
 Special Condition 27B PERMIT

Description: Failure to maintain the average annual flow rate for the South Flare, EPN UER037, below permitted limits. EIC B19(g)(1) Mod 2D

10 Date: 05/29/2018 (1484410)
 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)
 General Terms and Conditions OP
 Special Condition 15 OP
 Special Condition 7 PERMIT
 Description: Failure to maintain Wastewater Conveyance system, F6WWFUG, ethylene oxide concentrations below permitted limits. EIC B19(g)(1) Mod 2D

11 Date: 08/15/2018 (1504668)
 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)
 General Terms and Conditions OP
 Special Condition 11 OP
 Special Condition 15 PERMIT

Description: Failure to comply with permitted loading rates. EIC B19(g)(1) Mod 2D
 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 deviations on a deviation report. EIC B3 MOD 2G

12 Date: 09/28/2018 (1506272)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(xiv)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 10 OP
 Special Condition 1A OP
 Special Condition 3 PERMIT
 Description: Failure to submit a periodic report that included all the reporting elements as required.
 EIC C3 Min 3C

13 Date: 11/28/2018 (1527133)
 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)
 General Terms and Conditions OP
 Special Condition 14J PERMIT
 Special Condition 17 OP
 Special Condition 4(B)(ii) PERMIT
 Special Condition 4(B)(v) PERMIT
 Special Condition 4(D)(i) PERMIT

Description: Failure to comply with permitted emissions rates for Steam Boiler H-K2-004, Emission Point Number (EPN) HK-F5-004. EIC B18(g)(1) Mod 2D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 10A PERMIT
 Special Condition 10D PERMIT
 Special Condition 17 OP
 Special Condition 9D PERMIT

Description: Failure to comply with permitted emissions rates for Boilers H-K2-001 and H-K2-002, EPN STEAMGEN. EIC B18(g)(1) Mod 2D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 12D PERMIT

Description: Special Condition 17 OP
 Failure to comply with permitted emissions rates for Boiler H-K2-003, EPN HK-F5-003.
 EIC B18(g)(1) Mod 2D
 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)
 General Terms and Conditions OP
 Special Condition 17 OP
 Special Condition 22 PERMIT
 Special Condition 4(C)(ii) PERMIT
 Description: Failure to document Audio, Visual, and Olfactory (AVO) inspections in the area of the
 Steam Boiler H-K2-004, EPN HK-F5-004. EIC B3 Mod 2B
 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)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 12G PERMIT
 Special Condition 17 OP
 Description: Failure to maintain the minimum heating value for the PO ground flare, EPN POFLARE.
 EIC B18(g)(1) Mod 2D
 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)
 General Terms and Conditions OP
 Special Condition 17 OP
 Special Condition 21E PERMIT
 Description: Failure to calculate Volatile Organic Compounds (VOC) emissions for storage tanks.
 EIC B3 Mod 2B
 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)
 General Terms and Conditions OP
 Special Condition 17 OP
 Special Condition 19E PERMIT
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on
 equipment in VOC service. EIC C10 Minor
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 12D PERMIT
 Special Condition 17 OP
 Description: Failure to comply with permitted emissions rates for the wastewater sump/pond, EPN
 PODOWSUMP. EIC B18(g)(1) Mod 2D

14 Date: 03/15/2019 (1539520)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.130
 30 TAC Chapter 115, SubChapter D 115.352
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 15 OP
 Special Condition 15 PERMIT
 Special Condition 1A OP
 Special Condition 20H PERMIT
 Description: Failure to monitor and record leaking components in volatile organic compounds (VOC)
 and ethylene oxide service as required. EIC B1 Mod 2B
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 115, SubChapter B 115.121(a)

30 TAC Chapter 115, SubChapter B 115.122(a)
 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 G 63.113(a)(1)(i)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(e)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 11B PERMIT
 Special Condition 14 PERMIT
 Special Condition 15 OP
 Special Condition 1A OP
 Description: Failure maintain the F6 Incinerator temperature as required to properly control vent gas streams. EIC B18(g)(1) Mod 2D
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 1A OP
 Description: Failure to conduct weekly visible emissions observations as required. EIC B1 Mod 2A
 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)
 General Terms and Conditions OP
 Special Condition 15 OP
 Special Condition 4 PERMIT
 Description: Failure to maintain the F4 Incinerator temperature as required to properly control vent gas streams. EIC B18(g)(1) Mod 2D
 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 a deviation report on time. EIC B3 Mod 2B
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 18 OP
 Description: Failure to submit a timely compliance certification. EIC B3 Mod 2B
 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 deviations on a deviation report. EIC B3 MOD 2G

15 Date: 08/28/2019 (1582550)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 16909 & PSDTX780 Special Condition 7 PERMIT
 Description: Failure to comply with permitted emissions rates for Boiler HK-11, Emissions Point Number (EPN) UEHK11. EIC B18(g)(1) Mod 2D
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
 30 TAC Chapter 122, SubChapter B 122.143(3)
 5C THSC Chapter 382 382.085(b)
 FOP 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 19823 Special Condition 8 PERMIT
 Description: Failure to maintain the short-term firing rate below permitted limits for Heater H-A3-3. EIC B18(g)(1) Mod 2D
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 16909 & PSDTX780 Special Condition 1 PERMIT
 NSR 16909 & PSDTX780 Special Condition 4 PERMIT
 Description: Failure to comply with permitted emissions rates for the Cogen 1 Unit, EPN CG1. EIC B18(g)(1) Mod 2D
 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 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 19823 Special Condition 8 PERMIT
 Description: Failure to maintain the short-term firing rate below permitted limits for Heater H-A3-4. EIC B18(g)(1) Mod 2D
 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 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 21516 Special Condition 5 PERMIT
 Description: Failure to maintain the minimum scrubber water flow above permitted limits for Scrubber F-0-85. EIC B18(g)(1) Mod 2D
 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 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 19823 Special Condition 1 PERMIT
 NSR 19823 Special Condition 13A PERMIT
 Description: Failure to comply with permitted emissions rates for the Waste Heat Boiler, EPN A3HA35. EIC B18(g)(1) Mod 2D
 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 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 49247 Special Condition 3 PERMIT
 Description: Failure to maintain the minimum concentration in the aeration basins as required. EIC B18(g)(1) Mod 2D
 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 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 49247 Special Condition 8B PERMIT
 Description: Failure to monitor and record the daily MLVSS concentration in the activated sludge (aeration) basins as required. EIC B3 Mod 2B
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)
 5C THSC Chapter 382 382.085(b)
 FOP 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 16909 & PSDTX780 Special Condition 1 PERMIT
 Description: Failure to conduct a daily calibration drift check for the Cogen 2 Unit, EPN CG2. EIC B3 Mod 2B
 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 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 19823 Special Condition 10F PERMIT
 Description: Failure to maintain the maximum flow rate for the South Flare, EPN UER037,

below permitted limits. EIC B18(g)(1) Mod 2D
 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 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 19823 Special Condition 10F PERMIT
 Description: Failure to maintain the maximum flow rate for the combined North and Center Flares,
 EPNs UER044 and UER046, below permitted limits. EIC B18(g)(1) Mod 2D

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 FOP 02288 General Terms and Conditions OP
 Description: Failure to report deviations on a deviation report. EIC B3 MOD 2G

16* Date: 05/15/2020 (1646210)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)
 5C THSC Chapter 382 382.085(b)
 O1320 General Terms and Conditions OP
 O1320 Special Condition 1A OP
 Description: Failure to submit an accurate and complete periodic report as required. EIC C3 Min
 3C

17* Date: 05/29/2020 (1650735)
 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)
 30 TAC Chapter 122, SubChapter B 122.165(a)
 30 TAC Chapter 122, SubChapter B 122.165(c)
 5C THSC Chapter 382 382.085(b)
 O1320 General Terms and Conditions OP
 Description: Failure to submit a deviation report signed by a responsible official. EIC B3 Mod
 2B

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)
 O1320 General Terms and Conditions OP

Description: Failure to submit a deviation report on time. EIC B3 Mod 2B
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)
 O1320 General Terms and Conditions OP
 O1320 Special Condition 18 OP

Description: Failure to submit a timely compliance certification. EIC B3 Mod 2B
 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 5952A Special Condition 11B PERMIT
 O1320 General Terms and Conditions OP
 O1320 Special Condition 15 OP
 Description: Failure maintain the F6 Incinerator permitted temperature as required. EIC B18(g)(1)
 Mod 2D

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 36646 Special Condition 10 PERMIT
 O1320 General Terms and Conditions OP
 O1320 Special Condition 15 OP
 Description: Failure maintain the permitted concentration limit in the Wastewater Conveyances as
 required. EIC B18(g)(1) Mod 2D

Date: 08/14/2020 (1658543)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(3)
 5C THSC Chapter 382 382.085(b)
 FOP 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 16909 & PSDTX780 Special Condition 1 PERMIT
 NSR 16909 & PSDTX780 Special Condition 7 PERMIT

Description: Failure to comply with permitted emissions rates for Boiler HK-11, Emissions Point Number (EPN) UEHK11. EIC B18(g)(1) Mod 2D

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 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 19823 Special Condition 8 PERMIT

Description: Failure to maintain the annual and short-term firing rates below permitted limits for Heater H-A3-3, EPN A3HA33. EIC B18(g)(1) Mod 2D

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 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 19823 Special Condition 8 PERMIT

Description: Failure to maintain the short-term firing rate below permitted limits for Heater H-A3-4, EPN A3HA34.

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 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 19823 Special Condition 25F PERMIT

Description: Failure to maintain wastewater carbon bed Volatile Organic Compounds (VOC) concentrations below permitted limits. EIC B19(g)(1) Mod 2D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 16909 & PSDTX780 Special Condition 1 PERMIT
 NSR 16909 & PSDTX780 Special Condition 4 PERMIT

Description: Failure to comply with permitted emissions rates for the Cogen Unit 2, EPN CG2. EIC B18(g)(1) Mod 2D

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 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 19823 Special Condition 1 PERMIT
 NSR 19823 Special Condition 13A PERMIT

Description: Failure to comply with permitted emissions rates for the Waste Heat Boiler, EPN A3HA35. EIC B18(g)(1) Mod 2D

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 02288 General Terms and Conditions OP
 FOP 02288 Special Condition 19 OP
 NSR 49247 Special Condition 3 PERMIT

Description: Failure to maintain the minimum concentration in the aeration basins as required. EIC B18(g)(1) Mod 2D

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)

30 TAC Chapter 122, SubChapter B 122.165(a)
30 TAC Chapter 122, SubChapter B 122.165(c)
5C THSC Chapter 382 382.085(b)
FOP 02288 General Terms and Conditions OP

Description: Failure to submit a deviation report signed by a responsible official. EIC B3 Mod
2B

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(d)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP 02288 General Terms and Conditions OP
FOP 02288 Special Condition 19 OP
NSR 19823 General Condition 10 PERMIT

Description: Failure to submit proper notification to alter a permit condition. EIC B18(g)(1)
Mod 2G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
FOP 02288 General Terms and Conditions OP

Description: Failure to report deviations on a deviation report. EIC B3 MOD 2G

19* Date: 08/25/2020 (1670668)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 20160 Special Condition 1 PERMIT
NSR 20160 Special Condition 12A PERMIT
NSR 20160 Special Condition 12D PERMIT
O3056 General Terms and Conditions OP
O3056 Special Condition 17 OP

Description: Failure to comply with permitted emissions rates for Boiler H-K2-003, Emissions Point
Number (EPN) HK-F5-003. EIC B18(g)(1) Mod 2D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 20160 Special Condition 1 PERMIT
NSR 20160 Special Condition 14A PERMIT
NSR 20160 Special Condition 14B PERMIT
NSR 20160 Special Condition 14C PERMIT
NSR 20160 Special Condition 14I PERMIT
O3056 General Terms and Conditions OP
O3056 Special Condition 17 OP

Description: Failure to comply with permitted emissions rates for Boiler H-K2-004, EPN HK-F5-004.
EIC B18(g)(1) Mod 2D

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)
5C THSC Chapter 382 382.085(b)
NSR 20160 Special Condition 17G PERMIT
O3056 General Terms and Conditions OP
O3056 Special Condition 17 OP

Description: Failure to maintain the minimum heating value for the PO ground flare, EPN POFLARE.
EIC B18(g)(1) Mod 2D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 20160 Special Condition 1 PERMIT
NSR 20160 Special Condition 10D PERMIT
O3056 General Terms and Conditions OP
O3056 Special Condition 17 OP

Description: Failure to comply with permitted emissions rates for Boilers H-K2-001 and H-K2-002,
EPN STEAMGEN. EIC B18(g)(1) Mod 2D

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)
 NSR 20160 Special Condition 19F PERMIT
 O3056 General Terms and Conditions OP
 O3056 Special Condition 17 OP

Description: Failure to monitor and record rupture disc integrity weekly as required. EIC C1 Min 3A

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)
 O3056 General Terms and Conditions OP

Description: Failure to report deviations on a deviation report. EIC B3 MOD 2G

20 Date: 11/24/2020 (1691052)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)
 FOP O2286 General Terms and Conditions OP
 FOP O2286 Special Condition 11 OP

Description: Failure to submit a timely compliance certification. EIC B3 Mod 2B

21 Date: 01/14/2021 (1686552)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O2286 General Terms and Conditions OP
 FOP O2286 Special Condition 8 OP
 Standard Permit 153791 GC 2 PERMIT

Description: Failure to submit a timely revision application for changes to a Standard Permit. B8 Min 3C

22 Date: 03/05/2021 (1703206)

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)
 O1320 General Terms and Conditions OP

Description: Failure to report deviations on a deviation report. EIC B3 MOD 2G

23 Date: 05/12/2021 (1705409)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR 20160 Special Condition 1 PERMIT
 NSR 20160 Special Condition 12A PERMIT
 NSR 20160 Special Condition 12E PERMIT
 O3056 General Terms and Conditions OP
 O3056 Special Condition 17 OP

Description: Failure to comply with permitted emissions rates for Boiler H-K2-003, Emissions Point Number (EPN) HK-F5-003. EIC B18(g)(1) Mod 2D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.115(a)(3)(A)
 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 20160 General Condition 10 PERMIT
 NSR 83816 Special Condition 12(A)(ii) PERMIT
 O3056 General Terms and Conditions OP
 O3056 Special Condition 17 OP

Description: Failure to monitor a Carbon Adsorption System (CAS) as required. EIC B1 Mod 2A

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)
 5C THSC Chapter 382 382.085(b)
 NSR 20160 Special Condition 17G PERMIT
 O3056 General Terms and Conditions OP
 O3056 Special Condition 17 OP

Description: Failure to maintain the minimum heating value for the PO ground flare, EPN POFLARE.
 EIC B18(g)(1) Mod 2D

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 20160 Special Condition 14B PERMIT
 NSR 20160 Special Condition 14I PERMIT
 O3056 General Terms and Conditions OP
 O3056 Special Condition 17 OP

Description: Failure to comply with permitted emissions rates for Boiler H-K2-004, EPN HK-F5-004.
 EIC B18(g)(1) Mod 2D

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)
 O3056 General Terms and Conditions OP

Description: Failure to report deviations on a deviation report. EIC B3 MOD 2G

* NOVs applicable for the Compliance History rating period 9/1/2015 to 8/31/2020

Appendix B**All Investigations Conducted During Component Period June 18, 2016 and June 18, 2021**

Item 1*	June 20, 2016**	(1336844)
Item 2	June 22, 2016**	(1330792)
Item 3	July 28, 2016**	(1343790)
Item 4*	July 29, 2016**	(1343953)
Item 5*	July 31, 2016**	(1351013)
Item 6*	August 03, 2016**	(1345098)
Item 7	August 30, 2016**	(1355140)
Item 8*	September 09, 2016**	(1358571)
Item 9	September 14, 2016**	(1356233)
Item 10	October 18, 2016**	(1362818)
Item 11	October 20, 2016**	(1362534)
Item 12*	October 21, 2016**	(1369004)
Item 13	October 31, 2016**	(1370048)
Item 14	November 08, 2016**	(1368714)
Item 15*	November 30, 2016**	(1376851)
Item 16	December 13, 2016**	(1370011)
Item 17	December 19, 2016**	(1370163)
Item 18	February 02, 2017**	(1378272)
Item 19	February 17, 2017**	(1377691)
Item 20	March 21, 2017**	(1376582)
Item 21	April 07, 2017**	(1400481)
Item 22*	April 11, 2017**	(1396940)
Item 23	April 12, 2017**	(1401027)
Item 24*	April 26, 2017**	(1407685)
Item 25	June 06, 2017**	(1410176)
Item 26	June 15, 2017**	(1415897)
Item 27	June 27, 2017**	(1403899)
Item 28	July 06, 2017**	(1417161)
Item 29*	August 03, 2017**	(1424882)
Item 30*	August 07, 2017**	(1428250)
Item 31	October 20, 2017**	(1442815)
Item 32	October 26, 2017**	(1442894)
Item 33	November 20, 2017**	(1443044)
Item 34	December 11, 2017**	(1448895)
Item 35	January 23, 2018**	(1448966)
Item 36*	February 12, 2018**	(1465800)
Item 37	February 16, 2018**	(1282214)
Item 38	March 21, 2018**	(1466224)
Item 39	March 22, 2018**	(1466637)
Item 40	April 26, 2018**	(1478633)

Item 41*	May 01, 2018**	(1482263)
Item 42	May 02, 2018**	(1481604)
Item 43	May 23, 2018**	(1484410)
Item 44	May 29, 2018**	(1483953)
Item 45*	June 14, 2018**	(1474203)
Item 46	June 21, 2018**	(1485628)
Item 47*	July 02, 2018**	(1499106)
Item 48	July 06, 2018**	(1484867)
Item 49*	August 06, 2018**	(1497881)
Item 50	August 13, 2018**	(1504668)
Item 51*	August 14, 2018**	(1500326)
Item 52*	August 20, 2018**	(1474362)
Item 53*	August 21, 2018**	(1507534)
Item 54	September 25, 2018**	(1506272)
Item 55	October 10, 2018**	(1518384)
Item 56	October 11, 2018**	(1518465)
Item 57	October 17, 2018**	(1518640)
Item 58*	November 05, 2018**	(1525865)
Item 59*	November 15, 2018**	(1526096)
Item 60	November 19, 2018**	(1527133)
Item 61	November 30, 2018**	(1523757)
Item 62*	December 27, 2018**	(1537332)
Item 63	January 03, 2019**	(1537574)
Item 64	January 09, 2019**	(1537587)
Item 65*	January 22, 2019**	(1539063)
Item 66	January 23, 2019**	(1537037)
Item 67*	February 22, 2019**	(1540687)
Item 68*	February 26, 2019**	(1550024)
Item 69	March 11, 2019**	(1539520)
Item 70	March 12, 2019**	(1540596)
Item 71	April 04, 2019**	(1526047)
Item 72*	April 08, 2019**	(1554750)
Item 73*	May 08, 2019**	(1555583)
Item 74	May 31, 2019**	(1526006)
Item 75*	June 25, 2019**	(1576172)
Item 76	August 26, 2019**	(1578441)
Item 77	August 27, 2019**	(1582550)
Item 78	September 24, 2019**	(1596436)
Item 79*	October 22, 2019**	(1603077)
Item 80*	November 13, 2019**	(1605757)
Item 81*	November 18, 2019**	(1605647)
Item 82	March 20, 2020**	(1623313)

Item 83*	April 03, 2020**	(1632892)
Item 84	April 09, 2020**	(1631557)
Item 85*	April 10, 2020**	(1632873)
Item 86	May 08, 2020**	(1646210)
Item 87	May 21, 2020**	(1650735)
Item 88	June 17, 2020**	(1578411)
Item 89	August 07, 2020**	(1658543)
Item 90*	August 14, 2020**	(1664481)
Item 91	August 18, 2020**	(1555837)
Item 92	August 20, 2020**	(1670668)
Item 93	September 17, 2020	(1656939)
Item 94*	October 14, 2020	(1666267)
Item 95*	October 27, 2020	(1684137)
Item 96	October 30, 2020	(1656942)
Item 97	November 20, 2020	(1691052)
Item 98	December 08, 2020	(1686785)
Item 99	December 17, 2020	(1692487)
Item 100	January 12, 2021	(1685323)
Item 101*	January 15, 2021	(1690222)
Item 102	February 26, 2021	(1703206)
Item 103	May 05, 2021	(1705409)
Item 104*	May 30, 2021	(1705313)
Item 105*	June 03, 2021	(1705331)
Item 106*	June 04, 2021	(1706401)
Item 107*	June 08, 2021	(1706652)
Item 108*	June 09, 2021	(1706708)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2015 and 08/31/2020.

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: HUNTSMAN PORT NECHES

Reg Entity Add: 6001 HIGHWAY 366

Reg Entity City: PORT NECHES

Reg Entity No: RN100219252

EPA Case No: 06-2016-3347

Order Issue Date (yyyymmdd): 20160216

Case Result: Final Order No Penalty

Statute: CAA **Sect of Statute:** 112[R][1]

Classification: Moderate

Program: Risk Management Progra **Citation:**

Violation Type:

Cite Sect:

Cite Part:

Enforcement Action: Administrative Compliance Orders

EPA Case No: 06-2016-3346

Order Issue Date (yyyymmdd): 20160216

Case Result: Final Order With Penalty

Statute: CAA **Sect of Statute:** 112[R][7]

Classification: Moderate

Program: Risk Management Progra **Citation:**

Violation Type:

Cite Sect:

Cite Part:

Enforcement Action: Administrative Penalty Order With or Without Inj

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
INDORAMA VENTURES OXIDES LLC
RN100219252

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2020-1274-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 Indorama Ventures Oxides LLC (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 petrochemical plant located at 2701 Spur 136 in Port Neches, Jefferson 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 \$37,250 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$15,200 of the penalty and \$7,450 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 and 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, \$14,600 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 providing the actual duration of Incident No. 335589, on August 25, 2020;
 - b. By evaluating the tert-butanol ("TBA") flush logic to minimize excessive cycling action, by modifying the TBA flush logic to operate with a primary hydrocarbons valve and a secondary backup hydrocarbons valve, by evaluating the use of restrictive flow orifices in the TBA flush lines to allow for two-valve flow at an appropriate flow rate, by monitoring the hydrocarbon valves for signs of hammering and slow travel speed as necessary to reduce vibrations, by verifying all bleed valves and plugs are closed and in place in the TBA flush systems, by evaluating the site-wide policy to identify potential areas of improvement to minimize the risk of leaving bleed valves open, by performing pipe stress analysis on the TBA flush system, by installing additional piping supports as necessary, by evaluating the unit procedures and policies to ensure that they effectively minimize the risk of leaving bleed valves open during non-standard clearing and safing procedures, by evaluating the procedures and communication around the capital and inspections group hydrotesting to minimize risk of leaving bleed valves open, and by obtaining senior manager verification of the incident in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 335200, by July 28, 2021;
 - c. By confirming the integrity of lightning protection system, by ensuring the operators are following the procedures, by moving the IP-21 Server to an alternate location to avoid power loss, by improving or finding an alternate communication when there is radio loss, by determining if the gas flow to the contractor should be shut off during a plant-wide trip, by ensuring that the Carbon Dioxide System is lined up, by replacing the existing fiber optic/lashing

system with a combination fiber optic/support cable system that eliminates the need for the lashing, by developing a procedure on how to respond to environmental emissions in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 343692, by November 30, 2021.

- d. By installing a tag on the methanol supply valve that reads "Do Not Operate without Supervision Approval."; by communicating the findings via Learning Event Report; by pulling another displacer to determine if buildup is present throughout the propylene system; by considering periodic blowdowns; by communicating the expectation that repeat failures of a device are escalated to relevant engineers for review; by implementing a procedure for the proper operation of the methanol injection; by conducting training for the proper operation of the methanol injection; by implementing a training document covering the operation of the propylene refrigeration system, the operation of the propylene condensers, and techniques for proper sight glass operation on the propylene condensers; by implementing a regular Preventive Maintenance Program for the displacers and sight glasses in the propylene system; by replacing or upgrading the sight glass; and by conducting training for all Operations personnel on the propylene refrigeration training document in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 335589, by December 30, 2021.
- e. By conducting training for the emissions event reporting requirements in order to ensure that the final records for reportable emissions events identify all of the required information, on August 4, 2022.

II. ALLEGATIONS

- 1. During a record review for the Plant conducted on August 18, 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), New Source Review ("NSR") Permit No. 20160, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O3056, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 13,459 pounds ("lbs") of volatile organic compounds ("VOC") and 41 lbs of acetone as fugitive emissions, during an emissions event (Incident No. 335200) that occurred on May 7, 2020 and lasted 15 minutes. The emissions event occurred due to an open bleeder valve in the TBA flush system and excessive vibration from excessive and cyclic flow through the TBA flush line that caused the plug on the bleeder valve to come off, resulting in the release to the atmosphere. 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 for the Plant conducted on September 28, 2020, an investigator documented that the Respondent:
 - a. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 20160, SC No. 1, FOP No. O3056, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically,

the Respondent released 3,759.78 lbs of VOC, 380.36 lbs of nitrogen oxides ("NOx"), 35 lbs of acetone, and 2,771.66 lbs of carbon monoxide ("CO") from the Propylene Oxide ("PO") Ground Flare, Emissions Point Number ("EPN") POFLARE, during an emissions event (Incident No. 335589) that began on May 16, 2020 and lasted 26 hours and two minutes. The emissions event occurred due to fouling in the float chamber of Level Controller Transmitter LT-2752 that caused Level Controller Transmitter LT-2752 to fail and Compressor C-005 to safely shut down, 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.

- b. Failed to identify all required information on the final record for a reportable emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b)(1)(F) and 122.143(4), FOP No. O3056, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent reported a duration of 37 hours and two minutes on the final record for Incident No. 335589, but after further review and investigation, the Respondent determined that the full duration of the emissions event was 26 hours and two minutes.
3. During a record review for the Plant conducted on December 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 No. 5952A, SC No. 1; NSR Permit No. 5972A, SC No. 1; NSR Permit No. 20160, SC No. 1; NSR Permit No. 106169, SC No. 1; FOP No. O1320, GTC and STC No. 16; FOP No. O3056, GTC and STC No. 17; and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 289.72 lbs of VOC, 70.66 lbs of NOx, 516.89 lbs of CO, and 17.72 lbs of acetone from the PO Ground Flare, EPN POFLARE, and 17,253.34 lbs of VOC as fugitive emissions from the F4 Unit (3,702.85 lbs), the F6 Unit (7,109.53 lbs), and the F8 Unit (6,440.96 lbs), during an emissions event (Incident No. 343692) that began on October 9, 2020 and lasted eight hours. The emissions event occurred due to an area-wide power interruption that caused various pieces of process equipment to shut down, resulting in the releases to the atmosphere and in flaring. Since the amount and duration of the unauthorized emissions and any bypass of pollution control equipment were not minimized, 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: Indorama Ventures Oxides LLC, Docket No. 2020-1274-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 the SEP as set forth in Section I, Paragraph No. 4. The amount of \$14,600 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.

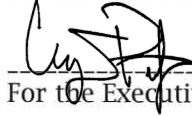
9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



10/12/2022

For the Executive Director

Date

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

I also understand that failure to comply with the Ordering Provisions, 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 OAG 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 OAG 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

Date

Name (Printed or typed)

Title

Authorized Representative of
Indorama Ventures Oxides LLC

☐ 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: 2020-1274-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Indorama Ventures Oxides LLC
Payable Penalty Amount:	\$29,800
SEP Offset Amount:	\$14,600
Type of SEP:	Contribution to a Third-Party Administrator SEP
Third-Party Administrator:	Southeast Texas Regional Planning Commission
Project Name:	<i>Lighthouse Program</i>
Total Project Budget:	\$5,679,300.00
Location of SEP:	Jefferson County

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 **Southeast Texas Regional Planning Commission** for the *Lighthouse Program* Project (the “Project”). The Project is to hire a contractor to conduct initial inspections of eligible applicants' homes. The inspections will determine whether the home is in a condition suitable for weatherization and energy efficiency upgrades. Upgrades will not be completed at homes that need new roofs or significant foundation work. The contractor shall also determine what weatherization and energy efficiency upgrades are necessary and appropriate for the home and write a work plan. This contractor shall also conduct the final inspection of the home after the work is completed.

The Third-Party Administrator will conduct eligibility determinations to verify that participants own their homes and qualify as low-income. The Third-Party Administrator will also prepare all contracts with contractors and homeowners, coordinate between the contractors and the homeowners to answer questions, ensure that work is done timely and properly, and arrange for any necessary repairs to new equipment under the 12-month warranty period after work is completed. The Project will be done in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP agreement between the Third-Party Administrator and the TCEQ.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, 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 in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

B. Environmental Benefit

Implementation of this Project will benefit air by reducing residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter, volatile organic compounds, and the nitrogen oxides associated with the combustion of fuel and the generation of electricity. Past energy audits have shown a 12-30% reduction in energy usages after completion of the weatherization and energy upgrades.

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 **Southeast Texas Regional Planning Commission SEP** and shall mail the contribution with a copy of the Agreed Order to:

Southeast Texas Regional Planning Commission
Attention: Pamela Lewis, Program Manager
2210 Eastex Freeway
Beaumont, Texas 77703

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 or e-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
SEPReports@tceq.texas.gov

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:

Indorama Ventures Oxides LLC
Docket No. 2020-1274-AIR-E
Agreed Order - Attachment A

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 attached 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.