

**Executive Summary – Enforcement Matter – Case No. 60046**  
**Equistar Chemicals, LP**  
**RN100542281**  
**Docket No. 2020-1437-AIR-E**

**Order Type:**

Findings Agreed Order

**Findings Order Justification:**

Unauthorized emissions which are excessive emissions events.

**Media:**

AIR

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Equistar Chemicals Channelview Complex, 8280 Sheldon Road, Channelview, Harris County

**Type of Operation:**

Chemical manufacturing plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket Nos. 2021-0410-AIR-E, 2021-0222-AIR-E, and 2020-1543-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** November 19, 2021

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$15,438

**Total Paid to General Revenue:** \$7,719

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Supplemental Environmental Project (“SEP”) Conditional Offset:** \$7,719

Name of SEP: Houston Regional Monitoring Corporation (Third-Party Pre-Approved)

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** April 2014

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** August 12, 2020 through September 19, 2020

**Date(s) of NOE(s):** October 30, 2020

**Executive Summary – Enforcement Matter – Case No. 60046**  
**Equistar Chemicals, LP**  
**RN100542281**  
**Docket No. 2020-1437-AIR-E**

***Violation Information***

1. Failed to prevent unauthorized emissions and failed to limit highly reactive volatile organic compounds emissions to 1,200.00 pounds or less per one-hour block period. The emissions event was determined to be an excessive emissions event [30 TEX. ADMIN. CODE §§ 101.20(3), 115.722(c)(1), 116.115(c), and 122.143(4), New Source Review Permit Nos. 1768, PSDTX1272, and N142, Special Conditions No. 1, Federal Operating Permit ("FOP") No. O1426, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 38, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to identify all required information on the final record for a reportable emissions event [30 TEX. ADMIN. CODE §§ 101.201(b)(1)(J) and 122.143(4), FOP No. O1426, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

On August 14, 2020, the Respondent provided the best known cause for Incident No. 335582.

**Technical Requirements:**

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).
2. The Order will also require the Respondent to:
  - a. Within 30 days, submit a corrective action plan ("CAP") in accordance with the TCEQ letter dated October 30, 2020 to address the excessive emissions event that began on May 16, 2020 (Incident No. 335582).
  - b. Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the CAP submittal in connection with the May 16, 2020 excessive emissions event within 15 days after the date of such requests, or by any other deadline specified in writing.
  - c. Within 45 days, submit written certification to demonstrate compliance with a.
  - d. Upon Executive Director approval of the CAP, implement the CAP in accordance with the approved schedule.

**Executive Summary – Enforcement Matter – Case No. 60046**  
**Equistar Chemicals, LP**  
**RN100542281**  
**Docket No. 2020-1437-AIR-E**

e. Within 15 days after the completion of the CAP implementation, submit written certification to demonstrate compliance with d.

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Abigail Lindsey, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-2576; 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:** Houston Regional Monitoring Corporation  
c/o Christopher B. Amandes, Amandes PLLC, 1414 West Clay Street, Houston, Texas  
77019

**Respondent:** Christopher Cain, Plant Manager, Equistar Chemicals, LP, P.O. Box 777,  
Channelview, Texas 77530

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

<b>DATES</b>	<b>Assigned</b>	2-Nov-2020	<b>Screening</b>	6-Nov-2020	<b>EPA Due</b>	
	<b>PCW</b>	13-Aug-2021				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Equistar Chemicals, LP
<b>Reg. Ent. Ref. No.</b>	RN100542281
<b>Facility/Site Region</b>	12-Houston
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	60046	<b>No. of Violations</b>	2
<b>Docket No.</b>	2020-1437-AIR-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Abigail Lindsey
		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$7,750
-------------------------------------------------------------	-------------------	---------

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	100.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$7,750
---------------------------	--------	-------------------	--------------------------------	---------

Notes: Enhancement for two NOVs with same or similar violations, three NOVs with dissimilar violations, and six orders containing a denial of liability. Reduction for eight notices of intent to conduct an audit and six disclosures of violations.

<b>Culpability</b>	No	0.0%	<b>Enhancement</b>	<b>Subtotal 4</b>	\$0
--------------------	----	------	--------------------	-------------------	-----

Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$62
------------------------------------------------------	-------------------	-------

<b>Economic Benefit</b>	0.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
-------------------------	------	---------------------	-------------------	-----

Total EB Amounts: \$957  
 Estimated Cost of Compliance: \$10,250  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$15,438
-----------------------------	-----------------------	----------

<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
---------------------------------------------	------	-------------------	-----

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	\$15,438
-----------------------------	----------

<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$15,438
-----------------------------------	-------------------------------	----------

<b>DEFERRAL</b>	0.0%	<b>Reduction</b>	<b>Adjustment</b>	\$0
-----------------	------	------------------	-------------------	-----

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral is recommended for Findings Orders.

<b>PAYABLE PENALTY</b>	\$15,438
------------------------	----------

**Screening Date** 6-Nov-2020

**Docket No.** 2020-1437-AIR-E

**PCW**

**Respondent** Equistar Chemicals, LP

*Policy Revision 4 (April 2014)*

**Case ID No.** 60046

*PCW Revision March 26, 2014*

**Reg. Ent. Reference No.** RN100542281

**Media** Air

**Enf. Coordinator** Abigail Lindsey

### 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> )	2	10%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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> )	8	-8%
	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> )	6	-12%
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)** 116%

>> **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 two NOVs with same or similar violations, three NOVs with dissimilar violations, and six orders containing a denial of liability. Reduction for eight notices of intent to conduct an audit and six disclosures of violations.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 116%

>> **Final Compliance History Adjustment**

**Final Adjustment Percentage \*capped at 100%** 100%

**Screening Date** 6-Nov-2020  
**Respondent** Equistar Chemicals, LP  
**Case ID No.** 60046  
**Reg. Ent. Reference No.** RN100542281  
**Media** Air  
**Enf. Coordinator** Abigail Lindsey

**Docket No.** 2020-1437-AIR-E

**PCW**

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

**Violation Number**

**Rule Cite(s)** 30 Tex. Admin. Code §§ 101.20(3), 115.722(c)(1), 116.115(c), and 122.143(4), New Source Review Permit Nos. 1768, PSDTX1272, and N142, Special Conditions No. 1, Federal Operating Permit ("FOP") No. O1426, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 38, and Tex. Health & Safety Code § 382.085(b)

**Violation Description** Failed to prevent unauthorized emissions and failed to limit highly reactive volatile organic compounds ("HRVOC") emissions to 1,200.00 pounds ("lbs") or less per one-hour block period. Specifically, the Respondent released 8,862.40 lbs of volatile organic compounds, 16,182.60 lbs of HRVOC, 20,739.00 lbs of carbon monoxide, and 3,514.00 lbs of nitrogen oxides from the Olefins Production Unit 1 Flare, Emissions Point Number 38E01, during an emissions event (Incident No. 335582) that began on May 16, 2020 and lasted 490 hours. The emissions event occurred when the analyzer controller channels for the charge gas dryer interbed and effluent moisture probes locked up that led to no indication of moisture breakthrough into the chilling train, resulting in the shut down of the Olefins Plant Unit 1 and in flaring. The emissions event was determined to be an excessive emissions event.

**Base Penalty**

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text" value="30.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

**Matrix Notes** Based on the Air Quality Analysis Audit that was performed on the air dispersion modeling that was submitted by the Respondent, human health or the environment has been exposed to significant amounts of pollutants which did not exceed levels that are protective of human health or environmental receptors as a result of the violation.

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input checked="" type="text" value="x"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

**Violation Base Penalty**

**Good Faith Efforts to Comply**

Reduction

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

Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	<input type="text"/>

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

**Violation Subtotal**

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount**  **Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

## Economic Benefit Worksheet

**Respondent** Equistar Chemicals, LP  
**Case ID No.** 60046  
**Reg. Ent. Reference No.** RN100542281  
**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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### 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)	\$10,000	16-May-2020	13-Apr-2022	1.91	\$955	n/a	\$955

Notes for DELAYED costs

Estimated cost to implement a corrective action plan to address the excessive emissions event that began on May 16, 2020 (Incident No. 335582). Date Required is the date the emissions event began and the Final Date is the estimated 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

\$10,000

**TOTAL**

\$955

**Screening Date** 6-Nov-2020  
**Respondent** Equistar Chemicals, LP  
**Case ID No.** 60046  
**Reg. Ent. Reference No.** RN100542281  
**Media** Air  
**Enf. Coordinator** Abigail Lindsey

**Docket No.** 2020-1437-AIR-E

**PCW**

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

**Violation Number**

**Rule Cite(s)** 30 Tex. Admin. Code §§ 101.201(b)(1)(J) and 122.143(4), FOP No. O1426, 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 did not identify the best known cause of the emissions event on the final record for Incident No. 335582.

**Base Penalty**

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
		<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	<input type="text" value="1.0%"/>
Less than 30% of the rule requirements were not met.					

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text" value="x"/>

**Violation Base Penalty**

One single event is recommended.

**Good Faith Efforts to Comply**

**Reduction**

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

Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text" value="x"/>	<input type="text"/>
N/A	<input type="text"/>	<input type="text"/>

**Notes** The Respondent achieved compliance on August 14, 2020, prior to the Notice of Enforcement dated October 30, 2020.

**Violation Subtotal**

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount**

**Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

## Economic Benefit Worksheet

**Respondent** Equistar Chemicals, LP  
**Case ID No.** 60046  
**Reg. Ent. Reference No.** RN100542281  
**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)				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)	\$250	19-Jun-2020	14-Aug-2020	0.15	\$2	n/a	\$2

Notes for DELAYED costs

Estimated cost to provide the best known cause for Incident No. 335582. The Date Required is the date the final record was due 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

\$250

**TOTAL**

\$2

The TCEQ is committed to accessibility.

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



# Compliance History Report

Compliance History Report for CN600124705, RN100542281, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

<b>Customer, Respondent, or Owner/Operator:</b>	CN600124705, Equistar Chemicals, LP	<b>Classification:</b>	SATISFACTORY	<b>Rating:</b>	5.03
<b>Regulated Entity:</b>	RN100542281, EQUISTAR CHEMICALS CHANNELVIEW COMPLEX	<b>Classification:</b>	SATISFACTORY	<b>Rating:</b>	5.52
<b>Complexity Points:</b>	43	<b>Repeat Violator:</b>	NO		
<b>CH Group:</b>	05 - Chemical Manufacturing				
<b>Location:</b>	8280 SHELDON RD IN CHANNELVIEW, HARRIS COUNTY, TEXAS				
<b>TCEQ Region:</b>	REGION 12 - HOUSTON				

## ID Number(s):

**AIR OPERATING PERMITS** ACCOUNT NUMBER HG0033B  
**AIR OPERATING PERMITS** PERMIT 3585

**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION 1011578

**AIR NEW SOURCE PERMITS** PERMIT 1768  
**AIR NEW SOURCE PERMITS** PERMIT 2933  
**AIR NEW SOURCE PERMITS** PERMIT 3130A  
**AIR NEW SOURCE PERMITS** PERMIT 6245  
**AIR NEW SOURCE PERMITS** PERMIT 8125  
**AIR NEW SOURCE PERMITS** REGISTRATION 10700  
**AIR NEW SOURCE PERMITS** REGISTRATION 11735  
**AIR NEW SOURCE PERMITS** REGISTRATION 13849  
**AIR NEW SOURCE PERMITS** REGISTRATION 12341  
**AIR NEW SOURCE PERMITS** REGISTRATION 23079  
**AIR NEW SOURCE PERMITS** REGISTRATION 30868  
**AIR NEW SOURCE PERMITS** REGISTRATION 34897  
**AIR NEW SOURCE PERMITS** REGISTRATION 47487  
**AIR NEW SOURCE PERMITS** ACCOUNT NUMBER HG0033B  
**AIR NEW SOURCE PERMITS** REGISTRATION 54098  
**AIR NEW SOURCE PERMITS** REGISTRATION 153580  
**AIR NEW SOURCE PERMITS** PERMIT 49120  
**AIR NEW SOURCE PERMITS** REGISTRATION 74110  
**AIR NEW SOURCE PERMITS** REGISTRATION 72946  
**AIR NEW SOURCE PERMITS** REGISTRATION 74181  
**AIR NEW SOURCE PERMITS** REGISTRATION 76693  
**AIR NEW SOURCE PERMITS** REGISTRATION 78278  
**AIR NEW SOURCE PERMITS** REGISTRATION 78191  
**AIR NEW SOURCE PERMITS** REGISTRATION 78381  
**AIR NEW SOURCE PERMITS** REGISTRATION 78599  
**AIR NEW SOURCE PERMITS** REGISTRATION 80296  
**AIR NEW SOURCE PERMITS** REGISTRATION 82226  
**AIR NEW SOURCE PERMITS** REGISTRATION 84183  
**AIR NEW SOURCE PERMITS** ACCOUNT NUMBER HGA061I  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX1272  
**AIR NEW SOURCE PERMITS** EPA PERMIT N142  
**AIR NEW SOURCE PERMITS** PERMIT 99167  
**AIR NEW SOURCE PERMITS** EPA PERMIT N140  
**AIR NEW SOURCE PERMITS** REGISTRATION 102688  
**AIR NEW SOURCE PERMITS** REGISTRATION 102073  
**AIR NEW SOURCE PERMITS** REGISTRATION 140463

**AIR OPERATING PERMITS** PERMIT 1426  
**AIR QUALITY NON PERMITTED** ID NUMBER LGL106088529  
**AIR NEW SOURCE PERMITS** AFS NUM 4820101886

**AIR NEW SOURCE PERMITS** PERMIT 2128  
**AIR NEW SOURCE PERMITS** PERMIT 2936  
**AIR NEW SOURCE PERMITS** PERMIT 3294  
**AIR NEW SOURCE PERMITS** PERMIT 6387  
**AIR NEW SOURCE PERMITS** REGISTRATION 10586  
**AIR NEW SOURCE PERMITS** REGISTRATION 10812  
**AIR NEW SOURCE PERMITS** REGISTRATION 12334  
**AIR NEW SOURCE PERMITS** REGISTRATION 15348  
**AIR NEW SOURCE PERMITS** PERMIT 22779  
**AIR NEW SOURCE PERMITS** PERMIT 24887  
**AIR NEW SOURCE PERMITS** REGISTRATION 32136  
**AIR NEW SOURCE PERMITS** REGISTRATION 42948  
**AIR NEW SOURCE PERMITS** REGISTRATION 50141  
**AIR NEW SOURCE PERMITS** REGISTRATION 52720  
**AIR NEW SOURCE PERMITS** REGISTRATION 76017  
**AIR NEW SOURCE PERMITS** AFS NUM 4820100075  
**AIR NEW SOURCE PERMITS** PERMIT 49130  
**AIR NEW SOURCE PERMITS** REGISTRATION 72948  
**AIR NEW SOURCE PERMITS** REGISTRATION 74051  
**AIR NEW SOURCE PERMITS** REGISTRATION 77640  
**AIR NEW SOURCE PERMITS** REGISTRATION 78128  
**AIR NEW SOURCE PERMITS** REGISTRATION 78343  
**AIR NEW SOURCE PERMITS** REGISTRATION 78173  
**AIR NEW SOURCE PERMITS** REGISTRATION 79431  
**AIR NEW SOURCE PERMITS** REGISTRATION 78978  
**AIR NEW SOURCE PERMITS** REGISTRATION 81543  
**AIR NEW SOURCE PERMITS** PERMIT 83799  
**AIR NEW SOURCE PERMITS** REGISTRATION 84715  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX1280  
**AIR NEW SOURCE PERMITS** REGISTRATION 96384  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX1270  
**AIR NEW SOURCE PERMITS** EPA PERMIT N146  
**AIR NEW SOURCE PERMITS** EPA PERMIT N144  
**AIR NEW SOURCE PERMITS** REGISTRATION 101590  
**AIR NEW SOURCE PERMITS** REGISTRATION 140033  
**AIR NEW SOURCE PERMITS** REGISTRATION 140461

**AIR NEW SOURCE PERMITS** REGISTRATION 107332  
**AIR NEW SOURCE PERMITS** EPA PERMIT GHGPSDTX10  
**AIR NEW SOURCE PERMITS** REGISTRATION 107326  
**AIR NEW SOURCE PERMITS** EPA PERMIT GHGPSDTX150  
**AIR NEW SOURCE PERMITS** REGISTRATION 107330  
**AIR NEW SOURCE PERMITS** REGISTRATION 107329  
**AIR NEW SOURCE PERMITS** EPA PERMIT N236  
**AIR NEW SOURCE PERMITS** REGISTRATION 108152  
**AIR NEW SOURCE PERMITS** REGISTRATION 151917  
**AIR NEW SOURCE PERMITS** EPA PERMIT GHGPSDTX183  
**AIR NEW SOURCE PERMITS** REGISTRATION 153623  
**AIR NEW SOURCE PERMITS** REGISTRATION 150586  
**AIR NEW SOURCE PERMITS** EPA PERMIT N266  
**AIR NEW SOURCE PERMITS** REGISTRATION 154481  
**AIR NEW SOURCE PERMITS** REGISTRATION 162810  
**AIR NEW SOURCE PERMITS** REGISTRATION 144313  
**AIR NEW SOURCE PERMITS** REGISTRATION 148067  
**AIR NEW SOURCE PERMITS** REGISTRATION 150810  
**AIR NEW SOURCE PERMITS** REGISTRATION 146626  
**AIR NEW SOURCE PERMITS** REGISTRATION 150877  
**AIR NEW SOURCE PERMITS** REGISTRATION 160251  
**AIR NEW SOURCE PERMITS** REGISTRATION 156372  
**AIR NEW SOURCE PERMITS** PERMIT AMOC157  
**AIR NEW SOURCE PERMITS** REGISTRATION 159881  
**AIR NEW SOURCE PERMITS** REGISTRATION 160287  
**AIR NEW SOURCE PERMITS** REGISTRATION 157863  
**AIR NEW SOURCE PERMITS** REGISTRATION 158059  
**AIR NEW SOURCE PERMITS** REGISTRATION 160943  
**AIR NEW SOURCE PERMITS** REGISTRATION 161239  
**AIR NEW SOURCE PERMITS** REGISTRATION 159310  
**AIR NEW SOURCE PERMITS** EPA PERMIT N142M1  
**AIR NEW SOURCE PERMITS** EPA PERMIT N280  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX1542  
**AIR NEW SOURCE PERMITS** REGISTRATION 159818  
**AIR NEW SOURCE PERMITS** REGISTRATION 156509  
**AIR NEW SOURCE PERMITS** REGISTRATION 160252

**STORMWATER** PERMIT TXR05BR93  
**STORMWATER** PERMIT TXR15774W  
**WASTEWATER** EPA ID TX0003531

**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER HGA0611

**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID  
TXD058275769  
**INDUSTRIAL AND HAZARDOUS WASTE** PERMIT 50117  
**TAX RELIEF** ID NUMBER 17981

**Compliance History Period:** September 01, 2015 to August 31, 2020

**Rating Year:** 2020

**Rating Date:** 09/01/2020

**Date Compliance History Report Prepared:** January 15, 2021

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** January 15, 2016 to January 15, 2021

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

**Name:** Abigail Lindsey

**Phone:** (512) 239-2576

### **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  |

**AIR NEW SOURCE PERMITS** REGISTRATION 110688  
**AIR NEW SOURCE PERMITS** EPA PERMIT GHGPSDTX17  
**AIR NEW SOURCE PERMITS** REGISTRATION 107331  
**AIR NEW SOURCE PERMITS** REGISTRATION 136396  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX1484  
**AIR NEW SOURCE PERMITS** REGISTRATION 107327  
**AIR NEW SOURCE PERMITS** REGISTRATION 106675  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX1280M1  
**AIR NEW SOURCE PERMITS** EPA PERMIT N264  
**AIR NEW SOURCE PERMITS** PERMIT AMOC85  
**AIR NEW SOURCE PERMITS** PERMIT 152181  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX1540  
**AIR NEW SOURCE PERMITS** REGISTRATION 152979  
**AIR NEW SOURCE PERMITS** REGISTRATION 162844  
**AIR NEW SOURCE PERMITS** REGISTRATION 161846  
**AIR NEW SOURCE PERMITS** REGISTRATION 151575  
**AIR NEW SOURCE PERMITS** REGISTRATION 150258  
**AIR NEW SOURCE PERMITS** REGISTRATION 148101  
**AIR NEW SOURCE PERMITS** REGISTRATION 150493  
**AIR NEW SOURCE PERMITS** REGISTRATION 159958  
**AIR NEW SOURCE PERMITS** EPA PERMIT GHGPSDTX182  
**AIR NEW SOURCE PERMITS** REGISTRATION 157394  
**AIR NEW SOURCE PERMITS** REGISTRATION 156159  
**AIR NEW SOURCE PERMITS** REGISTRATION 157683  
**AIR NEW SOURCE PERMITS** REGISTRATION 157139  
**AIR NEW SOURCE PERMITS** EPA PERMIT N140M1  
**AIR NEW SOURCE PERMITS** PERMIT 152184  
**AIR NEW SOURCE PERMITS** REGISTRATION 159783  
**AIR NEW SOURCE PERMITS** REGISTRATION 158833  
**AIR NEW SOURCE PERMITS** REGISTRATION 155453  
**AIR NEW SOURCE PERMITS** REGISTRATION 162742  
**AIR NEW SOURCE PERMITS** REGISTRATION 159655  
**AIR NEW SOURCE PERMITS** REGISTRATION 155486  
**AIR NEW SOURCE PERMITS** REGISTRATION 157687  
**AIR NEW SOURCE PERMITS** REGISTRATION 157735  
**IHW CORRECTIVE ACTION** SOLID WASTE REGISTRATION  
# (SWR) 30030  
**STORMWATER** PERMIT TXR05DX41  
**WASTEWATER** PERMIT WQ0000391000  
**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER  
HG0033B  
**POLLUTION PREVENTION PLANNING** ID NUMBER  
P00405  
**INDUSTRIAL AND HAZARDOUS WASTE** SOLID WASTE  
REGISTRATION # (SWR) 30030  
**TAX RELIEF** ID NUMBER 17982

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

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

- 1 Effective Date: 11/08/2016 ADMINORDER 2016-0328-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition 1 OP  
Special Condition 1 PERMIT  
Special Terms and Conditions (ST&C) 32 OP  
Description: Failure to comply with the maximum allowable emissions rate ("MAER") for the Methanol Reformer Furnace, EPN EHTF7001.
- 2 Effective Date: 01/31/2018 ADMINORDER 2016-1514-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 113, SubChapter C 113.1090  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6610(a)  
5C THSC Chapter 382 382.085(b)  
Description: Failure to comply with the applicable requirements of 40 Code of Federal Regulations (CFR) Part 63, Subpart ZZZZ for three engines (Unit IDs: EUTEN1, OP1EN1, and OP2EN1). (Category A8)  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition 1 PERMIT  
Special Term and Condition 32 OP  
Description: Failure to comply with allowable emission limits on F-7001 Reformer Heater (Emission Point Number (EPN) EHTF7001). (Category B14)  
Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.121  
30 TAC Chapter 122, SubChapter C 122.210(a)  
5C THSC Chapter 382 382.054  
5C THSC Chapter 382 382.085(b)  
Description: Failure to obtain a revision for Federal Operating Permit (FOP) O-01426 to add the reference to 40 Code of Federal Regulations (CFR) 63.104(b)(1) for the Benzene Toluene unit (Unit ID: PRO-BT). (Category B3)  
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)  
Rqmt Prov: General Terms and Conditions OP  
Description: Failure to report all instances of deviations. (Category B3)
- 3 Effective Date: 06/04/2019 ADMINORDER 2018-0986-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 309 pounds of volatile organic compounds from the Olefins Plant 1 ("OP1") Cooling Tower, Emissions Point Number 38E11, during an avoidable emissions event (Incident No. 266775) that occurred on September 3, 2017 and lasted three hours and 30 minutes. The emissions event occurred due to a heat exchanger leaking into the OP1 Cooling Tower system, resulting in a release to the atmosphere.
- 4 Effective Date: 03/05/2020 ADMINORDER 2019-0147-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Major  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: 1768, SPECIAL CONDITION 1 PERMIT  
GTC and STC No. 37 OP

Description: Failure to prevent unauthorized emissions.

- 5 Effective Date: 06/16/2020 ADMINORDER 2019-1360-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition No.1 PERMIT  
Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event. (Category A12.i.(6))  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(F)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-1426, GTC and STC No. 2.F OP  
Description: Failure to report the actual duration of an emissions event. (Category C3)
- 6 Effective Date: 10/06/2020 ADMINORDER 2020-0290-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: SPECIAL CONDITION 1 PERMIT  
SPECIAL CONDITION 9 PERMIT  
Description: Failure to prevent the release of unauthorized emissions to the atmosphere during an emissions event [Category A12i(6)].

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

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

Item 1	January 19, 2016	(1315581)
Item 2	January 22, 2016	(1305977)
Item 3	January 27, 2016	(1305905)
Item 4	February 04, 2016	(1307804)
Item 5	February 18, 2016	(1324971)
Item 6	February 22, 2016	(1313147)
Item 7	March 01, 2016	(1300409)
Item 8	March 11, 2016	(1315393)
Item 9	March 17, 2016	(1331702)
Item 10	April 04, 2016	(1321765)
Item 11	April 18, 2016	(1338865)
Item 12	April 25, 2016	(1324263)
Item 13	May 10, 2016	(1330600)
Item 14	July 19, 2016	(1359080)
Item 15	August 19, 2016	(1365502)
Item 16	September 20, 2016	(1372205)
Item 17	November 16, 2016	(1369934)
Item 18	November 17, 2016	(1371344)
Item 19	November 18, 2016	(1384342)
Item 20	November 29, 2016	(1330289)
Item 21	December 05, 2016	(1376294)
Item 22	December 12, 2016	(1381561)

Item 23	December 14, 2016	(1390479)
Item 24	January 06, 2017	(1383283)
Item 25	January 18, 2017	(1378238)
Item 26	January 19, 2017	(1397096)
Item 27	January 23, 2017	(1370942)
Item 28	February 16, 2017	(1403980)
Item 29	March 16, 2017	(1411081)
Item 30	March 20, 2017	(1395523)
Item 31	March 24, 2017	(1401577)
Item 32	March 30, 2017	(1100613)
Item 33	April 17, 2017	(1417578)
Item 34	May 17, 2017	(1425174)
Item 35	June 19, 2017	(1431173)
Item 36	June 27, 2017	(1416424)
Item 37	July 13, 2017	(1416583)
Item 38	July 18, 2017	(1439783)
Item 39	July 24, 2017	(1423643)
Item 40	August 17, 2017	(1443471)
Item 41	September 18, 2017	(1435219)
Item 42	September 26, 2017	(1435861)
Item 43	September 27, 2017	(1435534)
Item 44	October 17, 2017	(1455917)
Item 45	November 15, 2017	(1435876)
Item 46	November 16, 2017	(1461400)
Item 47	December 19, 2017	(1467779)
Item 48	January 19, 2018	(1474483)
Item 49	February 13, 2018	(1459054)
Item 50	February 19, 2018	(1486710)
Item 51	March 19, 2018	(1490388)
Item 52	March 21, 2018	(1473717)
Item 53	April 18, 2018	(1493624)
Item 54	May 17, 2018	(1500542)
Item 55	June 19, 2018	(1507659)
Item 56	June 25, 2018	(1496737)
Item 57	June 28, 2018	(1498638)
Item 58	July 17, 2018	(1499562)
Item 59	July 23, 2018	(1498606)
Item 60	July 25, 2018	(1499501)
Item 61	July 27, 2018	(1499298)
Item 62	July 30, 2018	(1499343)
Item 63	July 31, 2018	(1499427)
Item 64	August 01, 2018	(1499276)
Item 65	August 02, 2018	(1499681)
Item 66	August 08, 2018	(1499303)
Item 67	August 17, 2018	(1520038)
Item 68	August 31, 2018	(1430601)
Item 69	September 04, 2018	(1459361)
Item 70	September 12, 2018	(1499801)
Item 71	September 14, 2018	(1499704)
Item 72	September 19, 2018	(1527203)
Item 73	October 18, 2018	(1517770)
Item 74	October 25, 2018	(1499831)
Item 75	October 29, 2018	(1524816)
Item 76	November 19, 2018	(1541396)
Item 77	November 21, 2018	(1513798)
Item 78	December 20, 2018	(1545180)
Item 79	January 16, 2019	(1499798)
Item 80	January 18, 2019	(1559514)
Item 81	February 20, 2019	(1559512)
Item 82	March 20, 2019	(1559513)



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

Description: Failure to use unexpired certified gas for monitor calibration for EPN 6E04. (Category C1 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(b)  
 5C THSC Chapter 382 382.085(b)  
 Special Term and Condition 1A OP

Description: Failure to vent the OP2 separators to a functioning control device. (Category B18g(1) violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)  
 30 TAC Chapter 115, SubChapter H 115.766(a)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Term and Condition 1A OP

Description: Failure to provide the results of the HRVOC monitor calibrations for the East Plant Cooling Tower. (Category C3 violation)

5 Date: 11/24/2020 (1672812)

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations for July 1, 2018 to December 31, 2018. (Category C3 violation)

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations for January 1, 2018 to June 30, 2018. (Category C3 violation)

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations for July 1, 2017 to December 31, 2017. (Category C3 violation)

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations for January 1, 2019 to June 30, 2019. (Category C3 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(A)  
 Special Term and Condition 1A OP

Description: Failure to maintain a delay of repair (DOR) pump out of service. (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 117, SubChapter B 117.310(c)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 11 PERMIT  
 Special Term and Condition 1A OP  
 Special Term and Condition 37 OP

Description: Failure to prevent ammonia slip exceedance for cracking heater 3419 (Unit ID OP1HT3419/EPN EF3419). (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 13D PERMIT  
 Special Term and Condition 1A OP

Description: Special Term and Condition 37 OP  
 Failure to prevent exceedance of OP1 flare monitor downtime limit. (Category C7 violation)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 11A PERMIT  
 Special Term and Condition 37 OP

Description: Failure to collect monthly samples for the wastewater treatment plant (Unit ID MECUWWTP). (Category C1 violation)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 7D PERMIT  
 Special Term and Condition 37 OP

Description: Failure to collect weekly TDS sample for IPOH/SMA cooling tower (Unit ID MIPCT2401/ EPN 24E01). (Category C1 violation)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(i)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133(a)(2)(ii)  
 5C THSC Chapter 382 382.085(b)  
 Special Term and Condition 1A OP

Description: Failure to maintain floating roof on the liquid surface in tank TK-38011 (Unit ID OP1TK38011/EPN 38E011). (Category C4 violation)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)  
 5C THSC Chapter 382 382.085(b)  
 Special Term and Condition 1A OP

Description: Failure to maintain continuous records of the flare pilots. (Category C3 violation)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(e)(2)(B)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(b)(3)  
 5C THSC Chapter 382 382.085(b)  
 Special Term and Condition 1A OP

Description: Failure to keep tank gauge float well closed on TK-32. (Category C4 violation)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 117, SubChapter B 117.310(c)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 12 PERMIT  
 Special Term and Condition 1A OP  
 Special Term and Condition 37 OP

Description: Failure to prevent ammonia exceedance for cracking heater 4419 (Unit ID OP2HT4419/EPN EF4419). (Category C7 violation)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)  
 30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Term and Condition 1A OP

Description: Failure to maintain the minimum temperature for F-38001B. (Category C4 violation)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
 5C THSC Chapter 382 382.085(b)  
 Special Term and Condition 37 OP

Description: Failure to submit notification for a new pressure safety valve (PSV). (Category B3 violation)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 117, SubChapter B 117.340(c)(1)  
 5C THSC Chapter 382 382.085(b)

Description: Failure to meet monitoring requirements for rental engine. (Category B1 violation)

**F. Environmental audits:**

Notice of Intent Date: 05/06/2016 (1331017)

No DOV Associated

Notice of Intent Date: 05/09/2016 (1331021)

Disclosure Date: 07/01/2016

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 115, SubChapter H 115.782(b)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)

Rqmt Prov: PERMIT NSR Permit No. 2128, SC 16

Description: Failed to repair one valve within 15 days after the leak was detected, and the valve did not meet the requirements for delay of repair.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT NSR Permit 83799, SC 5

Description: Failed to monitor two open ended lines within 72 hours after a component is repaired/replaced, causing the open ended line.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)

Description: Failed to calibrate cooling tower HRVOC analyzer following failed weekly validation test.

Notice of Intent Date: 09/20/2017 (1438501)

Disclosure Date: 03/13/2018

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)

Description: Failed to monitor 36 fugitive components as required by the applicable regulations.

Notice of Intent Date: 11/09/2017 (1449670)

Disclosure Date: 04/17/2018

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(f)  
30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: Failed to ensure that ancillary lines and equipment associated with Tank TK-3210 meet the secondary containment regulatory requirements for hazardous waste tanks.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(d)  
30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: Failed to meet the secondary containment requirements for hazardous waste tanks TK-3210.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(f)  
30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: Failed to meet the secondary containment regulatory requirements for the hazardous waste ancillary line from T-309 to D-12 and D-14.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(d)  
30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: Failed to meet the secondary containment regulatory requirements for the secondary containment and hazardous waste ancillary lines for tanks D-12 and D-14.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(f)(3)  
30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: Failed to meet the requirements for a RCRA sealless valve for the valve used to off-load hazardous waste out of Tank D-3075.

Notice of Intent Date: 06/20/2018 (1497973)

Disclosure Date: 04/24/2019

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to properly authorize one small tote. Specifically, documentation of NSR authorization for the small tote was not available due to being inadvertently removed from NSR 1768, instead of transferred to NSR 2933 during the permit renewal/amendment.

Viol. Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to properly authorize one small tank. Specifically, documentation of NSR authorization for one small tank was not available following chemical change service.

Notice of Intent Date: 03/19/2019 (1554361)

Disclosure Date: 09/13/2019

Viol. Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(2)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP STC 12

Description: Failed to update recordkeeping required to demonstrate compliance with the emissions limits specified in 30 TAC § 106.124(5)(A) Pilot Plant PBR which references 30 TAC § 106.262(a)(2).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.17(a)(1)(vii)(C)  
30 TAC Chapter 335, SubChapter E 335.112(a)(8)  
30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)

Description: Failed to evaluate containers with hazardous waste in the drum pad area to see if they are incompatible and in need of segregation.

Viol. Classification: Minor

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.15(a)(5)  
30 TAC Chapter 335, SubChapter C 335.69(d)(2)

Description: Failed to ensure all hazardous waste containers in the facility's Satellite Accumulation Areas contain "an indication of the hazard or a chemical hazard label consistent with the NFPA code".

Notice of Intent Date: 03/29/2019 (1555303)

Disclosure Date: 07/10/2019

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)

Description: Failed to conduct quarterly inspections on some PSV monitoring systems as required by HRVOC Vent Gas Monitoring Plan.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 115, SubChapter H 115.782(c)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)

Rqmt Prov: PERMIT SC 16.1

Description: Failed to repair three components on DOR when associated equipment was shutdown or could be shutdown.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(C)

Rqmt Prov: PERMIT SC 14.B(2)

Description: Failed to conduct the 2019 first quarter cylinder gas audit of the Methanol Reformer NOx CEMS.

Notice of Intent Date: 04/12/2019 (1555650)

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



30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Description: Failure to maintain continuous monitoring records on cooling water heat exchanger. (Category C3)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to maintain continuous records on vapor combustor fuel flow. (Category C3)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11D PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to maintain 95% continuous on-stream records for flare (Unit ID: EUTFL1701). (Category C4)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2450(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2490(a)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to perform cooling tower sampling and analysis for the Benzene Toluene unit and Polybutadiene units (Unit IDs: PRO-BT and PRO-POLYBD, respectively). (Category C1)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 10B PERMIT  
Special Term and Condition 32 OP

Description: Failure to perform total dissolved solid sampling and analysis on the cooling tower (Unit ID: MEOCT7003). (Category C1)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 117, SubChapter B 117.340(c)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to maintain nitrogen oxides (NOx) within range on the outlet analyzer of the continuous emissions monitoring system (CEMS) for the F-3415 Cracking Heater (Unit ID: OP1HT3415). (Category B18)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to comply with the emission rate for ammonia (NH3) on the F-7001 Reformer Heater (EPN EHTF7001). (Category B18)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)(B)(ii)  
5C THSC Chapter 382 382.085(b)

Description: Failure to obtain a revision for Federal Operating Permit (FOP) O-01426 to add applicable requirements of 40 Code of Federal Regulations (CFR) Part 63, Subpart

ZZZZ for three engines (Unit IDs: EUTEN1, OP1EN1, and OP2EN1). (Category B3)  
Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP  
Description: Failure to perform Leak Detection and Repair (LDAR) monitoring on two relief valves. (Category C7)

Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 9F PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP  
Description: Failure to perform Leak Detection and Repair (LDAR) monitoring on 130 valves. (Category C7)

Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 5B PERMIT  
Special Term and Condition 32 OP  
Description: Failure to monitor Maintenance, Start-Up, and Shutdown (MSS) related Open-Ended Lines (OELs) within 72-hour period following the creation of the OELs. (Category C1)

Classification: Minor

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 115, SubChapter H 115.767(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP  
Description: Failure to maintain differential pressure at greater than 5 pounds per square inch, gauge (psig) in the cooling tower heat exchange system (Unit ID: MBTCT2402). (Category C4)

Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 115, SubChapter B 115.112(e)(2)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP  
Description: Failure to close the roof hatch on tank TK-3109 (Unit ID: MIPTK3109). (Category C4)

Classification: Minor

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11D OP  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP  
Description: Failure to meet the minimum net heating value for the flare (Unit ID: OP1FL3801). (Category C4)

Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 9E PERMIT  
Special Term and Condition 32 OP  
Description: Failure to perform Leak Detection and Repair (LDAR) monitoring on connectors.

(Category B19.g.9)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)  
5C THSC Chapter 382 382.085(b)  
Special Condition 14 PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to meet the minimum net heating value for the flare (Unit ID: OP2FL4801). (Category C4)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11A PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to meet the minimum net heating value for the flare (Unit IDs: MEOHFLARE). (Category C4)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart A 60.18(c)(4)(i)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11A PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to maintain the velocity within regulatory limit for the flare (Unit ID: MEOHFLARE). (Category C4)

Classification: Minor

7 Date: 08/08/2016 (1322121)

Classification: Minor

Self Report? NO

For Informational Purposes Only

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

Description: Failure to perform quarterly visible observations. (Category B1)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 10E PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to provide the maximum liquid temperature for tanks V-3202A, V-3202B, and D-3223. (Category C1)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

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

Description: Failure to report all instances of deviations. (Category B3)

Classification: Moderate

8 Date: 08/24/2016 (1329254)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

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

Description: Special Condition 1 PERMIT  
Failure to prevent unauthorized emissions during an emissions event. [B-13]

9 Date: 03/06/2017 (1301800)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event. (Category B14)

10 Date: 04/21/2017 (1358554)

Classification: Minor

Self Report? NO For Informational Purposes Only

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

Description: Failure to perform the Highly Reactive Volatile Organic Compounds (HRVOC) sample on East Plant Flare (Emission Point Number (EPN) 17E01). (Category C1)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart A 60.18(c)(4)(i)  
40 CFR Part 63, Subpart A 63.11(b)(7)(i)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11A PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to maintain the velocity within regulatory limit for the Methanol Flare (Unit ID: MEOHFLARE/Emission Point Number (EPN) EMEOHFLARE). (Category C4)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(A)  
5C THSC Chapter 382 382.085(b)

Description: Failure to obtain a permit amendment for the re-routing of an analyzer vent to East Plant Flare (Emission Point Number (EPN) 17E01). (Category B4)

Classification: Minor

Self Report? NO For Informational Purposes Only

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

Description: Failure to submit the pre-notification and post-notification for testing of three engines (Unit IDs: EUTEN1, OP1EN1, and OP2EN1) in a timely manner. (Category C3)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11 PERMIT  
Special Term and Condition 1A OP

Description: Special Term and Condition 32 OP  
Failure to comply with the emission rate for ammonia (NH3) on the Olefins 1 Cracking Heater (Emission Point Number (EPN) EF3419). (Category B18)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter B 117.310(c)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12 PERMIT

Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to comply with the emission rate for ammonia (NH3) on the Olefins 2 Cracking Heater (Emission Point Number (EPN) EF4419). (Category B18)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
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 63.163(e)(6)(iii)  
5C THSC Chapter 382 382.085(b)  
Special Condition 9H PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to repair pump P-3137B (Unit ID: Fugitives) before returning to volatile organic compounds (VOC) service. (Category C4)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 115, SubChapter H 115.781(b)(8)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to perform Leak Detection and Repair (LDAR) monitoring on two relief valves. (Category C7)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 14F PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to perform Leak Detection and Repair (LDAR) monitoring on 15 valves. (Category C7)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)  
30 TAC Chapter 115, SubChapter H 115.781(b)(7)(B)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 18D PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to perform Leak Detection and Repair (LDAR) monitoring on 14 difficult-to-monitor components. (Category C7)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 17 PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to perform Leak Detection and Repair (LDAR) monitoring on 30 connectors. (Category C7)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to perform Leak Detection and Repair (LDAR) monitoring on 4 potential open ended lines (POELs). (Category C7)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Special Term and Condition 32 OP  
Description: Failure to comply with the allowable emission limit for nitrogen oxides (NOx) on F-7001 Reformer Heater (Emission Point Number (EPN) EHTF7001). (Category B18)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Special Term and Condition 32 OP  
Description: Failure to comply with allowable volatile organic compounds (VOCs) emission limit on furnace decoking vent stack (Emission Point Number (EPN) 44E08). (Category B18)

11 Date: 05/19/2017 (1402387) Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 327 327.5(a)  
Description: Failure to begin reasonable response actions including removing the discharged or spilled substances.

12 Date: 08/01/2017 (1388677) Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.121  
30 TAC Chapter 122, SubChapter B 122.142(b)(2)(B)(ii)  
30 TAC Chapter 122, SubChapter C 122.210(a)  
5C THSC Chapter 382 382.054  
5C THSC Chapter 382 382.085(b)  
Description: Failure to obtain a revision to add two tanks (Unit IDs: OP1TK3501 and OP2TK4501) to Federal Operating Permit (FOP) O-01426. (Category B3)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)(B)(ii)  
30 TAC Chapter 122, SubChapter C 122.210(a)  
5C THSC Chapter 382 382.085(b)  
Description: Failure to obtain a revision for Federal Operating Permit (FOP) O-01426 to include applicable rule citations. (Category B3)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Special Term and Condition 26 OP  
Description: Failure to maintain records of daily liquid level for tank (Unit ID: OP2TK4458). (Category C3)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.766(a)(6)  
30 TAC Chapter 115, SubChapter H 115.766(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP  
Description: Failure to maintain records of mid-level calibrations on cooling tower (Emission Point Number (EPN): 48E11). (Category C3)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(i)  
30 TAC Chapter 115, SubChapter H 115.726(i)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Description: Special Term and Condition 1A OP  
Failure to maintain records of mid-level calibrations on flares (Emission Point Number (EPNs): 38E01 and 48E01). (Category C3)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to report all instances of deviations. (Category B3)

13 Date: 08/11/2017 (1424131) Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: NSR Special Condition 1 PERMIT  
Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event. (Category B13)

14 Date: 08/22/2018 (1437752) Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11D PERMIT  
Special Term and Condition 32 OP

Description: Failure to operate monitor and analyzer for 95 percent of the time the flare (Unit ID EUTFL1701V/ EPN 17E01) was operational. (Category C1 violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to prevent exceedance of the F-1203 regeneration heater CO emission limit of 400 parts per million. (Category B17 violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to prevent exceedance of the F-4601 regeneration heater emission limit for carbon monoxide. (Category C7 violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter B 117.310(c)(2)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12 PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to prevent exceedance of ammonia slip limit (EPN EF4419). (Category B17 violation)  
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter B 117.310(c)(2)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11 PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to prevent exceedance of ammonia slip limit of cracking heater 3419 (Unit ID OP1HT3419). (Category B17 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11A PERMIT  
Special Condition 12A PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to meet minimum heating value for methanol flare (Unit ID MEOHFLARE/EMERFLARE) (Category C4 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart A 60.18(c)(3)(i)(A)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11A PERMIT  
Special Condition 12A PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to prevent exceedance of velocity for methanol flare (Unit ID MEOHFLARE/EMERFLARE) (Category C4 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1F PERMIT  
Special Condition 8F PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 32 OP

Description: Failure to monitor valves. (Category C1 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(6)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to maintain records. (Category C3 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter B 115.112(e)(1)  
30 TAC Chapter 115, SubChapter B 115.142(2)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(v)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to keep vacuum breaker vent closed. (Category C4 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 26 PERMIT  
Special Term and Condition 32 OP

Description: Failure to collect cooling water sample. (Category B1 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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

30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 15A PERMIT  
Special Term and Condition 32 OP  
Description: Failure to comply with design requirement for small drum D-2812 (Category B18g(1) violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to report all instances of deviations from January to June, 2016. (Category C3 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to report all instances of deviations from July to December, 2016. (Category C3 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Special Terms and Conditions 32 OP

Description: Failure to prevent exceedance of the F-1203 regeneration heater emission limit of 0.22 pounds of CO per hour. (Category B17 violation)

15

Date: 02/13/2019 (1518003)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
5C THSC Chapter 382 382.085(b)  
Special Condition 14A PERMIT  
Special Term and Condition 1A OP

Description: Failure to maintain the flare (Unit ID OP2FL4801) net heating value above the minimum. (Category C4 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter B 115.112(e)(2)(I)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(1)  
5C THSC Chapter 382 382.085(b)  
Special Condition 5 PERMIT  
Special Term and Condition 1A OP

Description: Failure to maintain floating roof on the liquid surface. (Category C4 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter B 117.310(c)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 8D PERMIT  
Special Term and Condition 1A PERMIT  
Special Term and Condition 38 OP

Description: Failure to prevent exceedance of ammonia concentration for the F-7001 Reformer Heater. (Category C7 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only

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)(4)(iii)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12A PERMIT  
Special Term and Condition 1A OP

Description: Failure to prevent exceedance of flare tip velocity for the methanol emergency flare. (Category C7 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12A PERMIT  
Special Term and Condition 1A OP

Description: Failure to prevent the net heating value for the methanol flares to go below the 300 Btu/scf minimum. (Category C7 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain Tank 3210 in good working order. (Category C4 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter B 117.310(c)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12 PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 38 OP

Description: Failure to prevent exceedance of ammonia slip concentration of cracking heater 4419. (Category C7 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)  
30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to maintain the fuel gas process vent temperature above the minimum. (Category C7 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to report all instances of deviations for January 1, 2017 to June 30, 2017. (Category C3 violation)

16 Date: 03/11/2019 (1541009)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)  
30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(v)

Description: Failure to provide a minimum pressure tank capacity of 220 gallons, with additional capacity if necessary.

17 Date: 08/27/2019 (1569411)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(i)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Description: Special Term and Condition 1A OP  
Failure to conduct fourth quarter HRVOC calibration for IPOH flare (EPN 25E01).  
(Category C1 violation)

18\* Date: 10/31/2019 (1619001) Classification: Moderate

Self Report? YES For Informational Purposes Only  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

19\* Date: 11/20/2019 (1592202) Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
5C THSC Chapter 382 382.085(b)  
Description: Failure to prevent exceedance of NOx/MMBtu limit for the cracking furnace F-4419  
(Unit ID OP2HT4419). (Category B18g(1) violation)

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT BB 61.300(b)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP  
Description: Failure to meet benzene loading exemption. (Category C7 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 115, SubChapter B 115.142(1)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 5B OP  
Description: Failure to maintain wastewater conveyance system. (Category C4 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP  
Description: Failure to record temperature data for Unit IDs OP2TW4407 and OP2TW4453.  
(Category C3 violation)

Classification: Minor

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP  
Description: Failure to monitor pressure safety valve (PSV). (Category C1 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP  
Description: Failure to conduct sampling for the OP1 Flare (Unit ID OP1FL3801) (Category B1  
violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP  
Special Term and Condition 36 OP  
Special Term and Condition 37 OP  
Description: Failure to prevent opacity exceedance for cracking heater 4419 (Unit ID

OP2HT4419/OP2HT4419V) (Category C7 violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter B 117.310(c)(2)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)  
Special Condition 12 PERMIT  
Special Term and Condition 1A OP

Description: Failure to maintain ammonia slip concentration for cracking heater 4419 (Unit ID OP2HT4419) (Category C4 violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 115, SubChapter H 115.782(b)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(a)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to complete first attempts of repair in 5 days. (Category C4 violation)

20\* Date: 02/29/2020 (1647133)

Classification: Moderate

Self Report? YES

For Informational Purposes Only

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

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

21\* Date: 03/31/2020 (1653469)

Classification: Moderate

Self Report? YES

For Informational Purposes Only

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

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

22\* Date: 05/31/2020 (1666558)

Classification: Moderate

Self Report? YES

For Informational Purposes Only

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

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

23\* Date: 06/10/2020 (1592204)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to use unexpired certified gas for monitor calibration for EPN 6E04. (Category C1 violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(b)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to vent the OP2 separators to a functioning control device. (Category B18g(1) violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)  
30 TAC Chapter 115, SubChapter H 115.766(a)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)

Description: 5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP  
Failure to provide the results of the HRVOC monitor calibrations for the East Plant Cooling Tower. (Category C3 violation)

Date: 11/24/2020 (1672812)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to report all instances of deviations for July 1, 2018 to December 31, 2018. (Category C3 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to report all instances of deviations for January 1, 2018 to June 30, 2018. (Category C3 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to report all instances of deviations for July 1, 2017 to December 31, 2017. (Category C3 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

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

Description: Failure to report all instances of deviations for January 1, 2019 to June 30, 2019. (Category C3 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(A)  
Special Term and Condition 1A OP

Description: Failure to maintain a delay of repair (DOR) pump out of service. (Category C7 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter B 117.310(c)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11 PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 37 OP

Description: Failure to prevent ammonia slip exceedance for cracking heater 3419 (Unit ID OP1HT3419/EPN EF3419). (Category C7 violation)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 13D PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 37 OP

Description: Failure to prevent exceedance of OP1 flare monitor downtime limit. (Category C7 violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11A PERMIT  
Special Term and Condition 37 OP

Description: Failure to collect monthly samples for the wastewater treatment plant (Unit ID MECUWWTP). (Category C1 violation)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition 7D PERMIT  
Special Term and Condition 37 OP

Description: Failure to collect weekly TDS sample for IPOH/SMA cooling tower (Unit ID MIPCT2401/ EPN 24E01). (Category C1 violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(i)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133(a)(2)(ii)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to maintain floating roof on the liquid surface in tank TK-38011 (Unit ID OP1TK38011/EPN 38E011). (Category C4 violation)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to maintain continuous records of the flare pilots. (Category C3 violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter B 115.112(e)(2)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(b)(3)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to keep tank gauge float well closed on TK-32. (Category C4 violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter B 117.310(c)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12 PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 37 OP

Description: Failure to prevent ammonia exceedance for cracking heater 4419 (Unit ID OP2HT4419/EPN EF4419). (Category C7 violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)  
30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to maintain the minimum temperature for F-38001B. (Category C4 violation)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)

5C THSC Chapter 382 382.085(b)  
 Special Term and Condition 37 OP  
 Description: Failure to submit notification for a new pressure safety valve (PSV). (Category B3 violation)  
 Classification: Moderate  
 Self Report? NO For Informational Purposes Only  
 Citation: 30 TAC Chapter 117, SubChapter B 117.340(c)(1)  
 5C THSC Chapter 382 382.085(b)  
 Description: Failure to meet monitoring requirements for rental engine. (Category B1 violation)

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

**Appendix B**

**All Investigations Conducted During Component Period January 15, 2016 and January 15, 2021**

- Item 1\* January 19, 2016\*\* (1315581) For Informational Purposes Only
- Item 2\* January 22, 2016\*\* (1305977) For Informational Purposes Only
- Item 3\* January 27, 2016\*\* (1305905) For Informational Purposes Only
- Item 4 February 03, 2016\*\* (1260326) For Informational Purposes Only
- Item 5\* February 04, 2016\*\* (1307804) For Informational Purposes Only
- Item 6\* February 18, 2016\*\* (1324971) For Informational Purposes Only
- Item 7\* February 22, 2016\*\* (1313147) For Informational Purposes Only
- Item 8 February 25, 2016\*\* (1294928) For Informational Purposes Only
- Item 9 February 29, 2016\*\* (1295832) For Informational Purposes Only
- Item 10\* March 01, 2016\*\* (1300409) For Informational Purposes Only
- Item 11\* March 11, 2016\*\* (1315393) For Informational Purposes Only
- Item 12\* March 17, 2016\*\* (1331702) For Informational Purposes Only
- Item 13\* April 04, 2016\*\* (1321765) For Informational Purposes Only
- Item 14 April 08, 2016\*\* (1308258) For Informational Purposes Only
- Item 15\* April 18, 2016\*\* (1338865) For Informational Purposes Only
- Item 16 April 21, 2016\*\* (1319051) For Informational Purposes Only
- (1324263)

Item 17*	April 25, 2016**	For Informational Purposes Only (1330600)
Item 18*	May 10, 2016**	For Informational Purposes Only (1345662)
Item 19	May 18, 2016**	For Informational Purposes Only (1299598)
Item 20	May 24, 2016**	For Informational Purposes Only (1352106)
Item 21	June 20, 2016**	For Informational Purposes Only (1315005)
Item 22	July 11, 2016**	For Informational Purposes Only (1359080)
Item 23*	July 19, 2016**	For Informational Purposes Only (1345123)
Item 24	July 21, 2016**	For Informational Purposes Only (1322121)
Item 25	August 08, 2016**	For Informational Purposes Only (1365502)
Item 26*	August 19, 2016**	For Informational Purposes Only (1329254)
Item 27	August 24, 2016**	For Informational Purposes Only (1372205)
Item 28*	September 20, 2016**	For Informational Purposes Only (1300519)
Item 29	October 20, 2016**	For Informational Purposes Only (1369934)
Item 30*	November 16, 2016**	For Informational Purposes Only (1371344)
Item 31*	November 17, 2016**	For Informational Purposes Only (1364780)
Item 32	November 18, 2016**	For Informational Purposes Only (1330289)
Item 33*	November 29, 2016**	For Informational Purposes Only (1376294)
Item 34*	December 05, 2016**	For Informational Purposes Only (1381561)
Item 35*	December 12, 2016**	For Informational Purposes Only (1390479)
Item 36*	December 14, 2016**	For Informational Purposes Only (1371986)
Item 37	January 06, 2017**	For Informational Purposes Only (1378238)
Item 38*	January 18, 2017**	For Informational Purposes Only

Item 39*	January 19, 2017**	(1397096) For Informational Purposes Only
Item 40*	January 23, 2017**	(1370942) For Informational Purposes Only
Item 41	January 30, 2017**	(1383455) For Informational Purposes Only
Item 42*	February 16, 2017**	(1403980) For Informational Purposes Only
Item 43	March 03, 2017**	(1301800) For Informational Purposes Only
Item 44*	March 16, 2017**	(1411081) For Informational Purposes Only
Item 45*	March 20, 2017**	(1395523) For Informational Purposes Only
Item 46*	March 24, 2017**	(1401577) For Informational Purposes Only
Item 47*	March 30, 2017**	(1100613) For Informational Purposes Only
Item 48	April 13, 2017**	(1401869) For Informational Purposes Only
Item 49*	April 17, 2017**	(1417578) For Informational Purposes Only
Item 50	April 20, 2017**	(1358554) For Informational Purposes Only
Item 51	April 28, 2017**	(1403084) For Informational Purposes Only
Item 52*	May 17, 2017**	(1425174) For Informational Purposes Only
Item 53	May 19, 2017**	(1402387) For Informational Purposes Only
Item 54*	June 19, 2017**	(1431173) For Informational Purposes Only
Item 55*	June 27, 2017**	(1416424) For Informational Purposes Only
Item 56*	July 13, 2017**	(1416583) For Informational Purposes Only
Item 57*	July 18, 2017**	(1439783) For Informational Purposes Only
Item 58*	July 24, 2017**	(1423643) For Informational Purposes Only
Item 59	August 01, 2017**	(1388677) For Informational Purposes Only

Item 60	August 11, 2017**	(1424131) For Informational Purposes Only
Item 61*	August 17, 2017**	(1443471) For Informational Purposes Only
Item 62*	September 18, 2017**	(1435219) For Informational Purposes Only
Item 63*	September 26, 2017**	(1435861) For Informational Purposes Only
Item 64*	September 27, 2017**	(1435534) For Informational Purposes Only
Item 65*	October 17, 2017**	(1455917) For Informational Purposes Only
Item 66*	November 15, 2017**	(1435876) For Informational Purposes Only
Item 67*	November 16, 2017**	(1461400) For Informational Purposes Only
Item 68*	December 19, 2017**	(1467779) For Informational Purposes Only
Item 69*	January 19, 2018**	(1474483) For Informational Purposes Only
Item 70*	February 13, 2018**	(1459054) For Informational Purposes Only
Item 71*	February 19, 2018**	(1486710) For Informational Purposes Only
Item 72*	March 19, 2018**	(1490388) For Informational Purposes Only
Item 73*	March 21, 2018**	(1473717) For Informational Purposes Only
Item 74*	April 18, 2018**	(1493624) For Informational Purposes Only
Item 75*	May 17, 2018**	(1500542) For Informational Purposes Only
Item 76*	June 19, 2018**	(1507659) For Informational Purposes Only
Item 77*	June 25, 2018**	(1496737) For Informational Purposes Only
Item 78*	June 28, 2018**	(1498638) For Informational Purposes Only
Item 79	June 29, 2018**	(1459494) For Informational Purposes Only
Item 80*	July 17, 2018**	(1499562) For Informational Purposes Only
		(1498606)

Item 81*	July 23, 2018**	For Informational Purposes Only (1499501)
Item 82*	July 25, 2018**	For Informational Purposes Only (1499298)
Item 83*	July 27, 2018**	For Informational Purposes Only (1499343)
Item 84*	July 30, 2018**	For Informational Purposes Only (1499427)
Item 85*	July 31, 2018**	For Informational Purposes Only (1499276)
Item 86*	August 01, 2018**	For Informational Purposes Only (1499681)
Item 87*	August 02, 2018**	For Informational Purposes Only (1499303)
Item 88*	August 08, 2018**	For Informational Purposes Only (1484681)
Item 89	August 10, 2018**	For Informational Purposes Only (1520038)
Item 90*	August 17, 2018**	For Informational Purposes Only (1437752)
Item 91	August 22, 2018**	For Informational Purposes Only (1430601)
Item 92*	August 31, 2018**	For Informational Purposes Only (1459361)
Item 93*	September 04, 2018**	For Informational Purposes Only (1499801)
Item 94*	September 12, 2018**	For Informational Purposes Only (1499704)
Item 95*	September 14, 2018**	For Informational Purposes Only (1511644)
Item 96	September 19, 2018**	For Informational Purposes Only (1517770)
Item 97*	October 18, 2018**	For Informational Purposes Only (1499831)
Item 98*	October 25, 2018**	For Informational Purposes Only (1524816)
Item 99*	October 29, 2018**	For Informational Purposes Only (1541396)
Item 100*	November 19, 2018**	For Informational Purposes Only (1513798)
Item 101*	November 21, 2018**	For Informational Purposes Only (1545180)

Item 102*	December 20, 2018**	For Informational Purposes Only (1377959)
Item 103	January 04, 2019**	For Informational Purposes Only (1499798)
Item 104*	January 16, 2019**	For Informational Purposes Only (1559514)
Item 105*	January 18, 2019**	For Informational Purposes Only (1518003)
Item 106	February 13, 2019**	For Informational Purposes Only (1559512)
Item 107*	February 20, 2019**	For Informational Purposes Only (1541009)
Item 108	March 11, 2019**	For Informational Purposes Only (1559513)
Item 109*	March 20, 2019**	For Informational Purposes Only (1549959)
Item 110*	March 21, 2019**	For Informational Purposes Only (1551355)
Item 111*	April 15, 2019**	For Informational Purposes Only (1571777)
Item 112*	April 18, 2019**	For Informational Purposes Only (1554385)
Item 113*	April 24, 2019**	For Informational Purposes Only (1555082)
Item 114*	May 14, 2019**	For Informational Purposes Only (1558304)
Item 115*	May 20, 2019**	For Informational Purposes Only (1555640)
Item 116*	June 05, 2019**	For Informational Purposes Only (1555652)
Item 117*	June 06, 2019**	For Informational Purposes Only (1583164)
Item 118*	June 20, 2019**	For Informational Purposes Only (1540598)
Item 119*	June 28, 2019**	For Informational Purposes Only (1593090)
Item 120*	July 18, 2019**	For Informational Purposes Only (1581312)
Item 121*	July 29, 2019**	For Informational Purposes Only (1599436)
Item 122*	August 16, 2019**	For Informational Purposes Only (1569411)
Item 123	August 27, 2019**	For Informational Purposes Only

		(1513459)
Item 124	September 11, 2019**	For Informational Purposes Only
		(1581499)
Item 125*	September 12, 2019**	For Informational Purposes Only
		(1576292)
Item 126	September 16, 2019**	For Informational Purposes Only
		(1606341)
Item 127*	September 20, 2019**	For Informational Purposes Only
		(1613187)
Item 128*	October 17, 2019**	For Informational Purposes Only
		(1599235)
Item 129	October 28, 2019**	For Informational Purposes Only
		(1592202)
Item 130	November 20, 2019**	For Informational Purposes Only
		(1626353)
Item 131*	December 20, 2019**	For Informational Purposes Only
		(1633994)
Item 132*	January 17, 2020**	For Informational Purposes Only
		(1519032)
Item 133	February 05, 2020**	For Informational Purposes Only
		(1640613)
Item 134*	February 20, 2020**	For Informational Purposes Only
		(1647133)
Item 135	March 19, 2020**	For Informational Purposes Only
		(510732)
Item 136	April 13, 2020**	For Informational Purposes Only
		(1653469)
Item 137	April 20, 2020**	For Informational Purposes Only
		(1639046)
Item 138*	April 28, 2020**	For Informational Purposes Only
		(1647047)
Item 139*	May 14, 2020**	For Informational Purposes Only
		(1647024)
Item 140*	May 15, 2020**	For Informational Purposes Only
		(1660055)
Item 141*	May 19, 2020**	For Informational Purposes Only
		(1612768)
Item 142*	June 01, 2020**	For Informational Purposes Only
		(1592204)
Item 143	June 10, 2020**	For Informational Purposes Only
		(1575143)
Item 144*	June 17, 2020**	For Informational Purposes Only

Item 145	June 19, 2020**	(1666558) For Informational Purposes Only
Item 146*	July 16, 2020**	(1645374) For Informational Purposes Only
Item 147*	July 17, 2020**	(1673516) For Informational Purposes Only
Item 148*	August 04, 2020**	(1663519) For Informational Purposes Only
Item 149*	August 18, 2020**	(1680290) For Informational Purposes Only
Item 150*	August 27, 2020**	(1633242) For Informational Purposes Only
Item 151*	August 28, 2020**	(1657041) For Informational Purposes Only
Item 152*	September 17, 2020	(1686861) For Informational Purposes Only
Item 153*	September 18, 2020	(1672612) For Informational Purposes Only
Item 154	October 02, 2020	(1678403) For Informational Purposes Only
Item 155*	October 06, 2020	(1678886) For Informational Purposes Only
Item 156*	October 19, 2020	(1693207) For Informational Purposes Only
Item 157*	October 23, 2020	(1652131) For Informational Purposes Only
Item 158	October 30, 2020	(1646480) For Informational Purposes Only
Item 159*	November 04, 2020	(1686001) For Informational Purposes Only
Item 160	November 24, 2020	(1672812) For Informational Purposes Only

\* No violations documented during this investigation

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
EQUISTAR CHEMICALS, LP  
RN100542281**

**§  
§  
§  
§  
§**

**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

**AGREED ORDER  
DOCKET NO. 2020-1437-AIR-E**

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Equistar Chemicals, LP (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

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

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

**I. FINDINGS OF FACT**

1. The Respondent owns and operates a chemical manufacturing plant located at 8280 Sheldon Road in Channelview, Harris County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. During a record review conducted from August 12, 2020 through September 19, 2020, an investigator documented that:
  - a. The Respondent released 8,862.40 pounds ("lbs") of volatile organic compounds, 16,182.60 lbs of highly reactive volatile organic compounds ("HRVOC"), 20,739.00 lbs of carbon monoxide, and 3,514.00 lbs of nitrogen oxides from the Olefins Production Unit 1 Flare, Emissions Point Number 38E01, during an emissions event (Incident No. 335582) that began on May 16, 2020 and lasted 490 hours. The emissions event occurred when the analyzer controller channels

for the charge gas dryer interbed and effluent moisture probes locked up that led to no indication of moisture breakthrough into the chilling train, resulting in the shut down of the Olefins Plant Unit 1 and in flaring. TCEQ staff determined that the emissions event was an excessive emissions event.

- b. The Respondent did not properly identify the best known cause of the emissions event on the final record for Incident No. 335582.
3. The Executive Director recognizes that on August 14, 2020, the Respondent provided the best known cause for Incident No. 335582.

## **II. CONCLUSIONS OF LAW**

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to prevent unauthorized emissions and failed to limit HRVOC emissions to 1,200.00 lbs or less per one-hour block period, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 115.722(c)(1), 116.115(c), and 122.143(4), New Source Review Permit Nos. 1768, PSDTX1272, and N142, Special Conditions No. 1, Federal Operating Permit ("FOP") No. O1426, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 38, and TEX. HEALTH & SAFETY CODE § 382.085(b). The emissions event was determined to be an excessive emissions event.
3. As evidenced by Finding of Fact No. 2.b, the Respondent 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)(J) and 122.143(4), FOP No. O1426, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of \$15,438 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent paid the \$7,719 penalty. Pursuant to TEX. WATER CODE § 7.067, \$7,719 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.

### III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 5 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Equistar Chemicals, LP, Docket No. 2020-1437-AIR-E" to:

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

2. The Respondent shall implement and complete an SEP as set forth in Conclusion of Law No. 5. The amount of \$7,719 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. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order, submit a corrective action plan ("CAP") in accordance with the TCEQ letter dated October 30, 2020 to address the excessive emissions event that began on May 16, 2020 (Incident No. 335582).
  - b. Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the CAP submittal in connection with the May 16, 2020 excessive emissions event within 15 days after the date of such requests, or by any other deadline specified in writing.
  - c. Within 45 days after the effective date of this Order, submit written certification, as described in Ordering Provision No. 3.e, to demonstrate compliance with Ordering Provision No. 3.a.
  - d. Upon Executive Director approval of the CAP, implement the CAP in accordance with the approved schedule.
  - e. Within 15 days after the completion of the CAP implementation, submit written certification, and include detailed supporting documentation including

photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.d. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

4. All relief not expressly granted in this Order is denied.
5. The duties and provisions imposed by this Order shall apply to and be binding upon 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.
6. 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.
7. 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. Extension requests shall be sent to the Order Compliance Team at the address listed above.

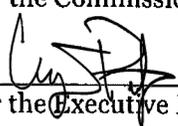
8. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
9. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
10. This Order, 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.
11. 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.
12. 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

  
\_\_\_\_\_  
For the Executive Director

5/2/2022

\_\_\_\_\_  
Date

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

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

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

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

  
\_\_\_\_\_  
Signature

3/10/2022  
\_\_\_\_\_  
Date

Chris Cain  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Equistar Chemicals, LP

Channelview Site Manager  
\_\_\_\_\_  
Title

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

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

**Attachment A**  
**Docket Number: 2020-1437-AIR-E**  
**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Equistar Chemicals, LP</b>
<b>Payable Penalty Amount:</b>	<b>\$15,438</b>
<b>SEP Offset Amount:</b>	<b>\$7,719</b>
<b>Type of SEP:</b>	<b>Contribution to a Third-Party Pre-Approved SEP</b>
<b>Third-Party Administrator:</b>	<b>Houston Regional Monitoring Corporation</b>
<b>Project Name:</b>	<b><i>Houston Area Air Monitoring Project</i></b>
<b>Location of SEP:</b>	<b>Harris County</b>

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 SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment 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 **Houston Regional Monitoring Corporation** for the *Houston Area Air Monitoring Project* SEP. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the SEP Offset Amount will be used to operate a network of ambient air monitoring stations that continuously measure and record concentrations of ambient air pollutants. This network includes the Houston Regional Monitor (“HRM”) 617 Wallisville Road site, the HRM 615 Lynchburg Ferry site, and the HRM 3 Haden Road site. The Third-Party Administrator shall use the SEP Offset Amount to report data from these three existing sites in the Houston Regional Monitoring Corporation ambient air quality monitoring network in the Houston-Galveston Air Quality Control Region No. 216. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

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

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

b. Environmental Benefit

This SEP will provide TCEQ with near real-time access to high quality, short time resolution volatile organic compound, nitrogen oxide, ozone, and meteorological data sets that can be used to evaluate and track air pollution emission events as they occur, conduct source attribution studies, and to assess potential ambient community exposure to a limited number of hazardous air pollutants. Data from the monitors can be used with data from other monitors to provide critical information that can be used to evaluate the effectiveness of current and proposed emission control strategies aimed at achieving compliance with the 8-hour ozone National Ambient Air Quality Standards. It also provides a key source of information that is essential to furthering our overall understanding of those emission sources that contribute to ambient community exposure to toxic air contaminants. Because the information is available in near real-time, it can be used to provide both agency staff and industry personnel with time critical information to investigate emission events in a timely fashion. Another key benefit is the ability to measure the change in the ambient air concentration of the individual target species and quantify control measure effectiveness. Data from these monitors will be publicly accessible through the TCEQ's website and will be used in evaluating air quality in the area, in ozone forecasts, and ozone warnings. Thus, the public will directly benefit by having access to the data and the forecasting and notification tools which can be used for public awareness.

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 contribution payable to **Houston Regional Monitoring Corporation SEP** and shall mail the contribution with a copy of the Agreed Order to:

Equistar Chemicals, LP  
Docket No. 2020-1437-AIR-E  
Agreed Order - Attachment A

Houston Regional Monitoring Corporation  
c/o Christopher B. Amandes  
Amandes PLLC  
1414 West Clay Street  
Houston, Texas 77019

### **3. Records and Reporting**

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

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

### **4. Failure to Fully Perform**

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

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

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

**5. Publicity**

Any public statements concerning this SEP 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 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.