Executive Summary – Enforcement Matter – Case No. 60609
LyondellBasell Acetyls, LLC
RN100217207
Docket No. 2021-0483-AIR-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
AIR
Small Business:
No
Location(s) Where Violation(s) Occurred:
LyondellBasell Syngas, 11603B Strang Road, La Porte, Harris County
Type of Operation:
Chemical manufacturing plant
Other Significant Matters:
Additional Pending Enforcement Actions: No
Past-Due Penalties: No
Past-Due Fees: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: July 31, 2026
Comments Received: No

Penalty Information

Total Penalty Assessed: $79,850
Amount Deferred for Expedited Settlement: $15,970
Total Paid to General Revenue: $31,940
Total Due to General Revenue: $0
Payment Plan: N/A
Supplemental Environmental Project ("SEP") Conditional Offset: $31,940
Name of SEP: Houston Area Air Monitoring Project (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 and January 2021

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: December 21, 2020 through January 11, 2021, March 3, 2022 through June 9, 2022, and July 14, 2023
Date(s) of NOE(s): March 29, 2021, June 15, 2022, and August 30, 2023

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 23.50 pounds ("lbs") of carbon monoxide ("CO"), 5,505.20 lbs of nitrogen dioxide, and 289.70 lbs of nitrogen oxides ("NOx") from the CE Boiler, Emissions Point Number ("EPN") SG23-50-1, during an emissions event (Incident No. 347133) that began on December 5, 2020 and lasted 43 hours [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 4773A, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2290, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to comply with the maximum allowable emissions rate ("MAER"). Specifically, the Respondent exceeded the CO MAER of 52.08 tons per year ("tpy") and the NOx MAER of 6.08 tpy based on a 12-month rolling period for the 12month periods ending from April 2021 through March 2022 for the Cold Flare, EPN SG20-3-2, resulting in 27.06 tons of unauthorized CO emissions and 0.50 ton of unauthorized NOx emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 4773A, SC No. 1, FOP No. O2290, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 175.95 tpy based on a 12month rolling period for the 12-month periods ending from April 2021 through March 2022 for the High-Pressure Flare, EPN SG21-1-1, resulting in 213.24 tons of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 4773A, SC No. 1, FOP No. O2290, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO Maintenance, Startup, and Shutdown ("MSS") MAER of 31.12 tpy and the NOx MSS MAER of 1.07 tpy based on a 12-month rolling period for the 12-month periods ending from October 2021 through September 2022 for the MSS emissions to the Plant Flares, EPN MSS-LNDCNT, resulting in 142.49 tons of unauthorized CO emissions and 4.61 tons of unauthorized NOx emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 4773A, SC No. 1, FOP No. O2290, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5. Failed to comply with the MAER. Specifically, the Respondent exceeded the NOx MAER of 5.18 tpy based on a 12month rolling period for the 12-month periods ending from October 2021 through September 2022 for the High Pressure Flare, EPN SG21-1-1, resulting in 23.27 tons of unauthorized NOx emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 4773A, SC No. 1, FOP No. O2290, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6. Failed to report all instances of deviations. Specifically, the deviation report for the October 1, 2021 through March 31, 2022 reporting period did not include the deviations for failing to maintain the exit velocity for the Cold Flare, EPN SG20-3-2, on October 11, 2021 and failing to maintain the ammonia stripper pH for the wastewater

of the Ammonia Stripper Flare, EPN POXNH3FLARE [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O2290, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7. Failed to comply with the operating limit. Specifically, the pH for the wastewater to the ammonia stripper was below the established minimum operating limit of 9.5 pH for one hour on October 11, 2021 at 7 pH [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4773A, SC No. 25, FOP No. O2290, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures at the Plant:

a. On May 25, 2023, the Respondent obtained an amendment for NSR Permit No. 4773A to increase the CO and NOx annual MSS MAER for EPN MSS-LNDCNT;

b. On May 25, 2023, the Respondent obtained an amendment for NSR Permit No. 4773A to increase the NOx annual MAER for EPN SG21-1-1; and

c. On October 16, 2023, submitted a revised deviation report for the October 1, 2021 through March 31, 2022 reporting period to report the deviations for failing to maintain the exit velocity for the Cold Flare, EPN SG20-3-2, on October 11, 2021 and failing to maintain the ammonia stripper pH for the wastewater of the Ammonia Stripper Flare, EPN POXNH3FLARE.

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:

i. Submit written documentation to demonstrate actions taken to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 347133;

ii. Submit written documentation to demonstrate actions taken to comply with the CO and NOx annual MAERs for the Cold Flare, EPN SG20-3-2, in accordance with NSR Permit No. 4773A;

iii. Submit written documentation to demonstrate actions taken to comply with the CO annual MAER for the High-Pressure Flare, EPN SG21-1-1, in accordance with NSR Permit No. 4773A;

iv. Submit written documentation to demonstrate actions taken to ensure that the deviation reports are submitted accurately and in a timely manner; and

v. Submit written documentation to demonstrate actions taken to comply with the established minimum operating limit for the ammonia stripper wastewater pH.

b. Within 45 days, submit written certification, and include detailed supporting documentation to demonstrate compliance with 2.a.

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Raven Daigle, Enforcement Division, Enforcement Backlog Team, MC R-12, (713)767-3634; Michael Parrish, Enforcement Division, MC R-12, (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, P.O. Box 116, Katy, Texas 77492
Respondent: Mark Bookmyer, Site Manager, LyondellBasell Acetyls, LLC, Post Office Box Drawer D, Deer Park, Texas 77536
Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

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

DATES						
Assigned	30-Mar-2021					
PCW	1-May-2025	**Screening**	6-Apr-2021	**EPA Due**	26-Feb-2024	

RESPONDENT/FACILITY INFORMATION			
Respondent	LyondellBasell Acetyls, LLC		
Reg. Ent. Ref. No.	RN100217207		
Facility/Site Region	12-Houston	**Major/Minor Source**	Major

CASE INFORMATION			
Enf./Case ID No.	60609	**No. of Violations**	1
Docket No.	2021-0483-AIR-E	**Order Type**	1660
Media Program(s)	Air	**Government/Non-Profit**	No
Multi-Media		**Enf. Coordinator**	Raven Daigle
		EC's Team	Enforcement Team

Admin. Penalty $ Limit Minimum $0 Maximum $25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — ***Subtotal 1*** **$3,750**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **40.0%** Adjustment — ***Subtotals 2, 3, & 7*** **$1,500**

Notes: Enhancement for two NOVs with same/similar violations and two orders containing a denial of liability. Reduction for four notices of intent to conduct an audit and three disclosures of violations.

Culpability No **0.0%** Enhancement — ***Subtotal 4*** **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments — ***Subtotal 5*** **$0**

Economic Benefit **0.0%** Enhancement* — ***Subtotal 6*** **$0**

Total EB Amounts $2,771
Estimated Cost of Compliance $10,000

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — ***Final Subtotal*** **$5,250**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** — ***Adjustment*** **$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$5,250**

STATUTORY LIMIT ADJUSTMENT — ***Final Assessed Penalty*** **$5,250**

DEFERRAL **20.0%** Reduction — ***Adjustment*** **-$1,050**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$4,200**

Screening Date	6-Apr-2021	**Docket No.** 2021-0483-AIR-E	**PCW**
Respondent	LyondellBasell Acetyls, LLC		*Policy Revision 4 (April 2014)*
Case ID No.	60609		*PCW Revision March 26, 2014*
Reg. Ent. Reference No.	RN100217207		
Media	Air		
Enf. Coordinator	Raven Daigle		

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 (*number of NOVs meeting criteria*)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	2	40%
	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 (*number of judgments or consent decrees meeting criteria*)	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 (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	4	-4%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	3	-6%
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) 40%

>> 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/similar violations and two orders containing a denial of liability. Reduction for four notices of intent to conduct an audit and three disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 40%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 40%

Screening Date	6-Apr-2021	**Docket No.** 2021-0483-AIR-E	**PCW**
Respondent	LyondellBasell Acetyls, LLC		*Policy Revision 4 (April 2014)*
Case ID No.	60609		*PCW Revision March 26, 2014*
Reg. Ent. Reference No.	RN100217207		
Media	Air		
Enf. Coordinator	Raven Daigle		

Violation Number 1

Rule Cite(s): 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 4773A, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2290, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 17, and Tex. Health & Safety Code § 382.085(b)

Violation Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 23.50 pounds ("lbs") of carbon monoxide ("CO"), 5,505.20 lbs of nitrogen dioxide, and 289.70 lbs of nitrogen oxides ("NOx") from the CE Boiler, Emissions Point Number ("EPN") SG23-50-1, during an emissions event (Incident No. 347133) that began on December 5, 2020 and lasted 43 hours.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 15.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $21,250

$3,750

Violation Events

Number of Violation Events: 1 | 2 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $3,750

Economic Benefit (EB) for this violation

Estimated EB Amount $2,771

Statutory Limit Test

Violation Final Penalty Total $5,250

This violation Final Assessed Penalty (adjusted for limits) $5,250

Economic Benefit Worksheet

Respondent LyondellBasell Acetyls, LLC
Case ID No. 60609
Reg. Ent. Reference No. RN100217207
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	5-Dec-2020	20-Jun-2026	5.54	$2,771	n/a	$2,771
Notes for DELAYED costs	Estimated cost to submit written documentation to demonstrate actions taken to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 347133. The 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	$2,771

Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021) — *PCW Revision February 11, 2021*

DATES						
Assigned	30-Mar-2021					
PCW	1-May-2025	**Screening**	6-Apr-2021	**EPA Due**	26-Feb-2024	

RESPONDENT/FACILITY INFORMATION			
Respondent	LyondellBasell Acetyls, LLC		
Reg. Ent. Ref. No.	RN100217207		
Facility/Site Region	12-Houston	**Major/Minor Source**	Major

CASE INFORMATION			
Enf./Case ID No.	60609	**No. of Violations**	6
Docket No.	2021-0483-AIR-E	**Order Type**	1660
Media Program(s)	Air	**Government/Non-Profit**	No
Multi-Media		**Enf. Coordinator**	Raven Daigle
		EC's Team	Enforcement Team
Admin. Penalty $ Limit Minimum	$0	**Maximum**	$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — ***Subtotal 1*** **$57,750**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **40.0%** Adjustment — ***Subtotals 2, 3, & 7*** **$23,100**

Notes: Enhancement for two NOVs with same/similar violations and two orders containing a denial of liability. Reduction for four notices of intent to conduct an audit and three disclosures of violations.

Culpability No **0.0%** Enhancement — ***Subtotal 4*** **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments — ***Subtotal 5*** **-$6,250**

Economic Benefit **0.0%** Enhancement* — ***Subtotal 6*** **$0**

Total EB Amounts $8,684
Estimated Cost of Compliance $41,750

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — ***Final Subtotal*** **$74,600**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** — ***Adjustment*** **$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$74,600**

STATUTORY LIMIT ADJUSTMENT — ***Final Assessed Penalty*** **$74,600**

DEFERRAL **20.0%** Reduction — ***Adjustment*** **-$14,920**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$59,680**

Screening Date	6-Apr-2021	**Docket No.** 2021-0483-AIR-E	**PCW**
Respondent	LyondellBasell Acetyls, LLC		*Policy Revision 5 (January 28, 2021)*
Case ID No.	60609		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100217207		
Media	Air		
Enf. Coordinator	Raven Daigle		

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 (*number of NOVs meeting criteria*)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	2	40%
	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 (*number of judgments or consent decrees meeting criteria*)	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 (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	4	-4%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	3	-6%

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) 40%

>> 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/similar violations and two orders containing a denial of liability. Reduction for four notices of intent to conduct an audit and three disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 40%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 40%

Screening Date 6-Apr-2021 **Docket No.** 2021-0483-AIR-E **PCW**

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Respondent LyondellBasell Acetyls, LLC

Case ID No. 60609

Reg. Ent. Reference No. RN100217207

Media Air

Enf. Coordinator Raven Daigle

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review ("NSR") Permit No. 4773A, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2290, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 17, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to comply with the maximum allowable emissions rate ("MAER"). Specifically, the Respondent exceeded the carbon monoxide ("CO") MAER of 52.08 tons per year ("tpy") and the nitrogen oxides ("NOx") MAER of 6.08 tpy based on a 12-month rolling period for the 12-month periods ending from April 2021 through March 2022 for the Cold Flare, Emissions Point Number ("EPN") SG20-3-2, resulting in 27.06 tons of unauthorized CO emissions and 0.50 ton of unauthorized NOx emissions.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $12,500

$12,500

Violation Events

Number of Violation Events: 1 — 364 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty $12,500

One annual event is recommended for the period of non-compliance that occurred from April 1, 2021 through March 31, 2022.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $12,500

Economic Benefit (EB) for this violation

Estimated EB Amount $2,611

Statutory Limit Test

Violation Final Penalty Total $17,500

This violation Final Assessed Penalty (adjusted for limits) $17,500

Economic Benefit Worksheet

Respondent LyondellBasell Acetyls, LLC
Case ID No. 60609
Reg. Ent. Reference No. RN100217207
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	1-Apr-2021	20-Jun-2026	5.22	$2,611	n/a	$2,611
Notes for DELAYED costs	Estimated cost to submit written documentation to demonstrate actions taken to comply with the CO and NOx annual MAERs for the Cold Flare, EPN SG20-3-2. The Date Required is the first date of non-compliance 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	$2,611

Screening Date	6-Apr-2021	**Docket No.** 2021-0483-AIR-E	**PCW**
Respondent	LyondellBasell Acetyls, LLC		*Policy Revision 5 (January 28, 2021)*
Case ID No.	60609		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100217207		
Media	Air		
Enf. Coordinator	Raven Daigle		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 4773A, SC No. 1, FOP No. O2290, GTC and STC No. 17, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 175.95 tpy based on a 12-month rolling period for the 12-month periods ending from April 2021 through March 2022 for the High-Pressure Flare, EPN SG21-1-1, resulting in 213.24 tons of unauthorized CO emissions.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $12,500

$12,500

Violation Events

Number of Violation Events: 1 — 364 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty $12,500

One annual event is recommended for the period of non-compliance that occurred from April 1, 2021 through March 31, 2022.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $12,500

Economic Benefit (EB) for this violation

Estimated EB Amount $2,611

Statutory Limit Test

Violation Final Penalty Total $17,500

This violation Final Assessed Penalty (adjusted for limits) $17,500

Economic Benefit Worksheet

Respondent LyondellBasell Acetyls, LLC
Case ID No. 60609
Reg. Ent. Reference No. RN100217207
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)	$10,000	1-Apr-2021	20-Jun-2026	5.22	$2,611	n/a	$2,611
Notes for DELAYED costs	Estimated cost to submit written documentation to demonstrate actions taken to comply with the CO annual MAER for the High-Pressure Flare, EPN SG21-1-1. The Date Required is the first date of non-compliance 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	$2,611

Screening Date	6-Apr-2021	**Docket No.** 2021-0483-AIR-E	**PCW**
Respondent	LyondellBasell Acetyls, LLC		*Policy Revision 5 (January 28, 2021)*
Case ID No.	60609		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100217207		
Media	Air		
Enf. Coordinator	Raven Daigle		

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 4773A, SC No. 1, FOP No. O2290, GTC and STC No. 17, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to comply with the MAER. Specifically, the Respondent exceeded the CO Maintenance, Startup, and Shutdown ("MSS") MAER of 31.12 tpy and the NOx MSS MAER of 1.07 tpy based on a 12-month rolling period for the 12-month periods ending from October 2021 through September 2022 for the MSS emissions to the Plant Flares, EPN MSS-LNDCNT, resulting in 142.49 tons of unauthorized CO emissions and 4.61 tons of unauthorized NOx emissions.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm: Major	Moderate	Minor
	Actual		x	
	Potential			

Percent 50.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $12,500

$12,500

Violation Events

Number of Violation Events: 1 — 364 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty $12,500

One annual event is recommended for the period of non-compliance from October 1, 2021 through September 30, 2022.

Good Faith Efforts to Comply

25.0% Reduction $3,125

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

Notes: The Respondent completed the corrective measures on May 25, 2023, prior to the Notice of Enforcement ("NOE") dated August 30, 2023.

Violation Subtotal $9,375

Economic Benefit (EB) for this violation

Estimated EB Amount $412

Statutory Limit Test

Violation Final Penalty Total $14,375

This violation Final Assessed Penalty (adjusted for limits) $14,375

Economic Benefit Worksheet

Respondent LyondellBasell Acetyls, LLC
Case ID No. 60609
Reg. Ent. Reference No. RN100217207
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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	$5,000	1-Oct-2021	25-May-2023	1.65	$412	n/a	$412
Other (as needed)				0.00	$0	n/a	$0
Notes for DELAYED costs	Actual cost to obtain an amendment for NSR Permit No. 4773A to increase the CO and NOx annual MSS MAER for EPN MSS-LNDCNT. The Date Required is the first date of non-compliance 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	$5,000				TOTAL	$412	

Screening Date	6-Apr-2021	**Docket No.** 2021-0483-AIR-E	**PCW**
Respondent	LyondellBasell Acetyls, LLC		*Policy Revision 5 (January 28, 2021)*
Case ID No.	60609		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100217207		
Media	Air		
Enf. Coordinator	Raven Daigle		

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 4773A, SC No. 1, FOP No. O2290, GTC and STC No. 17, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to comply with the MAER. Specifically, the Respondent exceeded the NOx MAER of 5.18 tpy based on a 12-month rolling period for the 12-month periods ending from October 2021 through September 2022 for the High Pressure Flare, EPN SG21-1-1, resulting in 23.27 tons of unauthorized NOx emissions.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $12,500

$12,500

Violation Events

Number of Violation Events: 1 — 364 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty $12,500

One annual event is recommended for the period of non-compliance from October 1, 2021 through September 30, 2022.

Good Faith Efforts to Comply

25.0% Reduction $3,125

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

Notes: The Respondent completed the corrective measures on May 25, 2023, prior to the NOE dated August 30, 2023.

Violation Subtotal $9,375

Economic Benefit (EB) for this violation

Estimated EB Amount $412

Statutory Limit Test

Violation Final Penalty Total $14,375

This violation Final Assessed Penalty (adjusted for limits) $14,375

Economic Benefit Worksheet

Respondent LyondellBasell Acetyls, LLC
Case ID No. 60609
Reg. Ent. Reference No. RN100217207
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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	$5,000	1-Oct-2021	25-May-2023	1.65	$412	n/a	$412
Other (as needed)				0.00	$0	n/a	$0
Notes for DELAYED costs	Actual cost to obtain an amendment for NSR Permit No. 4773A to increase the NOx annual MAER for EPN SG21-1-1. The Date Required is the first date of non-compliance 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	$5,000				TOTAL		$412

Screening Date	6-Apr-2021	**Docket No.** 2021-0483-AIR-E	**PCW**
Respondent	LyondellBasell Acetyls, LLC		*Policy Revision 5 (January 28, 2021)*
Case ID No.	60609		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100217207		
Media	Air		
Enf. Coordinator	Raven Daigle		

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. O2290, GTC, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to report all instances of deviations. Specifically, the deviation report for the October 1, 2021 through March 31, 2022 reporting period did not include the deviations for failing to maintain the exit velocity for the Cold Flare, EPN SG20-3-2, on October 11, 2021 and failing to maintain the ammonia stripper pH for the wastewater of the Ammonia Stripper Flare, EPN POXNH3FLARE.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes: Less than 30% of the rule requirements were not met.

Adjustment $24,750

$250

Violation Events

Number of Violation Events: 1 — 500 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $250

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $250

Economic Benefit (EB) for this violation

Estimated EB Amount $291

Statutory Limit Test

Violation Final Penalty Total $350

This violation Final Assessed Penalty (adjusted for limits) $350

Economic Benefit Worksheet

Respondent LyondellBasell Acetyls, LLC
Case ID No. 60609
Reg. Ent. Reference No. RN100217207
Media Air
Violation No. 5

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	$1,500	30-Apr-2022	20-Dec-2025	3.64	$273	n/a	$273
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$250	30-Apr-2022	16-Oct-2023	1.46	$18	n/a	$18

Notes for DELAYED costs

Estimated costs to submit a revised deviation report for the October 1, 2021 through March 31, 2022 reporting period to report the deviations for failing to maintain the exit velocity for the Cold Flare, EPN SG20-3-2, on October 11, 2021 and failing to maintain the ammonia stripper pH for the wastewater of the Ammonia Stripper Flare, EPN POXNH3FLARE ($250) and to submit written documentation to demonstrate actions taken to ensure that all instances of deviations are reported in a timely manner ($1,500). The Dates Required are the date the deviation should have been reported and the Final Dates are the date of compliance and estimated date of compliance.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Avoided Costs	**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0

Notes for AVOIDED costs

Approx. Cost of Compliance $1,750

TOTAL $291

Screening Date	6-Apr-2021	**Docket No.** 2021-0483-AIR-E	**PCW**
Respondent	LyondellBasell Acetyls, LLC		*Policy Revision 5 (January 28, 2021)*
Case ID No.	60609		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100217207		
Media	Air		
Enf. Coordinator	Raven Daigle		

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 4773A, SC No. 25, FOP No. O2290, GTC and STC No. 17, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to comply with the operating limit. Specifically, the pH for the wastewater to the ammonia stripper was below the established minimum operating limit of 9.5 pH for one hour on October 11, 2021 at 7 pH.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 30.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $17,500

$7,500

Violation Events

Number of Violation Events: 1 — 1 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $7,500

One monthly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

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

Violation Subtotal $7,500

Economic Benefit (EB) for this violation

Estimated EB Amount $2,347

Statutory Limit Test

Violation Final Penalty Total $10,500

This violation Final Assessed Penalty (adjusted for limits) $10,500

Economic Benefit Worksheet

Respondent LyondellBasell Acetyls, LLC
Case ID No. 60609
Reg. Ent. Reference No. RN100217207
Media Air
Violation No. 6

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	11-Oct-2021	20-Jun-2026	4.69	$2,347	n/a	$2,347
Notes for DELAYED costs	Estimated cost to submit written documentation to demonstrate actions taken to comply with the established minimum operating limit for the ammonia stripper wastewater pH. The Date Required is the initial date of non-compliance 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	$2,347

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Compliance History Report

Compliance History Report for CN603674862, RN100217207, Rating Year 2025 which includes Compliance History (CH) components from September 1, 2020, through August 31, 2025.

Customer, Respondent, or Owner/Operator: CN603674862, LyondellBasell Acetyls, LLC **Classification:** SATISFACTORY **Rating:** 7.74

Regulated Entity: RN100217207, LYONDELLBASELL SYNGAS **Classification:** SATISFACTORY **Rating:** 1.60

Complexity Points: 26 **Repeat Violator:** NO

CH Group: 05 - Chemical Manufacturing

Location: 11603B STRANG RD LA PORTE, TX 77571-9749, HARRIS COUNTY

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HX2334A
AIR OPERATING PERMITS ACCOUNT NUMBER HX2302N
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HX2334A
AIR NEW SOURCE PERMITS PERMIT 4773A
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1606
AIR NEW SOURCE PERMITS REGISTRATION 175426
AIR NEW SOURCE PERMITS REGISTRATION 175042
AIR NEW SOURCE PERMITS REGISTRATION 179815
AIR NEW SOURCE PERMITS PERMIT 40938
PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 89315
WASTEWATER EPA ID TX0118389
WASTEWATER EPA ID TX0135101
POLLUTION PREVENTION PLANNING ID NUMBER P06875
AIR OPERATING PERMITS PERMIT 2290
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1012682
AIR NEW SOURCE PERMITS AFS NUM 4820101522
AIR NEW SOURCE PERMITS EPA PERMIT N302
AIR NEW SOURCE PERMITS REGISTRATION 172431
AIR NEW SOURCE PERMITS REGISTRATION 173440
AIR NEW SOURCE PERMITS REGISTRATION 178931
AIR NEW SOURCE PERMITS REGISTRATION 182247
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HX2302N
STORMWATER PERMIT TXR05EH16
WASTEWATER PERMIT WQ0004092000
AIR EMISSIONS INVENTORY ACCOUNT NUMBER HX2334A

Compliance History Period: September 01, 2020 to August 31, 2025 **Rating Year:** 2025 **Rating Date:** 09/01/2025

Date Compliance History Report Prepared: February 03, 2026

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: February 03, 2021 to February 03, 2026

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

Name: TCEQ Staff Member **Phone:** (713) 767-3634

Site and Owner/Operator History:

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

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

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

1 Effective Date: 12/20/2022 ADMINORDER 2021-0817-IWD-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

2 Effective Date: 01/13/2026 ADMINORDER 2024-1817-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Major

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: 40938 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 29,805 pounds of carbon monoxide from the Organic Waste Surge Vessel, Emission Point Number SG105-24-1, during an emissions event (Incident No. 400943) that began on May 19, 2023 and lasted 69 hours.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	February 20, 2021	(1730628)
Item 2	February 23, 2021	(1732371)
Item 3	March 17, 2021	(1732372)
Item 4	March 20, 2021	(1730629)
Item 5	April 19, 2021	(1732373)
Item 6	May 20, 2021	(1743474)
Item 7	June 18, 2021	(1748464)
Item 8	July 19, 2021	(1753969)
Item 9	July 20, 2021	(1753385)
Item 10	August 17, 2021	(1749444)
Item 11	September 20, 2021	(1768724)
Item 12	October 20, 2021	(1778648)
Item 13	November 19, 2021	(1785316)
Item 14	December 20, 2021	(1792355)
Item 15	January 20, 2022	(1800202)
Item 16	March 20, 2022	(1815074)
Item 17	May 20, 2022	(1830542)
Item 18	June 17, 2022	(1836790)
Item 19	July 20, 2022	(1843974)
Item 20	August 19, 2022	(1850135)
Item 21	September 20, 2022	(1857905)
Item 22	October 20, 2022	(1864259)
Item 23	January 20, 2023	(1883833)
Item 24	February 13, 2023	(1878941)
Item 25	March 20, 2023	(1900218)
Item 26	March 30, 2023	(1894103)
Item 27	May 19, 2023	(1914174)
Item 28	June 19, 2023	(1920781)
Item 29	June 29, 2023	(1904702)
Item 30	July 20, 2023	(1927765)
Item 31	August 18, 2023	(1934708)
Item 32	September 19, 2023	(1940883)
Item 33	October 17, 2023	(1947682)
Item 34	November 17, 2023	(1953371)
Item 35	December 15, 2023	(1963154)
Item 36	March 20, 2024	(1985372)
Item 37	March 29, 2024	(1981378)
Item 38	April 18, 2024	(1991914)
Item 39	May 20, 2024	(1998348)

Compliance History Report for CN603674862, RN100217207, Rating Year 2025 which includes Compliance History (CH) components from February 03, 2021, through February 03, 2026.

Item 40	June 18, 2024	(2005313)
Item 41	July 19, 2024	(2012880)
Item 42	August 20, 2024	(2018696)
Item 43	September 19, 2024	(2025482)
Item 44	October 18, 2024	(2031593)
Item 45	November 19, 2024	(2037913)
Item 46	December 20, 2024	(2044301)
Item 47	January 20, 2025	(2050864)
Item 48	February 20, 2025	(2058413)
Item 49	March 18, 2025	(2066977)
Item 50	March 31, 2025	(2060913)
Item 51	April 01, 2025	(2053734)
Item 52	April 17, 2025	(2073792)
Item 53	May 20, 2025	(2080172)
Item 54	June 20, 2025	(2087287)
Item 55	July 18, 2025	(2094382)
Item 56	August 20, 2025	(2100958)
Item 57	September 18, 2025	(2111804)
Item 58	October 20, 2025	(2111805)
Item 59	November 20, 2025	(2119594)

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

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

1 Date: 02/07/2025 (2010169)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(h)(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 install, calibrate, operate, and maintain a continuous flow monitor for Cooling Tower System (EPN: SGCT). (Category B1)

Self Report? NO Classification: Moderate

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

Description: Failure to include specific regulatory citations regarding monitoring, recordkeeping, reporting, and testing requirements for Federal Operating Permit (FOP) O-02290. (Category B4)

2 Date: 08/15/2025 (2047232)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(h)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP

Description: Failure to collect highly reactive volatile organic compound (HRVOC) (Propylene) bag samples on the Cooling Tower (Unit ID: SGCT) at least twice per week (Category C1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(i)(A)
40 CFR Part 60, Subpart A 60.18(c)(3)(i)(A)
5C THSC Chapter 382 382.085(b)
FOP, ST&C 1A OP
NSR, SC 24A PERMIT

Description: Failure to maintain the Cold Flare (Unit ID: SG20-3-2) exit velocity within the 60 feet per second (ft/s) permit limit (Category B12).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)

Compliance History Report for CN603674862, RN100217207, Rating Year 2025 which includes Compliance History (CH) components from February 03, 2021, through February 03, 2026.

5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 19 OP
FOP, ST&C 1A OP
NSR, SC 24B PERMIT

Description: Failure to maintain the pilot flame on the Ammonia Flare (Unit ID: POXNH3FLARE) (Category B18g1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138(a)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 19 OP
FOP, ST&C 1A OP
NSR, SC29 PERMIT

Description: Failure to maintain the pH limit of the Ammonia Stripper (FA-7) within permit limits (Category B12).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 19 OP
FOP, ST&C 1A OP
NSR, SC29 PERMIT

Description: Failure to maintain the required steam pressure on the Ammonia Stripper (FA-7) (Category B12).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP, ST&C 19 OP
FOP, ST&C 1A OP

Description: Failure to maintain the net heating value of HP Flare (Unit ID: SG21-1-1) (Category B12).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(i)(A)
5C THSC Chapter 382 382.085(b)
FOP, ST&C 1 OP
FOP, ST&C 19 OP

Description: Failure to maintain the net heating value of the Cold Flare (Unit ID: SG20-3-2) (Category B12).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP ST&C 1 OP
FOP, ST&C 19 OP
NSR, SC1 PERMIT
NSR, SC26 PERMIT

Description: Failure to maintain the MAERT lb/hr limit of carbon monoxide (CO) on the CE Boiler (Unit ID: SG23-50-1) (Category B12).

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations in the Deviation Report (DR) reporting period of October 01, 2023 through March 31, 2024 (Category B3).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, ST&C 19 OP
NSR, SC23 PERMIT

Description: Failure to collect total dissolved solids (TDS) sample for the cooling tower (Unit ID: SGCT).

F. Environmental audits:

Notice of Intent Date: 03/29/2021 (1708843)
Disclosure Date: 04/27/2021
Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 2A
Description: Records required by NSR Permit for certain MSS activities were not maintained.
Viol. Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
Description: MSS records that were not maintained resulted in a Title V deviation that occurred during previous Title V deviation reporting periods but was not reported in the corresponding deviation reports submitted to TCEQ.
Viol. Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
Description: A recordable emission event that occurred on July 28, 2020 was not included in the Title V deviation report covering the period April 1, 2020 through September 30, 2020.
Viol. Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(p)(2)
Description: The list of public water system operators that is required to be submitted to the TCEQ annually was not submitted for the years 2018-2020.
Viol. Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(4)(C)
Description: Quarterly Reports for drinking water system submitted in STEERS for 2020 and the first quarter of 2021 were not signed by a licensed water works operator.

Notice of Intent Date: 08/05/2022 (1839112)
Disclosure Date: 07/13/2023
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 28
Description: Failed to obtain ammonia, methanol, and VOC samples from wastewater system during an upset from 4/12/23-4/28/23.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP STC 3
Description: Failed to maintain the ammonia flare daily flare visible emission observation log.
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725
30 TAC Chapter 122, SubChapter B 122.142(b)(2)(A)
Description: Failed to properly cite the HRVOC exemption for Cold Flare and High Pressure Flare in the Title V Permit.
Viol. Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT B.5
PERMIT Part III, Section B.1(b)
Description: Failed to conduct a survey of potential non-stormwater sources and provide certification required in Part III, Section B.1(c) of the MSGP within 180 days of filing an NOI for coverage (or renewal NOI). Additionally, failed to sign and file the annual comprehensive site compliance inspection report for calendar year 2022 within 30 days of the inspection, which was not conducted aby a member of the stormwater pollution prevention team.

Notice of Intent Date: 11/16/2023 (1943320)

Disclosure Date: 03/22/2024

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)

Description: Failed to meet the Vmax exit velocity requirement in 40 CFR § 60.18(c)(3)(i) for the EPN L3FLARE (AB3 Flare), as documented during internal review. After flare tip velocity was recalculated with the new cross-sectional area, there was one period in 2022 that exceeded the maximum flare tip velocity allowed.

Viol. Classification: Minor

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

Rqmt Prov: PERMIT SC 4E

Description: Failed to close or monitor within 72 hours, an isolated pump awaiting repairs found with two open-ended lines.

Disclosure Date: 09/05/2024

Viol. Classification: Moderate

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

30 TAC Chapter 117, SubChapter B 117.310(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.44b

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(d)

Rqmt Prov: PERMIT SC 26

Description: Failed to prevent NOx and CO lb/hr and lb/mmbtu exceedances in 2023 and 2024 discovered after calculation errors in DCS resulting in incorrect emission rates and recalculation.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.142

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(b)(1)

Description: Failed to identify waste streams discovered to contain benzene as BWON applicable as per 40 CFR § 61.356(b)(1), although less than 10 ppm and excluded from control requirements, and failed to represent in the Title V Permit NESHAP FF applicability for Syngas-Methanol Unit.

Disclosure Date: 10/28/2024

Viol. Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.49b(g)(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.49b(g)(3)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(d)(2)

Rqmt Prov: PERMIT SC 25.F

Description: Failed to ensure the NOx CEMS analyzer for the CE Boiler and Superheater did not have erratic and drifting readings. Readings did not match concentrations determined with a handheld analyzer and because the date from the CEMS was determined to not be valid, the analyzer exceeded 5% downtime.

Notice of Intent Date: 04/30/2025 (2064544)

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	**TEXAS COMMISSION ON**
LYONDELLBASELL ACETYLS, LLC	**§**	
RN100217207	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2021-0483-AIR-E

I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owns and operates a chemical manufacturing plant located at 11603B Strang Road in La Porte, Harris County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.

3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

4. An administrative penalty in the amount of $79,850 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid $31,940 of the penalty and $15,970 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

   Pursuant to TEX. WATER CODE § 7.067, $31,940 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.

7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.

8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:

   a. On May 25, 2023, the Respondent obtained an amendment for New Source Review ("NSR") Permit No. 4773A to increase the carbon monoxide ("CO") and nitrogen oxides ("NOx") annual Maintenance, Startup, and Shutdown ("MSS") maximum allowable emissions rate ("MAER") for Emissions Point Number ("EPN") MSS-LNDCNT;

   b. On May 25, 2023, the Respondent obtained an amendment for NSR Permit No. 4773A to increase the NOx annual MAER for EPN SG21-1-1;

   c. On October 16, 2023, submitted a revised deviation report for the October 1, 2021 through March 31, 2022 reporting period to report the deviations for failing to maintain the exit velocity for the Cold Flare, EPN SG20-3-2, on October 11, 2021 and failing to maintain the ammonia stripper pH for the wastewater of the Ammonia Stripper Flare, EPN POXNH3FLARE.

II. ALLEGATIONS

1. During a record review for the Plant conducted from December 21, 2020 through January 11, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4773A, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2290, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 23.50 pounds ("lbs") of CO, 5,505.20 lbs of nitrogen dioxide, and 289.70 lbs of NOx from the CE Boiler, EPN SG23-50-1, during an emissions event (Incident No. 347133) that began on December 5, 2020 and lasted 43 hours.

2. During a record review for the Plant conducted from March 3, 2022 through June 9, 2022, an investigator documented that the Respondent:

a. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 4773A, SC No. 1, FOP No. O2290, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 52.08 tons per year ("tpy") and the NOx MAER of 6.08 tpy based on a 12-month rolling period for the 12-month periods ending from April 2021 through March 2022 for the Cold Flare, EPN SG20-3-2, resulting in 27.06 tons of unauthorized CO emissions and 0.50 ton of unauthorized NOx emissions.

b. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 4773A, SC No. 1, FOP No. O2290, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 175.95 tpy based on a 12-month rolling period for the 12-month periods ending from April 2021 through March 2022 for the High-Pressure Flare, EPN SG21-1-1, resulting in 213.24 tons of unauthorized CO emissions.

3. During a record review for the Plant conducted on July 14, 2023, an investigator documented that the Respondent:

a. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 4773A, SC No. 1, FOP No. O2290, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MSS MAER of 31.12 tpy and the NOx MSS MAER of 1.07 tpy based on a 12-month rolling period for the 12-month periods ending from October 2021 through September 2022 for the MSS emissions to the Plant Flares, EPN MSS-LNDCNT, resulting in 142.49 tons of unauthorized CO emissions and 4.61 tons of unauthorized NOx emissions.

b. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 4773A, SC No. 1, FOP No. O2290, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NOx MAER of 5.18 tpy based on a 12-month rolling period for the 12-month periods ending from October 2021 through September 2022 for the High Pressure Flare, EPN SG21-1-1, resulting in 23.27 tons of unauthorized NOx emissions.

c. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O2290, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the October 1, 2021 through March 31, 2022 reporting period did not include the deviations for failing to maintain the exit velocity for the Cold Flare, EPN SG20-3-2, on October 11, 2021 and failing to maintain the ammonia stripper pH for the wastewater of the Ammonia Stripper Flare, EPN POXNH3FLARE.

d. Failed to comply with the operating limit, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4773A, SC No. 25, FOP No. O2290, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the pH for the wastewater to the ammonia stripper was below the established minimum operating limit of 9.5 pH for one hour on October 11, 2021 at 7 pH.

III. DENIALS

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

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: LyondellBasell Acetyls, LLC, Docket No. 2021-0483-AIR-E" to:

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

2. The Respondent shall implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of $31,940 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 at the Plant:

   a. Within 30 days after the effective date of this Order:

      i. Submit written documentation to demonstrate actions taken to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 347133;

      ii. Submit written documentation to demonstrate actions taken to comply with the CO and NOx annual MAERs for the Cold Flare, EPN SG20-3-2, in accordance with NSR Permit No. 4773A;

      iii. Submit written documentation to demonstrate actions taken to comply with the CO annual MAER for the High-Pressure Flare, EPN SG21-1-1, in accordance with NSR Permit No. 4773A;

      iv. Submit written documentation to demonstrate actions taken to ensure that the deviation reports are submitted accurately and in a timely manner;

      v. Submit written documentation to demonstrate actions taken to comply with the established minimum operating limit for the ammonia stripper wastewater pH; and

b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a. 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:

> 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. 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 Enforcement Division at the address listed above.

7. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned,

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

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date
Kristie Mello-Jurack	08/17/2026
For the Executive Director	Date

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

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

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

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

Mark R. Bookmyer	6/23/2026
Signature	Date
Mark Bookmyer	Site Manager
Name (Printed or typed) Authorized Representative of LyondellBasell Acetyls, LLC	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: 2021-0483-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	LyondellBasell Acetyls, LLC
Penalty Amount:	$63,880
SEP Offset Amount:	$31,940
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Houston Regional Monitoring Corporation
Project Name:	*Houston Area Air Monitoring Project*
Total Project Budget:	$500,000
Location of SEP:	Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Harris, Liberty, Matagorda, Montgomery, Walker, Waller, and Wharton Counties

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

1. Project Description

A. Project

Respondent shall contribute the SEP Offset Amount to the **Houston Regional Monitoring Corporation**, as a Third-Party Administrator, for the *Houston Area Air Monitoring Project* (the "Project"). The Project will operate a network of ambient air monitoring stations that continuously measure and record concentrations of ambient air pollutants. Third-Party Administrator shall use the SEP Offset Amount to perform the Project. The Project will be done in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP Agreement between Third-Party Administrator and TCEQ.

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

Respondent's signature affixed to this Agreed Order certifies that Respondent has no prior commitment to make this contribution and that it is being contributed solely to settle this enforcement action. 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-hr 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 sensitive 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 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

Respondent shall contribute at least the SEP Offset Amount to 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, Respondent must contribute the SEP Offset Amount to Third-Party Administrator. Respondent shall make the contribution payable to the **Houston Regional Monitoring Corporation**, and mail it with a copy of the Agreed Order to:

Houston Regional Monitoring Corporation
Attention: Christopher Colville
P.O. Box 116
Katy, TX 77492

3. Records and Reporting

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

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

4. Failure to Fully Perform

If 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 above in Sections 2 and 3, the ED may require immediate payment of all or part of the SEP Offset Amount to TCEQ.

In the event the ED determines that Respondent failed to fully implement and complete the contribution to the Project, 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 contribution to the SEP, Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to “Texas Commission on Environmental Quality,” and shall mail it to the SEP Coordinator at the address provided above.

5. Publicity

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

6. Recognition

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

7. Other SEPs by TCEQ or Other Agencies

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