

**Executive Summary – Enforcement Matter – Case No. 60882**

**INEOS USA LLC**

**RN100238708**

**Docket No. 2021-0818-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

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

Chocolate Bayou Plant, 15926 Farm-to-Market Road 2004, Alvin, Brazoria County

**Type of Operation:**

Chemical manufacturing plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket Nos. 2024-1735-AIR-E; 2023-0916-AIR-E; and 2023-0132-AIR-E; 2022-1565-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** January 10, 2025

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$2,246,729

**Amount Deferred for Expedited Settlement:** \$449,344

**Total Paid to General Revenue:** \$898,693

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

Payment Plan: N/A

**Supplemental Environmental Project (“SEP”) Conditional Offset:** \$898,692

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

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** September 2002, April 2014, and January 2021

***Investigation Information***

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

**Complaint Information:** N/A

**Date(s) of Investigation:** January 21, 2016 through August 9, 2016, November 15, 2016 through November 17, 2016, January 10, 2018 through February 15, 2019, February 14, 2018 through February 27, 2018, September 18, 2018 through November 9, 2018, March 31, 2020 through August 26, 2020, June 4, 2020 through June 18, 2020, October 16, 2020 through October 30, 2020, October 23, 2020 through November 17,

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2020, November 2, 2020, November 5, 2020 through November 19, 2020, November 30, 2020 through December 1, 2020, December 21, 2020 through April 16, 2021, March 31, 2021 through August 17, 2021, April 5, 2021 through June 23, 2021, April 27, 2021 through May 4, 2021, April 30, 2021 through May 14, 2021, May 13, 2021, June 30, 2021 through July 12, 2021, June 30, 2021 through July 14, 2021, July 20, 2021, July 21, 2021, August 12, 2021 through September 29, 2021, and August 23, 2021 through September 7, 2021

**Date(s) of NOE(s):** September 1, 2016, April 28, 2017, June 24, 2019, July 13, 2020, May 14, 2021, August 26, 2020, August 28, 2020, December 15, 2020, August 4, 2021, December 18, 2020, May 13, 2021, May 27, 2021, August 31, 2021, June 24, 2021, May 26, 2021, November 15, 2021, June 30, 2021, October 4, 2021, September 1, 2021, September 8, 2021, October 20, 2021, October 12, 2021, August 13, 2021, October 21, 2021, and November 19, 2021

***Violation Information***

1. Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, the Respondent exceeded the benzene MAER of 1.01 pounds per hour ("lbs/hr") by a range from 0.01 lb/hr to 0.41 lb/hr and exceeded the volatile organic compounds ("VOC") MAER of 5.96 lbs/hr by a range from 0.09 lb/hr to 2.51 lbs/hr for a total of seven hours on four days from January 8, 2015 to May 4, 2015 for the Olefins 1 American Petroleum Institute ("API") Separator, Emissions Point Number ("EPN") FAM1704, resulting in the unauthorized release of 1.34 pounds ("lbs") of benzene emissions and 8.45 lbs of VOC emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), New Source Review ("NSR") Permit Nos. 95 and PSDTX854M2, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2327, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to submit an application for a revision to an FOP for those activities at a site which change, add, or remove one or more permit terms or conditions. Specifically, after FOP No. O2327 was revised on June 4, 2013, the Respondent did not submit an application to revise FOP No. O2327 to include 40 CODE OF FEDERAL REGULATIONS ("CFR") Part 60 Subpart VV as the applicable requirements for the No. 1 Olefins Unit Fugitives and No. 2 Olefins Unit Fugitives [30 TEX. ADMIN. CODE § 122.210(a) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to report all instances of deviations. Specifically, the deviation reports for the October 1, 2014 through March 31, 2015 and April 1, 2015 through September 30, 2015 reporting periods did not include the deviation for failing to submit an application to revise FOP No. O2327 to include 40 CFR Part 60 Subpart VV as the applicable requirements for the No. 1 Olefins Unit Fugitives and No. 2 Olefins Unit Fugitives [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O2327, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

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4. Failed to comply with the MAER. Specifically, the Respondent exceeded the carbon monoxide ("CO") MAER of 18.32 lbs/hr by 12.92 lbs/hr for one hour on January 17, 2015 for the Steam Cracking Furnace, EPN DB-106, resulting in 12.92 lbs of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by a range from 1.16 lbs/hr to 98.10 lbs/hr for a total of four hours on three days from October 2, 2014 to January 14, 2015 for the Steam Cracking Furnace, EPN DB-107, resulting in 163.18 lbs of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6. Failed to comply with the MAERs. Specifically, the Respondent exceeded the VOC MAER of 2.05 lbs/hr by 0.01 lb/hr for a total of two hours on October 19, 2014 and December 18, 2014 and exceeded the CO MAER of 18.32 lbs/hr by 26.73 lbs/hr for one hour on April 9, 2015 for the Steam Cracking Furnace, EPN DB-105, resulting in the unauthorized release of 0.02 lb of VOC emissions and 26.73 lbs of CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 0.16 lb/hr to 1.87 lbs/hr for a total of four hours on four days from November 21, 2014 to February 9, 2015 for the Steam Cracking Furnace, EPN DDB-102A, resulting in 3.75 lbs of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

8. Failed to comply with the MAERs. Specifically, the Respondent exceeded the nitrogen oxides ("NOx") MAER of 26.60 lbs/hr by a range from 0.01 lb/hr to 1.87 lbs/hr for a total of 52 hours on 11 days from December 2, 2014 to January 8, 2015 and exceeded the CO MAER of 7.03 lbs/hr by a range from 0.41 lb/hr to 7.66 lbs/hr for a total of three hours on three days from February 8, 2015 to March 18, 2015 for the Steam Cracking Furnace, EPN DDB-102B, resulting in the unauthorized release of 29.66 lbs of NOx emissions and 10.72 lbs of CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

9. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by 23.24 lbs/hr for one hour on October 21, 2014 for the Steam Cracking Furnace, EPN DDB-102C, resulting in 23.24 lbs of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit

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Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

10. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 14.40 lbs/hr by a range from 6.94 lbs/hr to 64.51 lbs/hr for a total of 169 hours on nine days from May 26, 2015 to June 2, 2015 and on August 20, 2015 for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B, resulting in 9,806.82 lbs of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 101, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

11. Failed to comply with the emissions limit. Specifically, the Respondent exceeded the CO emissions limit of 0.037 pound per one million British thermal units ("lb/MMBtu") based on the higher heating value of the fuel on a 24-hour average by a range from 0.011 lb/MMBtu to 0.299 lb/MMBtu for a total of 172 hours on nine days from May 11, 2015 to June 2, 2015 for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.B.(2), FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

12. Failed to submit an application for a revision to an FOP for those activities at a site which change, add, or remove one or more permit terms or conditions. Specifically, after FOP No. O2327 was revised on June 4, 2013, the Respondent did not submit an application to revise FOP No. O2327 to include 30 TEX. ADMIN. CODE § 115.788(a) and 30 TEX. ADMIN. CODE ch. 117 Subchapter B as the applicable requirements for Steam Cracking Furnaces DB-105 through DB-109 and incorporate 30 TEX. ADMIN. CODE § 106.412 for the Gasoline Tank [30 TEX. ADMIN. CODE § 122.210(a) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

13. Failed to record the operating time for stationary internal combustion engines with a non-resettable elapsed run-time meter. Specifically, the Respondent did not equip Stationary Engines DDM-904N, DM-177, PP3 MN1601, PP4 TN1601, DM-904N, AN-101, AN-111, and AN-402 with non-resettable elapsed run time meters to record the operating time [30 TEX. ADMIN. CODE §§ 117.340(j) and 122.143(4), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

14. Failed to obtain a revision for an FOP prior to operating emission units at the site. Specifically, after FOP No. O2327 was revised on July 29, 2005, the Respondent did not submit an application to revise FOP No. O2327 to add Emergency Generator DM-177 that was constructed on or about April 1, 2006 and to add Engines OLE2COMP2, UTILCOMP4, UTILCOMP5, and UTILCOMP6 that were replaced in April 2013, resulting in the operation of these emission units prior to obtaining authorization [30 TEX. ADMIN. CODE §§ 122.121 and 122.210(a) and TEX. HEALTH & SAFETY CODE §§ 382.054 and 382.085(b)].

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15. Failed to submit the 40 CFR Part 63 Subpart ZZZZ compliance reports no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. Specifically, the Respondent did not submit the 40 CFR Part 63 Subpart ZZZZ compliance reports for the January 1, 2013 through June 30, 2013, July 1, 2013 through December 31, 2013, January 1, 2014 through June 30, 2014, July 1, 2014 through December 31, 2014, January 1, 2015 through June 30, 2015, July 1, 2015 through December 31, 2015, January 1, 2016 through June 30, 2016 reporting periods for Firewater Pump AG-203B and Level Control Pump AG-2705D by July 31, 2013, January 31, 2014, July 31, 2014, January 31, 2015, July 31, 2015, January 31, 2016, and July 31, 2016, respectively [30 TEX. ADMIN. CODE §§ 101.20(2), 113.1090, and 122.143(4), 40 CFR § 63.6650(b)(3), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

16. Failed to maintain records for the calibration of the lower explosive limit ("LEL") detector. Specifically, the Respondent did not maintain the records for the calibration of the LEL detectors for Unit Nos. D5, D10, M2, M4, M5, M8, M9, T5, and Z14 on 13 occasions during maintenance, startup, or shutdown ("MSS") activities that occurred from October 1, 2015 to September 30, 2016 and did not record the calibration of the LEL detector for the No. 1 Olefins Unit MSS activities that occurred on nine occasions from May 29, 2016 to June 21, 2016 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 61.C.(1), FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

17. Failed to maintain records for the functionality test of the LEL detector. Specifically, the Respondent did not maintain the records for the functionality test of the LEL detectors Unit Nos. A9, D10, D12, D20, H12, H18, H20, J3, J6, M1, M2, M3, M7, M8, M9, and T5 on 33 occasions during MSS activities that occurred from October 1, 2015 to September 30, 2016 and did not record the functionality test data of the LEL detector for the No. 1 Olefins Unit MSS activities that occurred on nine occasions from May 29, 2016 through June 21, 2016 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 61.C.(2), FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

18. Failed to maintain records containing the information and data sufficient to demonstrate compliance with the permit. Specifically, the Respondent did not maintain the records for the LEL readings during the MSS activities that occurred on November 5, 2015 and April 4, 2016 to demonstrate compliance with SC No. 61.C. of NSR Permit Nos. 95 and PSDTX854M2 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(E)(i), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, General Conditions No. 7, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

19. Failed to comply with the concentration limit. Specifically, the Respondent exceeded the benzene outlet concentration limit of 50 parts per million by weight ("ppmw") by a range from 2.8 ppmw to 410.0 ppmw for a total of 16 hours on three days from February 4, 2016 to March 31, 2016 for the Second Stage Hydrotreater Unit

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Treatment Process PRO-SSMON and by a range from 17.1 ppmw to 87.0 ppmw for a total of two hours on April 1, 2016 for the Olefins 2 Aromatic Waste Minimization Project Treatment Process PRO-AWMP2 [30 TEX. ADMIN. CODE §§ 101.20(2), 113.120, 113.890, and 122.143(4), 40 CFR §§ 63.138(b)(1)(i) and 63.2450(a), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

20. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 9.25 lbs/hr by a range from 0.01 lb/hr to 0.33 lb/hr for a total of 39 hours from November 9, 2015 through November 20, 2015 for the Steam Cracking Furnace, EPN DDB-101B, resulting in 4.27 lbs of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

21. Failed to comply with the MAERs. Specifically, the Respondent exceeded the NO<sub>x</sub> MAER of 14.85 lbs/hr by a range from 0.23 lb/hr to 7.97 lbs/hr for a total of four hours on three days from February 24, 2016 to September 20, 2016 and exceeded the CO MAER of 21.78 lbs/hr by a range from 7.89 lbs/hr to 67.52 lbs/hr for a total of three hours on July 26, 2016 and July 28, 2016 for Furnace No. 105, EPN DDB-105, resulting in the unauthorized release of 9.34 lbs of NO<sub>x</sub> emissions and 88.02 lbs of CO emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 97769, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

22. Failed to comply with the concentration limit. Specifically, the Respondent exceeded the ammonia ("NH<sub>3</sub>") concentration limit of 10 parts per million by volume dry ("ppmvd") at 3.0 percent oxygen ("% O<sub>2</sub>") based on a 24-hour averaging period by a range from 0.02 ppmvd to 7.94 ppmvd for a total of 503 hours on 38 days from November 7, 2015 to September 9, 2016 for the Steam Cracking Furnace, EPN DB-109 [30 TEX. ADMIN. CODE §§ 117.310(c)(2)(B) and 122.143(4), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

23. Failed to provide records upon request and maintain records containing sufficient information to demonstrate compliance with all applicable Permits by Rules ("PBRs"). Specifically, the Respondent was requested to provide the records containing sufficient information to demonstrate compliance for each PBR and standard exemption listed in the NSR Authorization Table of FOP No. O2327 by February 23, 2017, but 40% of the requested records were not provided [30 TEX. ADMIN. CODE §§ 106.8(c)(2) and (4) and 122.143(4), FOP No. O2327, GTC and STC No. 22, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

24. Failed to report all instances of deviations. Specifically, the deviation reports for the October 1, 2015 through March 31, 2016 and April 1, 2016 through September 30, 2016 reporting periods did not include the deviations for failing to obtain a revision for FOP No. O2327 prior to operating emission units at the site; failing to submit an application for a revision to FOP No. O2327 for those activities at a site which change,

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add, or remove one or more permit terms or conditions; and failing to submit the 40 CFR Part 63 Subpart ZZZZ compliance reports [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O2327, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

25. Failed to maintain records to support planned MSS activities. Specifically, the Respondent did not record the number of vacuum truck transfers and the volume of material transferred during five liquid transfers that occurred from April 1, 2017 to September 30, 2017 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC Nos. 65.A. and 65.C., FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

26. Failed to comply with the MAERs. Specifically, the Respondent exceeded the NO<sub>x</sub> MAER of 45.01 lbs/hr by a range from 0.23 lb/hr to 4.59 lbs/hr for a total of 12 hours and exceeded the CO MAER of 231.90 lbs/hr by a range from 5.24 lbs/hr to 20.82 lbs/hr for a total of 11 hours on November 21, 2016 and November 22, 2016 for the No. 1 Olefins Flare, EPN DM-1101, resulting in the unauthorized release of 34.04 lbs of NO<sub>x</sub> emissions and 144.22 lbs of CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

27. Failed to comply with the MAERs. Specifically, the Respondent exceeded the NO<sub>x</sub> MAER of 14.85 lbs/hr by a range from 0.01 lb/hr to 38.20 lbs/hr for a total of 11 hours on three days from December 29, 2016 to February 5, 2017, exceeded the CO MAER of 21.78 lbs/hr by 17.93 lbs/hr and 55.51 lbs/hr for a total of two hours on April 3, 2017, exceeded the NH<sub>3</sub> MAER of 4.77 lbs/hr by 0.64 lb/hr on January 21, 2017 and 2.25 lbs/hr on April 3, 2017, and exceeded the NO<sub>x</sub> annual MAER of 21.68 tons per year ("tpy") based on a 12-month rolling period for the 12-month periods ending from October 2016 through June 2017 for Furnace No. 105, EPN DDB-105, resulting in the unauthorized release of 0.90 ton of NO<sub>x</sub> emissions, 73.44 lbs of CO emissions, and 2.89 lbs of NH<sub>3</sub> emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 97769, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

28. Failed to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by a range from 0.59 lb/hr to 12.86 lbs/hr for a total of four hours on four days from October 18, 2016 to August 9, 2017 and exceeded the NH<sub>3</sub> MAER of 4.36 lbs/hr by 5.47 lbs/hr for one hour on August 25, 2017 for the Steam Cracking Furnace, EPN DB-105, resulting in the unauthorized release of 22.88 lbs of CO emissions and 5.47 lbs of NH<sub>3</sub> emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

29. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 0.14 lb/hr to 55.97 lbs/hr for a total of 22 hours on eight days from October 21, 2016 to July 27, 2017 for the Steam Cracking Furnace, EPN DDB-102B, resulting in 172.79 lbs of unauthorized CO emissions [30 TEX. ADMIN.

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CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

30. Failed to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by a range from 1.33 lbs/hr to 55.55 lbs/hr for a total of eight hours on eight days from November 24, 2016 to September 20, 2017 and exceeded the NH3 MAER of 4.36 lbs/hr by 3.54 lbs/hr and 7.17 lbs/hr for a total of two hours on August 25, 2017 for the Steam Cracking Furnace, EPN DB-106, resulting in unauthorized release of 163.88 lbs of CO emissions and 10.71 lbs of NH3 emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

31. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 0.21 lb/hr to 12.55 lbs/hr for a total of seven hours on four days from November 28, 2016 to September 26, 2017 for the Steam Cracking Furnace, EPN DDB-102D, resulting in 40.26 lbs of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

32. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by a range from 0.14 lb/hr to 20.28 lbs/hr for a total of 10 hours on nine days from November 30, 2016 to August 17, 2017 for the Steam Cracking Furnace, EPN DB-108, resulting in 60.78 lbs of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

33. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 14.40 lbs/hr by a range from 0.08 lb/hr to 27.36 lbs/hr for a total of 106 hours on 13 days from November 6, 2016 to January 27, 2017 for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B, resulting in 460.29 lbs of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 101, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

34. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 0.73 lb/hr to 7.70 lbs/hr for a total of six hours on three days from February 23, 2017 to August 23, 2017 for the Steam Cracking Furnace, EPN DDB-102A, resulting in 26.96 lbs of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].



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35. Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 2.02 lbs/hr to 32.69 lbs/hr for a total of six hours on four days from March 19, 2017 to August 18, 2017 for the Steam Cracking Furnace, EPN DDB-102C, resulting in 81.21 lbs of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

36. Failed to report all instances of deviations. Specifically, the deviation report for the April 1, 2016 through September 30, 2016 reporting period did not include the deviation for conducting a cylinder gas audit ("CGA") earlier than two months after the previous CGA [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O2327, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

37. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, although Incident No. 270980 began on September 4, 2017 at 9:55 a.m., Incident No. 270980 was not discovered until October 24, 2017 at 9:55 a.m. so the initial notification for Incident No. 270980 was due by October 25, 2017 at 9:55 a.m., but was not submitted until October 25, 2017 at 2:47 p.m. [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2327, GTC and STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

38. Failed to prevent unauthorized emissions. Specifically, the Respondent released 8,617.16 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 270980) that began on September 4, 2017 and lasted 1,201 hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

39. Failed to prevent unauthorized emissions. Specifically, the Respondent released 32,724.77 lbs of CO, 6,422.18 lbs of NOx, and 36,234.14 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 275491) that occurred on January 2, 2018 and lasted 18 hours and 15 minutes [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

40. Failed to maintain the net heating value of the gas being combusted at 300 British thermal units per standard cubic foot ("Btu/scf") or greater if the flare is steam-assisted or air-assisted. Specifically, the net heating value of the gas being combusted by the No. 1 Olefins Flare was less than 300 Btu/scf when the net heating value ranged from 0.00 Btu/scf to 299.47 Btu/scf for 668 hours on 178 days from August 1, 2018 to September 24, 2019 [30 TEX. ADMIN. CODE §§ 101.20(1), (2), and (3), 113.100, 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(3)(ii) and 63.11(b)(6)(ii), NSR Permit Nos. 95 and PSDTX854M2 (effective December 21, 2015, SC No. 12.A., NSR Permit Nos. 95 and

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PSDTX854M2 (effective August 8, 2018), SC No. 7.A., FOP No. O2327, GTC and STC Nos. 1.A. and 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

41. Failed to operate a flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours. Specifically, the Respondent documented that visible emissions were observed for a total of 63 hours and 34 minutes on 12 days from June 2, 2018 to September 19, 2019 for the No. 2 Olefins Flare [30 TEX. ADMIN. CODE §§ 101.20(1), (2), and (3), 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(1) and 63.11(b)(4), NSR Permit Nos. 95 and PSDTX854M2 (effective December 21, 2015), SC No. 12.C., NSR Permit Nos. 95 and PSDTX854M2 (effective August 8, 2018), SC No. 7.C., FOP No. O2327, GTC and STC Nos. 1.A., 3.A.(i), and 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

42. Failed to operate a flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours. Specifically, the Respondent documented that visible emissions were observed for a total of six hours and 18 minutes on four days from September 29, 2018 to September 19, 2019 for the No. 1 Olefins Flare [30 TEX. ADMIN. CODE §§ 101.20(1), (2) and (3), 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(1) and 63.11(b)(4), NSR Permit Nos. 95 and PSDTX854M2 (effective December 21, 2015), SC No. 12.C., NSR Permit Nos. 95 and PSDTX854M2 (effective August 8, 2018), SC No. 7.C., FOP No. O2327, GTC and STC Nos. 1.A., 3.A.(i), and 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

43. Failed to continuously monitor and record a process parameter for the treatment process or wastewater treatment system unit. Specifically, the benzene analyzers did not continuously monitor the Aromatic Waste Minimization Project stripper bottoms in the Benzene Treatment Process 2 Unit for a total of 95 hours and 37 minutes on seven days from October 11, 2017 to November 30, 2017 [30 TEX. ADMIN. CODE §§ 101.20(2) and 122.143(4), 40 CFR § 61.354(a)(2), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

44. Failed to comply with the emissions limit. Specifically, the Respondent exceeded the NO<sub>x</sub> emissions limit of 0.2 lb/MMBtu by a range from 0.01 lb/MMBtu to 0.07 lb/MMBtu for a total of 220 hours on 13 days from October 5, 2018 to March 25, 2019 for the No. 1 Olefins Unit Steam Boiler, EPN DB-901A [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.A.(1), FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

45. Failed to create a final record for a non-reportable emissions event no later than two weeks after the end of an emissions event. Specifically, the final record for the non-reportable emissions event that occurred from December 10, 2017 to March 8, 2018 was not created by March 22, 2018, the final record for the non-reportable emissions event that occurred from April 16, 2018 to April 20, 2018 was not created by May 4, 2018, and the final record for the non-reportable emissions event that occurred from November 14, 2018 to November 28, 2018 was not created by December

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12, 2018 [30 TEX. ADMIN. CODE §§ 101.201(b) and 122.143(4), FOP No. 02327, GTC and STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

46. Failed to report all instances of deviations. Specifically, the deviation report for the October 1, 2017 through March 31, 2018 reporting period did not include the deviation for failing to create the final record for a non-reportable emissions event no later than two weeks after the end of the emissions event [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. 02327, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

47. Failed to report all instances of deviations. Specifically, the deviation report for the April 1, 2018 through September 30, 2018 reporting period did not include the deviation for failing to create the final record for a non-reportable emissions event no later than two weeks after the end of an emissions event [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. 02327, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

48. Failed to report all instances of deviations. Specifically, the deviation report for the October 1, 2018 through March 31, 2019 reporting period did not include the deviation for failing to create the final record for a non-reportable emissions event no later than two weeks after the end of the emissions event [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. 02327, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

49. Failed to prevent unauthorized emissions. Specifically, the Respondent released 7,575.10 lbs of CO, 1,486.37 lbs of NOx, and 6,622.43 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 334381) that occurred on April 22, 2020 and lasted seven hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

50. Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,070.60 lbs of CO, 406.19 lbs of NOx, and 2,916.80 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, and released 880.50 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 341971) that occurred on September 9, 2020 and lasted five hours and 20 minutes [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

51. Failed to submit a copy of the testing and sampling reports within 60 days after the completion of the testing and sampling. Specifically, the copy of the performance test for Turbine 1 was required to be submitted by April 14, 2020, but was not submitted until April 28, 2020; the copy of the performance test for Turbine 2 was required to be submitted by April 16, 2020, but was not submitted until April 28, 2020; the copy of the performance test for Boiler 2 was required to be submitted by April 20, 2020, but was not submitted until April 28, 2020; and the copy of the performance test for the Dew Point Heater was required to be submitted by April 27, 2020, but was not submitted until April 28, 2020 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c),

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117.345(c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 20.H., FOP No. O3966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

52. Failed to comply with the MAER. Specifically, during a stack test completed on February 14, 2020, the Respondent exceeded the sulfur dioxide ("SO<sub>2</sub>") MAER of 0.07 lb/hr by 0.052 lb/hr for Turbine 1, EPN Turbine 1, resulting in approximately 686.40 lbs of unauthorized SO<sub>2</sub> emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

53. Failed to comply with the MAER. Specifically, during a stack test completed on February 16, 2020, the Respondent exceeded the SO<sub>2</sub> MAER of 0.07 lb/hr by 0.038 lb/hr for Turbine 2, EPN Turbine 2, resulting in approximately 499.78 lbs of unauthorized SO<sub>2</sub> emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

54. Failed to comply with the MAER. Specifically, during a stack test completed on February 20, 2020, the Respondent exceeded the SO<sub>2</sub> MAER of 0.05 lb/hr by 0.003 lb/hr for Boiler 2, EPN BLR2, resulting in approximately 39.17 lbs of unauthorized SO<sub>2</sub> emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

55. Failed to comply with the MAER. Specifically, during a stack test completed on February 29, 2020, the Respondent exceeded the particulate matter ("PM") MAER of 1.95 lbs/hr by 0.46 lb/hr for Boiler 1, EPN BLR1, resulting in approximately 839.04 lbs of unauthorized PM emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

56. Failed to comply with the MAER. Specifically, during a stack test completed on February 20, 2020, the Respondent exceeded the PM MAER of 1.95 lbs/hr by 8.26 lbs/hr for Boiler 2, EPN BLR2, resulting in approximately 17,643.36 lbs of unauthorized PM emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

57. Failed to comply with the concentration limit. Specifically, during a stack test completed on February 29, 2020, the Respondent exceeded the NH<sub>3</sub> concentration limit of 10 ppmvd corrected to 3.0% O<sub>2</sub> by 2.25 ppmvd for Boiler 3, EPN BLR3 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.310(c)(2), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 7, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

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58. Failed to maintain and operate a totalizing fuel flow meter to individually and continuously measure the gas and liquid fuel usage. Specifically, during the stack test conducted from February 26, 2020 to February 27, 2020, the fuel flow meter for the Dew Point Heater was not operational [30 TEX. ADMIN. CODE §§ 117.340(a) and 122.143(4), FOP No. 03966, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

59. Failed to comply with the MAER. Specifically, during a stack test completed on February 20, 2020, the Respondent exceeded the SO<sub>2</sub> MAER of 0.05 lb/hr by 0.0027 lb/hr for Boiler 3, EPN BLR3, resulting in approximately 34.67 lbs of unauthorized SO<sub>2</sub> emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. 03966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

60. Failed to prevent unauthorized emissions. Specifically, the Respondent released 110.37 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 342492) that occurred on September 18, 2020 and lasted eight hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

61. Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify all of the compounds released from the EPNs involved during the shutdown of the Butadiene Unit on the final record for Incident No. 342492 [30 TEX. ADMIN. CODE §§ 101.201(b)(1)(G) and 122.143(4), FOP No. 02327, GTC and STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

62. Failed to prevent unauthorized emissions. Specifically, the Respondent released 77,184.97 lbs of CO, 15,145.54 lbs of NO<sub>x</sub>, and 78,003.59 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 344750) that began on October 24, 2020 and lasted 59 hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

63. Failed to comply with the MAERs. Specifically, the Respondent exceeded the ethylene MAER of 78.75 tpy based on a 12-month rolling period, exceeded the CO MAER of 156.36 tpy based on a 12-month rolling period, and exceeded the NO<sub>x</sub> MAER of 30.68 tpy based on a 12-month rolling period for the 12-month period ending on September 2020 for the Olefins 2 Flare Routine Startup, Shutdown and Maintenance Emissions, EPN DDM-3101MSS, resulting in 11.21 tons of unauthorized ethylene emissions, 27.42 tons of unauthorized CO emissions, and 5.38 tons of unauthorized NO<sub>x</sub> emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

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64. Failed to maintain the net heating value of the gas being combusted at 300 Btu/scf or greater if the flare is steam-assisted or air-assisted. Specifically, the net heating value of the gas being combusted by the No. 1 Olefins Facilities Flare was less than 300 Btu/scf when the net heating value ranged from 0.00 Btu/scf to 299.77 Btu/scf for a total of 3,357 hours on 301 days from October 1, 2019 to September 30, 2020 [30 TEX. ADMIN. CODE §§ 101.20(1), (2), and (3), 113.100, 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(3)(ii) and 63.11(b)(6)(ii), NSR Permit Nos. 95 and PSDTX854M2, SC No. 7.A., FOP No. O2327, GTC and STC Nos. 1.A and 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

65. Failed to comply with the operating parameter limit. Specifically, the Respondent did not maintain the established operating parameter limit of at least 2.6% O<sub>2</sub> level when the oxygen level ranged from 0.00% to 2.598% for a total of 677 hours on 49 days from October 1, 2019 to January 12, 2020 for the No. 1 Olefins Boiler [30 TEX. ADMIN. CODE §§ 115.725(a)(2)(D) and 122.143(4), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

66. Failed to comply with the concentration limit. Specifically, the Respondent exceeded the NH<sub>3</sub> concentration limit of 10 ppmvd corrected to 3.0% O<sub>2</sub> based on a rolling 24-hour averaging period by a range from 0.75 ppmvd to 144.99 ppmvd for a total of 14 hours on October 16, 2019 and April 11, 2020 for Furnace No. 105 [30 TEX. ADMIN. CODE §§ 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit No. 97769, SC No. 5.F., FOP No. O2327, GTC and STC Nos. 1.A. and 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

67. Failed to comply with the concentration limit. Specifically, the Respondent exceeded the NH<sub>3</sub> slip concentration limit of 20 ppmvd corrected to 3% O<sub>2</sub> on an hourly basis by a range from 3.18 ppmvd to 1,206.66 ppmvd for a total of 15 hours on five days from October 15, 2019 to August 22, 2020 for Furnace No. 105 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 97769, SC No. 5.F., FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

68. Failed to comply with the firing rate limit. Specifically, the Respondent exceeded the firing rate limit of 388 million British thermal units per hour ("MMBtu/hr") by a range from 0.06 MMBtu/hr to 28.35 MMBtu/hr for a total of 227 hours on 13 days from October 1, 2019 to April 19, 2020 for the No. 2 Olefins Unit Steam Boiler [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.B.(3), FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

69. Failed to comply with the concentration limit. Specifically, the Respondent exceeded the NH<sub>3</sub> concentration limit of 10 ppmvd corrected at 3.0% O<sub>2</sub> by a range from 5.23 ppmvd to 262.37 ppmvd for a total of seven hours on August 27, 2020 and August 29, 2020 for the Steam Cracking Furnace [30 TEX. ADMIN. CODE §§ 117.310(c)(2) and 122.143(4), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

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70. Failed to comply with the MAER. Specifically, the Respondent exceeded the VOC MAER of 87.50 tpy based on a 12-month rolling period for the 12-month periods ending from August 2020 through September 2020 for the Olefins 1 and 2 Flare, EPN FLAREMSSCAP, resulting in 50.94 tons of unauthorized VOC emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

71. Failed to submit an application for a revision to an FOP at a site to change, add, or remove one or more permit terms and conditions. Specifically, the Respondent did not submit an application to revise FOP No. O2327 to incorporate the applicable regulatory requirements for Stationary Reciprocating Internal Combustion Engines UTILCMP3, UTILCMP4, UTILCMP6, OLE2COMP2, and DCPCOMP2 [30 TEX. ADMIN. CODE § 122.210(a) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

72. Failed to comply with the concentration limits. Specifically, the Respondent exceeded the CO concentration limit of 4.0 ppmvd corrected to 15% O<sub>2</sub> by a range from 0.001 ppmvd to 72.25 ppmvd for a total of 1,178 hours on 99 days from January 15, 2020 to September 30, 2020, exceeded the NO<sub>x</sub> concentration limit of 2.0 ppmvd at 15% O<sub>2</sub> by a range from 0.0003 ppmvd to 556.78 ppmvd for a total of 412 hours on 40 days from January 15, 2020 to July 8, 2020, exceeded the NH<sub>3</sub> concentration limit of 7.0 ppmvd at 15% O<sub>2</sub> by a range from 0.001 ppmvd to 3.18 ppmvd for a total of 23 hours on seven days from January 29, 2020 to August 18, 2020, and exceeded the NH<sub>3</sub> concentration limit of 10.0 ppmvd at 15% O<sub>2</sub> by 0.18 ppmvd for one hour on January 9, 2020 for Turbine 1 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.310(c)(2)(A), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 5, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

73. Failed to comply with the concentration limits. Specifically, the Respondent exceeded the CO concentration limit of 4.0 ppmvd at 15% O<sub>2</sub> by a range from 0.001 ppmvd to 37.44 ppmvd for a total of 2,760 hours on 153 days from January 15, 2020 to September 30, 2020, exceeded the NO<sub>x</sub> concentration limit of 2.0 ppmvd at 15% O<sub>2</sub> by a range from 0.0001 ppmvd to 83.68 ppmvd for a total of 144 hours on 26 days from January 14, 2020 to August 27, 2020, exceeded the NH<sub>3</sub> concentration limit of 7.0 ppmvd at 15% O<sub>2</sub> by a range from 0.56 ppmvd to 14.23 ppmvd for a total of 25 hours on seven days from March 21, 2020 to June 27, 2020, and exceeded the NH<sub>3</sub> concentration limit of 10.0 ppmvd at 15% O<sub>2</sub> by a range from 2.66 ppmvd to 11.23 ppmvd for a total of 19 hours on five days from March 27, 2020 to June 27, 2020 for Turbine 2 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.310(c)(2)(A), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 5, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

74. Failed to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 6.60 lbs/hr by a range from 0.03 lb/hr to 36.75 lbs/hr for a total of 220 hours on 35 days from February 1, 2020 to September 30, 2020 and exceeded the NO<sub>x</sub> MAER

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of 5.42 lbs/hr by a range from 0.09 lb/hr to 29.42 lbs/hr for a total of 85 hours on 23 days from from January 29, 2020 to September 3, 2020 for Turbine 1, EPN Turbine 1, resulting in the unauthorized release of 850.73 lbs of CO emissions and 600.11 lbs of NOx emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. 03966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

75. Failed to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 6.60 lbs/hr by a range from 2.60 lbs/hr to 205.17 lbs/hr for a total of 1,558 hours on 93 days from January 30, 2020 to September 30, 2020, exceeded the NOx MAER of 5.42 lbs/hr by a range from 0.06 lb/hr to 111.53 lbs/hr for a total of 58 hours on 11 days from January 30, 2020 to July 7, 2020, exceeded the NH3 MAER of 7.01 lbs/hr by a range from 0.76 lb/hr to 14.09 lbs/hr for a total of three hours on three days from April 18, 2020 to May 25, 2020, and exceeded the VOC MAER of 0.68 lb/hr by a range from 0.0001 lb/hr to 0.05 lb/hr for a total of 50 hours from February 15, 2020 to March 29, 2020 for Turbine 2, EPN Turbine 2, resulting in the unauthorized release of 9,819.14 lbs of CO emissions, 1,695.43 lbs of NOx emissions, 16.47 lbs of NH3 emissions, and 1.50 lbs of VOC emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. 03966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

76. Failed to comply with the emissions and concentration limits. Specifically, the Respondent exceeded the CO concentration limit of 50 ppmvd at 3% O2 by a range from 1.99 ppmvd to 139.43 ppmvd for a total of 15 hours on four days from February 24, 2020 to March 29, 2020, exceeded the NOx emissions limit of 0.01 lb/MMBtu by a range from 0.005 lb/MMBtu to 0.08 lb/MMBtu for a total of 171 hours on 19 days from February 20, 2020 to September 11, 2020, and exceeded the NH3 concentration limit of 10.0 ppmvd at 3% O2 based on a rolling 24-hour averaging period by a range from 0.05 ppmvd to 64.57 ppmvd for a total of 558 hours on 29 days from February 23, 2020 to September 16, 2020 for Boiler 1 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 7, FOP No. 03966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

77. Failed to comply with the emissions and concentration limits. Specifically, the Respondent exceeded the NOx emissions limit of 0.01 lb/MMBtu by a range from 0.01 lb/MMBtu to 0.09 lb/MMBtu for a total of 391 hours on 34 days from February 4, 2020 to September 22, 2020 and exceeded the NH3 concentration limit of 10.0 ppmvd at 3% O2 based on a rolling 24-hour averaging period by a range from 0.05 ppmvd to 0.42 ppmvd for a total on 21 hours on July 3, 2020 and July 4, 2020 for Boiler 2 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 4, FOP No. 03966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].



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78. Failed to comply with the emissions and concentration limits. Specifically, the Respondent exceeded the CO concentration limit of 50 ppmvd at 3% O<sub>2</sub> by a range from 0.23 ppmvd to 299.04 ppmvd for a total of 115 hours on 13 days from January 6, 2020 to April 19, 2020, exceeded the NO<sub>x</sub> emissions limit of 0.01 lb/MMBtu by a range from 0.005 lb/MMBtu to 0.19 lb/MMBtu for a total of 616 hours on 36 days from January 6, 2020 to September 16, 2020, and exceeded the NH<sub>3</sub> concentration limit of 10.0 ppmvd at 3% O<sub>2</sub> based on a rolling 24-hour averaging period by a range from 0.05 ppmvd to 28.67 ppmvd for a total of 741 hours on 48 days from January 20, 2020 to September 30, 2020 for Boiler 3 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 7, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

79. Failed to comply with MAERs. Specifically, the Respondent exceeded the CO MAER of 15.22 lbs/hr by a range from 1.49 lb/hr to 15.39 lbs/hr for a total of five hours on February 24, 2020 and March 3, 2020, exceeded the NO<sub>x</sub> MAER of 4.17 lbs/hr by a range from 0.01 lb/hr to 10.00 lbs/hr for a total of 87 hours on 16 days from February 25, 2020 to September 11, 2020, exceeded the NH<sub>3</sub> MAER of 1.85 lbs/hr by a range from 0.01 lb/hr to 29.00 lbs/hr for a total of 206 hours on 16 days from February 23, 2020 to April 19, 2020, and exceeded the SO<sub>2</sub> MAER of 0.05 lb/hr by a range from 0.00001 lb/hr to 0.01 lb/hr for a total of six hours on February 23, 2020 and February 24, 2020 for Boiler 1, EPN BLR1, resulting in the unauthorized release of 34.01 lbs of CO emissions, 407.69 lbs of NO<sub>x</sub> emissions, 533.00 lbs of NH<sub>3</sub>, and 0.06 lb of SO<sub>2</sub> emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

80. Failed to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 15.22 lbs/hr by a range from 0.11 lb/hr to 2.88 lbs/hr for a total of 12 hours on April 16, 2020 and April 19, 2020, exceeded the NO<sub>x</sub> MAER of 4.17 lbs/hr by a range from 0.01 lb/hr to 11.11 lbs/hr for a total of 226 hours on 32 days from January 6, 2020 to September 16, 2020, and exceeded the PM MAER of 1.95 lbs/hr by a range from 0.01 lb/hr to 0.47 lb/hr for a total of 19 hours from January 22, 2020 to March 24, 2020 for Boiler 3, EPN BLR3, resulting in the unauthorized release of 11.15 lbs of CO emissions, 340.17 lbs of NO<sub>x</sub> emissions, and 4.37 lbs of PM emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

81. Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,805.61 lbs of CO and 1,348.23 lbs of NO<sub>x</sub> from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 352585) that began on March 12, 2021 and lasted 27 hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

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82. Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,996.98 lbs of CO, 391.84 lbs of NOx, and 2,823.11 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 285534) that occurred on June 2, 2018 and lasted two hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

83. Failed to prevent unauthorized emissions. Specifically, the Respondent released 66,227.61 lbs of CO, 13,065.88 lbs of NOx, and 39,464.64 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 354056) that began on April 12, 2021 and lasted 155 hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

84. Failed to prevent unauthorized emissions. Specifically, the Respondent released 479.27 lbs of CO, 94.02 lbs of NOx, and 547.15 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 291225) that occurred on August 28, 2018 and lasted one hour [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

85. Failed to prevent unauthorized emissions. Specifically, the Respondent released 563.86 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 293328) that began on September 29, 2018 and lasted 13 hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

86. Failed to prevent unauthorized emissions. Specifically, the Respondent released 353.30 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 297512) that occurred on November 19, 2018 and lasted nine hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

87. Failed to prevent unauthorized emissions. Specifically, the Respondent released 198.90 lbs of ethylene as fugitive emissions, during an emissions event (Incident No. 340661) that began on August 13, 2020 and lasted two hours and 33 minutes [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

88. Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,425.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 340681) that occurred on August 15, 2020 and lasted 30 minutes [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

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89. Failed to prevent unauthorized emissions. Specifically, the Respondent released 8,413.27 lbs of CO, 1,657.64 of NOx, and 4,115.85 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 332637) that began on March 23, 2020 and lasted 14 hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

90. Failed to prevent unauthorized emissions. Specifically, the Respondent released 11,713.24 lbs of CO, 2,302.91 lbs of NOx, and 12,270.70 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 333191) that occurred on April 1, 2020 and lasted nine hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

91. Failed to prevent unauthorized emissions. Specifically, the Respondent released 825.00 lbs of ethylene as fugitive emissions, during an emissions event (Incident No. 324083) that occurred on November 4, 2019 and lasted 12 minutes [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

92. Failed to prevent unauthorized emissions. Specifically, the Respondent released 602.11 lbs of CO, 118.10 lbs of NOx, and 945.82 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 339521) that occurred on July 24, 2020 and lasted 50 minutes [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

93. Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,009.92 lbs of CO, 786.81 lbs of NOx, and 3,749.71 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 296381) that began on November 4, 2018 and lasted four hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

94. Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,753.07 lbs of CO, 540.13 lbs of NOx, and 3,304.23 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, and released 1,055.68 lbs of CO, 207.08 lbs of NOx, and 1,152.79 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 291947) that occurred on September 11, 2018 and lasted six hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

95. Failed to prevent unauthorized emissions. Specifically, the Respondent released 250.05 lbs of CO, 641.20 lbs of NOx, 23.22 lbs of VOC, 22.09 lbs of NH3, 89.30 lbs of

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PM, and 0.89 lb of SO<sub>2</sub> from Turbine 1, EPN Turbine 1, during an emissions event (Incident No. 333379) that began on April 4, 2020 and lasted 32 hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

96. Failed to prevent unauthorized emissions. Specifically, the Respondent released 31.00 lbs of VOC as fugitive emissions and released 8,433.31 lbs of CO, 1,667.25 lbs of NO<sub>x</sub>, and 5,804.05 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 364479) that began on August 9, 2021 and lasted 26 hours and 10 minutes [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent implemented the following corrective measures:

- a. On October 21, 2014, adjusted the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102C;
- b. On January 14, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DB-107;
- c. On January 17, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DB-106;
- d. On February 9, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102A;
- e. On March 18, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the NO<sub>x</sub> and CO hourly MAERs for the Steam Cracking Furnace, EPN DDB-102B;
- f. On April 9, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the VOC and CO hourly MAERs for the Steam Cracking Furnace, EPN DB-105;
- g. On May 4, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the benzene and VOC hourly MAERs for the Olefins 1 API Separator, EPN FAM1704;
- h. On June 2, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the CO emissions limit for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B;
- i. On August 20, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B;

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j. On November 20, 2015, implemented measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-101B;

k. On April 1, 2016, adjusted the process conditions in order to comply with the benzene outlet concentration limit for the Second Stage Hydrotreater Unit Treatment Process PRO-SSMON and Olefins 2 Aromatic Waste Minimization Project Treatment Process PRO-AWMP2;

l. On September 9, 2016, implemented measures in order to comply with the NH3 concentration limit for the Steam Cracking Furnace, EPN DB-109;

m. On September 20, 2016, implemented measures in order to comply with the NOx and CO hourly MAERs for Furnace No. 105, EPN DDB-105;

n. By September 30, 2016, upgraded the data acquisition and data storage system for the MSS monitoring program and began maintaining the records for the calibration of the LEL detectors;

o. By September 30, 2016, began maintaining the records for the functionality test for the LEL detectors;

p. By September 30, 2016, began maintaining the records containing the information and data sufficient for the LEL readings during MSS activities in order to demonstrate compliance with NSR Permit Nos. 95 and PSDTX854M2;

q. By November 29, 2016, maximized the hydrogen to fuel gas ratio in order to comply with the NOx and CO hourly MAERs for the No. 1 Olefins Flare, EPN DM-1101;

r. On January 27, 2017, implemented measures in order to comply with the CO hourly MAER for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B;

s. By April 15, 2017, began recording the operating time for Stationary Engines DDM-904N, DM-177, PP3 MN1601, PP4 TN1601, DM-904N, AN-101, AN-111, and AN-402;

t. On April 26, 2017, submitted a revised deviation report for the April 1, 2016 through September 30, 2016 reporting period to report the deviation for failing to conduct a CGA earlier than two months after the previous CGA;

u. On July 27, 2017, implemented measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102B;

v. By July 31, 2017, restored the steam in the furnace, restarted the NH3 system heater, resumed NH3 injection, and made adjustments to the furnace to limit the firing rate and NOx emissions in order to comply with the NOx, CO, and NH3 hourly MAERs and NOx annual MAER for Furnace No. 105, EPN DDB-105;

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- w. On August 17, 2017, implemented measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DB-108;
- x. On August 18, 2017, implemented measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102C;
- y. On August 23, 2017, implemented measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102A;
- z. On August 25, 2017, implemented measures in order to comply with the CO and NH3 hourly MAERs for the Steam Cracking Furnace, EPN DB-105;
- aa. On September 20, 2017, implemented measures in order to comply with the CO and NH3 hourly MAERs for the Steam Cracking Furnace, EPN DB-106;
- bb. On September 26, 2017, implemented measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102D;
- cc. By September 30, 2017, began maintaining the records for the number of vacuum truck transfers and the volume of material transferred during the liquid transfers supporting planned MSS activities;
- dd. On October 25, 2017, submitted the initial notification for Incident No. 270980;
- ee. On October 27, 2017, obtained a revision for FOP No. O2327 that included 40 CFR Part 60 Subpart VV as the applicable requirements for the No. 1 Olefins Unit Fugitives and No. 2 Olefins Unit Fugitives; as applicable requirements for Steam Cracking Furnaces DB-105 through DB-109; for the Gasoline Tank; added Emergency Generator DM-177 that was constructed on or about April 1, 2006; and added Engines OLE2COMP2, UTILCOMP4, UTILCOMP5, and UTILCOMP6 that were replaced in April 2013;
- ff. On November 30, 2017, re-established communication in the distributive control system historian so that the system can collect, communicate, and record process data in order to continuously monitor and record the Aromatic Waste Minimization Project stripper bottoms in the Benzene Treatment Process 2 Unit;
- gg. By January 15, 2018, updated the procedure for the Boiler Startup by adding steps to ensure that the valves are closed after a startup activity has been completed in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 270980;
- hh. By February 1, 2019, added logic to the Triconex to prevent the furnace from going to offline decoke if the feed Hand Indicating Control valve is still open, created a gun drill procedure to detail a response to the incident and describe a method to retest the

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furnace logic to take the furnace to safe state, and updated the Digital Control System ("DCS") display for clarity in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 285534;

ii. By April 3, 2019, updated the DDB-105 Start-Up Procedure for clarity on lighting the burners while introducing feed to the furnace and developed training for Operations to allow the board operators to practice feeding the Selective Cracking Optimum Recovery ("SCORE") furnace in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 296381;

jj. On September 19, 2019, stabilized the flare to reduce flaring, restored the steam pressure to increase the steam to the flare, restarted the boilers, and repaired the electrical system in order to operate the No. 2 Olefins Flare with no visible emissions;

kk. On September 19, 2019, stabilized the flare to reduce flaring, restored the steam pressure to increase the steam to the flare, restarted the boilers, and repaired the electrical system in order to operate the No. 1 Olefins Flare with no visible emissions;

ll. By December 20, 2019, added the diethylhydroxylamine ("DEHA") lab specifications to help ensure adequate residual, added a low velocity operating envelope point to track and prevent low flow, and added DEHA alarms to both units to various towers to help ensure adequate residual in order to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 293328 and 297512;

mm. On January 12, 2020, raised the oxygen level for the No. 1 Olefins Boiler in order to comply with the operating parameter limit of at least 2.6 % O<sub>2</sub>;

nn. By February 10, 2020, revised the Maintenance Preventative Maintenance Procedure to include detailed steps on disassembly and reassembly, including verification of complete lifting nut disengagement from the filter head, cleanliness requirements, and maintenance witnessing nitrogen pressure test of re-assembled filter in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 324083;

oo. On February 27, 2020, replaced the battery for the totalizing fuel flow meter in order to continuously measure the gas and liquid fuel usage for the Dew Point Heater;

pp. On April 11, 2020, implemented measures in order to comply with the NH<sub>3</sub> concentration limit for Furnace No. 105;

qq. On April 19, 2020, implemented measures in order to comply with the firing rate limit for the No. 2 Olefins Unit Steam Boiler;

rr. By April 21, 2020, implemented time delay undervoltage protection at each applicable variable frequency drive in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 332637;

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ss. On April 28, 2020, submitted a copy of the performance test reports for Turbine 1, Turbine 2, Boiler 2, and the Dew Point Heater;

tt. On May 15, 2020, conducted a stack test demonstrating compliance with the PM hourly MAER for Boiler 1, EPN BLR1;

uu. On May 19, 2020, conducted a stack test demonstrating compliance with the PM hourly MAER for Boiler 2, EPN BLR2;

vv. On May 20, 2020, conducted a stack test demonstrating compliance with the NH<sub>3</sub> concentration limit for Boiler 3, EPN BLR3;

ww. On May 21, 2020, conducted a stack test demonstrating compliance with the VOC hourly MAER for Turbine 2, EPN Turbine 2;

xx. On August 22, 2020, implemented measures in order to comply with the NH<sub>3</sub> slip concentration limit for Furnace No. 105;

yy. On August 29, 2020, implemented measures in order to comply with the NH<sub>3</sub> concentration limit for the Steam Cracking Furnace;

zz. On September 30, 2020, added natural gas to the No. 1 Olefins Facilities Flare in order to maintain the net heating value of the gas being combusted at 300 Btu/scf or greater;

aaa. By September 30, 2020, implemented a reasonable inquiry process for the deviation report process by reviewing data on a more frequent basis and expanding the review process to include operators, engineers, and others in order to ensure that all instances of deviations are reported in a timely manner;

bbb. By October 1, 2020, removed the local stop switch from the current enclosure and installed a new switch rated for the area electrical classifications in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 275491;

ccc. By November 2, 2020, ceased operations of the Dew Point Heater;

ddd. By November 30, 2020, labeled valves in the field to help ensure proper line-ups are made in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 339521;

eee. On December 14, 2020, created and maintained the final records for the non-reportable emissions events that occurred from December 10, 2017 to March 8, 2018, from April 16, 2018 to April 20, 2018, and from November 14, 2018 to November 28, 2018;



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fff. On February 4, 2021, submitted revised deviation reports for the October 1, 2017 through March 31, 2018, April 1, 2018 through September 30, 2018, and October 1, 2018 through March 31, 2019 reporting periods to report the deviations for failing to create the final records for the non-reportable emissions events no later than two weeks after the end of each emissions event;

ggg. By February 28, 2021, implemented an improved maintenance management plan by having the Operations personnel review the emission points where the emissions originated from every month and demonstrated compliance with the VOC annual MAER for the Olefins 1 and 2 Flare, EPN FLAREMSSCAP;

hhh. By March 31, 2021, developed communication protocols and training for the operators on the proper radio etiquette in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 333191;

iii. By April 6, 2021, implemented a low output alarm at 10 percent to alert the operators if the valve fails inadvertently in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 341971;

jjj. By April 19, 2021, performed maintenance on the compressor in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 354056;

kkk. By May 31, 2021, implemented measures to comply with the ethylene, CO, and NOx annual MAERs for the Olefins 2 Flare Routine, Startup, Shutdown, and Maintenance Emissions, EPN DDM-3101MSS;

lll. By August 31, 2021, added inspection of the rack and servo linkage pins to the Maintenance Preventative Maintenance Procedure in order to prevent recurrence to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 344750;

mmm. By September 27, 2021, replaced the capacitor bank breaker, tested the electrical equipment insulation for deterioration, conducted switching only on an as needed basis, and calculated and verified that the capacitor charging time is less than 10 seconds in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 352585;

nnn. By December 20, 2021, installed a sampling system upstream of the selective catalytic reduction ("SCR") catalyst bed and developed a mapping procedure to provide operations with a guideline for preparation of the turbines for mapping in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 333379;

**Executive Summary – Enforcement Matter – Case No. 60882**

**INEOS USA LLC**

**RN100238708**

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ooo. By April 14, 2022, obtained PBR Registration No. 168626 that increased the natural gas flow to the No. 1 Olefins Flare in order to maintain the net heating value of the gas being combusted at 300 Btu/scf or greater;

ppp. By June 23, 2022, evaluated the Abnormal Situation Management ("ASM") Control Language ("CL") programs for all trip scenarios on similar Kinetics Technology International ("KTI") furnaces to confirm the proper actions if activated, updated the DCS control narratives, created a cause and effect matrix for KTI furnace trip scenarios, and created guidance for testing the CL programs to ensure proper function in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 291947;

qqq. By June 28, 2022, implemented a new DEHA injection in the feed to the unit, installed new vent tubing for continuous purge and removal of potential oxygen from the system, and added operator rounds to check the insulation bands for expansion in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 342492;

rrr. By July 2, 2022, conducted equipment preventative maintenance while equipment is down until the quadvoter upgrade project is complete and revised procedure H0302A08 to include steps related to re-introducing feed to T-305 and T-307 after acetylene run in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 364479;

sss. On September 26, 2022, permanently shut down the No. 1 Olefins Unit Steam Boiler, EPN DB-901A;

ttt. By September 27, 2022, installed sample points and began routine sampling for 2301 and 3301 Lube Oil and cleaned the lube oil reservoirs for Turbine 1 and Turbine 2 in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 334381;

uuu. By October 21, 2022, developed a document that provides guidelines to evaluate acoustic and flow induced vibration, updated the Project Design Basis Template to capture a review of the bypass scope control valves in critical applications, and updated the Relief System Design Guide to include considerations around piping design and acoustic-induced vibration in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 340681;

vvv. By May 26, 2023, verified the contractor's quality control manual addresses non-conformance issues and developed an inspection and testing plan to identify and document any issues that need to be addressed on the package prior to final sign-off in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 340661;

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**INEOS USA LLC**

**RN100238708**

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www. By July 14, 2023, established a review process to allow two levels of review for any reportable emissions event in order to ensure that all of the required information is identified on the final records for reportable emissions events;

xxx. By November 1, 2023, removed Stationary Reciprocating Internal Combustion Engines UTILCMP3, UTILCMP4, UTILCMP6, OLE2COMP2 from the Plant;

yyy. By July 29, 2024, implemented a 10 degree Fahrenheit maximum set point change limit on the reactor bed outlet temperature control in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 291225; and

zzz. On August 23, 2024, obtained PBR No. 177025 to downsize Stationary Reciprocating Internal Combustion Engine DCPCOMP2 and updated FOP No. 0237 through the use of the off-permit change process.

aaaa. On December 18, 2024, submitted a permit amendment application for NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135 to address the exceedances for the SO<sub>2</sub>, CO, and NO<sub>x</sub> hourly MAER and the NH<sub>3</sub>, CO, and NO<sub>x</sub> concentration limits for Turbines 1 and 2, the NH<sub>3</sub> hourly MAER for Turbine 2, the CO and NO<sub>x</sub> concentration limits for Boilers 1 and 3, the NO<sub>x</sub> concentration limit for Boiler 2, the SO<sub>2</sub> hourly MAER for Boilers 1, 2, and 3, the CO and NO<sub>x</sub> hourly MAER for Boilers 1 and 3, the NH<sub>3</sub> hourly MAER for Boiler 1, and the hourly PM MAER for Boiler 3.

**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 revised deviation reports for the October 1, 2014 through March 31, 2015 and April 1, 2015 through September 30, 2015 reporting periods to report the deviation for failing to submit an application to revise FOP No. 02327 to include 40 CFR Part 60 Subpart VV as the applicable requirements for the No. 1 Olefins Unit Fugitives and No. 2 Olefins Unit Fugitives;

ii. Submit the 40 CFR Part 63 Subpart ZZZZ compliance reports for the January 1, 2013 through June 30, 2013, July 1, 2013 through December 31, 2013, January 1, 2014 through June 30, 2014, July 1, 2014 through December 31, 2014, January 1, 2015 through June 30, 2015, July 1, 2015 through December 31, 2015, January 1, 2016 through June 30, 2016 reporting periods for Firewater Pump AG-203B and Level Control Pump AG-2705D;

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**INEOS USA LLC**

**RN100238708**

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- iii. Begin maintaining the records containing sufficient information to demonstrate compliance for each PBR and standard exemption listed in the NSR Authorization Table of FOP No. O2327 and make the records available in a reviewable format at the request of personnel from the Commission; and
- iv. Submit revised deviation reports for the October 1, 2015 through March 31, 2016 and April 1, 2016 through September 30, 2016 reporting periods to report the deviations for failing to obtain a revision for FOP No. O2327 prior to operating emission units at the site; failing to submit an application for a revision to FOP No. O2327 for those activities at a site which change, add, or remove one or more permit terms or conditions; and failing to submit the 40 CFR Part 63 Subpart ZZZZ compliance reports.
- b. Within 45 days, submit written certification demonstrating compliance with 2.a.
- c. Within 180 days after the effective date of this Order, develop a boiler SCR catalyst demonstration project designed to control NO<sub>x</sub> and NH<sub>3</sub> emissions and install a new SCR catalyst on either Boiler 1, 2 or 3.
- d. Within 180 days after installation of the SCR system on the boiler selected in Ordering Provision 2.c, determine the effectiveness of the new SCR catalyst based on the NH<sub>3</sub> concentration. If the SCR catalyst demonstration project is achieving NO<sub>x</sub> and NH<sub>3</sub> emissions control, purchase two additional SCR systems for installation on the remaining two boilers. If the SCR catalyst demonstration project does not achieve NO<sub>x</sub> and NH<sub>3</sub> emissions control on the selected boiler, submit written certification of the results within 120 operation days.
- e. Within 180 days after receiving the SCR systems, install the new SCR system on the remaining two boilers.
- f. Within 120 operation days after installation of the new SCR system on the two remaining boilers, submit written certification demonstrating that the control of NO<sub>x</sub> and NH<sub>3</sub> emissions for Boilers 1, 2 or 3 has been achieved.

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Yuliya Dunaway, Enforcement Division, Enforcement Team 2, MC R-13, (210) 403-4077; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

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

**SEP Third-Party Administrator:** Texas City Independent School District SEP, 2901 Turtle Creek Drive, Suite 445, Port Arthur, Texas 77642

**Respondent:** Greg Blanchard, Site Director, INEOS USA LLC, P.O. Box 1488, Alvin, Texas 77512

**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>	6-Sep-2016	<b>Screening</b>	23-Sep-2016	<b>EPA Due</b>	27-Feb-2017
	<b>PCW</b>	14-Oct-2024				

<b>RESPONDENT/FACILITY INFORMATION</b>			
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)		
<b>Reg. Ent. Ref. No.</b>	RN100238708		
<b>Facility/Site Region</b>	12-Houston	<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	60882	<b>No. of Violations</b>	38
<b>Docket No.</b>	2021-0818-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Danielle Porras
		<b>EC's Team</b>	Enforcement Team 2
<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>	\$241,500
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	78.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$188,370
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Notes

Enhancement for three NOV's with same or similar violations, three NOV's with dissimilar violations, and three orders containing a denial of liability. Reduction for one Notice of Intent to conduct an audit and one Disclosure of Violations.

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

The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$42,952
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<b>Economic Benefit</b>	0.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$11,767
Estimated Cost of Compliance	\$260,250

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$386,918
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

<b>Final Penalty Amount</b>	\$386,918
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$386,918
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<b>DEFERRAL</b>	20.0%	<b>Reduction</b>	<b>Adjustment</b>	-\$77,383
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$309,535
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<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)			<i>Policy Revision 4 (April 2014)</i>
<b>Case ID No.</b>	60882			<i>PCW Revision March 26, 2014</i>
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			

### 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> )	3	15%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	3	60%
	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> )	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	1	-2%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2)** 78%

#### >> 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 three NOVs with same or similar violations, three NOVs with dissimilar violations, and three orders containing a denial of liability. Reduction for one Notice of Intent to conduct an audit and one Disclosure of Violations.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 78%

#### >> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** 78%

Screening Date 23-Sep-2016

Docket No. 2021-0818-AIR-E

PCW

Respondent INEOS USA LLC (PCW No. 1 of 4)

Policy Revision 4 (April 2014)

Case ID No. 60882

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100238708

Media Air

Enf. Coordinator Danielle Porras

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), New Source Review ("NSR") Permit Nos. 95 and PSDTX854M2, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2327, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 20, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, the Respondent exceeded the benzene MAER of 1.01 pounds per hour ("lbs/hr") by a range from 0.01 lb/hr to 0.41 lb/hr and exceeded the volatile organic compounds ("VOC") MAER of 5.96 lbs/hr by a range from 0.09 lb/hr to 2.51 lbs/hr for a total of seven hours on four days from January 8, 2015 to May 4, 2015 for the Olefins 1 American Petroleum Institute ("API") Separator, Emissions Point Number ("EPN") FAM1704, resulting in the unauthorized release of 1.34 pounds ("lbs") of benzene emissions and 8.45 lbs of VOC emissions.

Base Penalty \$25,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 15.0%

## &gt;&gt; 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 did 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

4 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	x
annual	
single event	

Violation Base Penalty \$3,750

One semiannual event is recommended for the instances of non-compliance that occurred from January 8, 2015 to May 4, 2015.

## Good Faith Efforts to Comply

25.0%

Reduction \$937

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

Notes

The Respondent completed the corrective measures on May 4, 2015, prior the Notice of Enforcement ("NOE") dated September 1, 2016.

Violation Subtotal \$2,813

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$159

Violation Final Penalty Total \$5,738

This violation Final Assessed Penalty (adjusted for limits) \$5,738

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	8-Jan-2015	4-May-2015	0.32	\$159	n/a	\$159

Notes for DELAYED costs

Estimated cost to adjust the feed, fuel, and oxygen levels in order to comply with the benzene and VOC hourly MAERs for the Olefins 1 API Separator, EPN FAM1704. 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

\$10,000

**TOTAL**

\$159



<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>	
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)			Policy Revision 4 (April 2014)	
<b>Case ID No.</b>	60882	PCW Revision March 26, 2014			
<b>Reg. Ent. Reference No.</b>	RN100238708				
<b>Media</b>	Air				
<b>Enf. Coordinator</b>	Danielle Porras				
<b>Violation Number</b>	2				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 122.210(a) and Tex. Health & Safety Code § 382.085(b)				
<b>Violation Description</b>	<p>Failed to submit an application for a revision to an FOP for those activities at a site which change, add, or remove one or more permit terms or conditions. Specifically, after FOP No. O2327 was revised on June 4, 2013, the Respondent did not submit an application to revise FOP No. O2327 to include 40 Code of Federal Regulations ("CFR") Part 60 Subpart VV as the applicable requirements for the No. 1 Olefins Unit Fugitives and No. 2 Olefins Unit Fugitives, include 30 Tex. Admin. Code § 115.788(a) and 30 Tex. Admin. Code ch. 117 Subchapter B as the applicable requirements for Steam Cracking Furnaces DB-105 through DB-109, and incorporate 30 Tex. Admin. Code § 106.412 for the Gasoline Tank.</p>				
<b>Base Penalty</b>				\$25,000	
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>					
<b>OR</b>	<b>Harm</b>				
	<b>Release</b>	Major	Moderate	Minor	
	Actual				
	Potential				
				<b>Percent</b>	0.0%
<b>&gt;&gt; Programmatic Matrix</b>					
	Falsification	Major	Moderate	Minor	
		x			
				<b>Percent</b>	15.0%
<b>Matrix Notes</b>	100% of the rule requirements were not met.				
<b>Adjustment</b>				\$21,250	
				\$3,750	
<b>Violation Events</b>					
Number of Violation Events		1	Number of violation days		
		1207			
	daily				
	weekly				
	monthly				
	quarterly				
	semiannual				
	annual				
	single event	x			
				<b>Violation Base Penalty</b>	\$3,750
One single event is recommended.					
<b>Good Faith Efforts to Comply</b>		<b>10.0%</b>	<b>Reduction</b>		
		\$375			
	Extraordinary				
	Ordinary	x			
	N/A				
<b>Notes</b>	The Respondent completed the corrective measures by October 27, 2017, after the NOE dated September 1, 2016.				
<b>Violation Subtotal</b>				\$3,375	
<b>Economic Benefit (EB) for this violation</b>					
<b>Statutory Limit Test</b>					
<b>Estimated EB Amount</b>		\$2,895	<b>Violation Final Penalty Total</b>		
			\$6,300		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>				\$6,300	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$5,000	1-Apr-2006	27-Oct-2017	11.58	\$2,895	n/a	\$2,895
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to obtain a revision for FOP No. O2327 that included 40 CFR Part 60 Subpart VV as the applicable requirements for the No. 1 Olefins Unit Fugitives and No. 2 Olefins Unit Fugitives; included 30 Tex. Admin. Code § 115.788(a) and 30 Tex. Admin. Code ch. 117 Subchapter B as applicable requirements for Steam Cracking Furnaces DB-105 through DB-109; incorporated 30 Tex. Admin. Code § 106.412 for the Gasoline Tank; added Emergency Generator DM-177 that was constructed on or about April 1, 2006; and added Engines OLE2COMP2, UTILCOMP4, UTILCOMP5, and UTILCOMP6 that were replaced in April 2013. 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**

\$2,895

<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)			<i>Policy Revision 4 (April 2014)</i>
<b>Case ID No.</b>	60882			<i>PCW Revision March 26, 2014</i>
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	3			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 02327, GTC, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to report all instances of deviations. Specifically, the deviation reports for the October 1, 2014 through March 31, 2015 and April 1, 2015 through September 30, 2015 reporting periods did not include the deviation for failing to submit an application to revise FOP No. 02327 to include 40 CFR Part 60 Subpart VV as the applicable requirements for the No. 1 Olefins Unit Fugitives and No. 2 Olefins Unit Fugitives.			
		<b>Base Penalty</b>	\$25,000	

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0.0%
	Potential				

**>> Programmatic Matrix**

<b>Matrix Notes</b>		Falsification	Major	Moderate	Minor	
						<b>Percent</b> 1.0%
				x		
		Less than 30% of the rule requirements were not met.				

**Adjustment** \$24,750

\$250

**Violation Events**

Number of Violation Events	2	329	Number of violation days
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	daily		<b>Violation Base Penalty</b> \$500
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	

Two single events are recommended.

**Good Faith Efforts to Comply**

	0.0%		<b>Reduction</b> \$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** \$500

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

<b>Estimated EB Amount</b>	\$649	<b>Statutory Limit Test</b>
		<b>Violation Final Penalty Total</b> \$890
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$890

## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	30-Apr-2015	30-Sep-2020	5.42	\$407	n/a	\$407
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	30-Apr-2015	1-Jan-2025	9.68	\$242	n/a	\$242

Notes for DELAYED costs

Estimated costs to submit revised deviation reports for the October 1, 2014 through March 31, 2015 and April 1, 2015 through September 30, 2015 reporting periods to report the deviation for failing to submit an application to revise FOP No. O2327 to include 40 CFR Part 60 Subpart VV as the applicable requirements for the No. 1 Olefins Unit Fugitives and No. 2 Olefins Unit Fugitives (\$250/deviation report) and to implement a reasonable inquiry process for the deviation report process by reviewing data on a more frequent basis and expanding the review process to include operators, engineers, and others in order to ensure that all instances of deviations are reported in a timely manner (\$1,500). The Dates Required is the date the first deviation report was due and the Final Dates are the date of compliance and 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

\$2,000

**TOTAL**

\$649

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	4	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. Q2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to comply with the MAER. Specifically, the Respondent exceeded the carbon monoxide ("CO") MAER of 18.32 lbs/hr by 12.92 lbs/hr for one hour on January 17, 2015 for the Steam Cracking Furnace, EPN DB-106, resulting in 12.92 lbs of unauthorized CO emissions.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>	<b>Release</b>	<b>Harm</b>			
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b>
					15.0%

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>	<b>Falsification</b>	Major	Moderate	Minor	
		<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b>
					0.0%

  

<b>Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.</b>	
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<b>Adjustment</b>	\$21,250
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	\$3,750
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**Violation Events**

Number of Violation Events	1		1	Number of violation days
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	daily	<input type="text"/>		
	weekly	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input checked="" type="text" value="x"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		

  

<b>Violation Base Penalty</b>	\$3,750
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One quarterly event is recommended for the instance of non-compliance that occurred on January 17, 2015.	
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**Good Faith Efforts to Comply**

	25.0%			<b>Reduction</b>
				\$937

  

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	<input checked="" type="text" value="x"/>	<input type="text"/>	
N/A	<input type="text"/>	<input type="text"/>	

  

<b>Notes</b>	The Respondent completed the corrective measures on January 17, 2015, prior to the NOE dated September 1, 2016.
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<b>Violation Subtotal</b>	\$2,813
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$0			<b>Statutory Limit Test</b>
				Violation Final Penalty Total
				\$5,738

  

<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$5,738
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## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	17-Jan-2015	17-Jan-2015	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to adjust the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DB-106. The Date Required is the 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

\$10,000

**TOTAL**

\$0

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right; color: red; font-size: small;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>
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<b>Violation Number</b>	5	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. 02327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by a range from 1.16 lbs/hr to 98.10 lbs/hr for a total of four hours on three days from October 2, 2014 to January 14, 2015 for the Steam Cracking Furnace, EPN DB-107, resulting in 163.18 lbs of unauthorized CO emissions.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual			x	<b>Percent</b> <span style="border: 1px solid black; padding: 0 10px;">15.0%</span>
	Potential				

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> <span style="border: 1px solid black; padding: 0 10px;">0.0%</span>

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
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<b>Adjustment</b>	\$3,750
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**Violation Events**

Number of Violation Events	1	3	Number of violation days
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	daily	weekly	monthly	quarterly	semiannual	annual	single event	
					x			<b>Violation Base Penalty</b> <span style="border: 1px solid black; padding: 0 10px;">\$3,750</span>

  

One semiannual event is recommended for the instances of non-compliance that occurred from October 2, 2014 to January 14, 2015.
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**Good Faith Efforts to Comply**

	25.0%	
		<b>Reduction</b> <span style="border: 1px solid black; padding: 0 10px;">\$937</span>

  

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary	x		
N/A			
Notes	The Respondent completed the corrective measures on January 14, 2015, prior to the NOE dated September 1, 2016.		

  

<b>Violation Subtotal</b>	\$2,813
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**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
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Estimated EB Amount	\$142		<b>Violation Final Penalty Total</b> <span style="border: 1px solid black; padding: 0 10px;">\$5,738</span>
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$5,738
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## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**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
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	2-Oct-2014	14-Jan-2015	0.28	\$142	n/a	\$142

Notes for DELAYED costs

Estimated cost to adjust the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the Steam Cracking Furnace, DB-107. 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

\$10,000

**TOTAL**

\$142



<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right; font-size: small;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>									
<table style="width: 100%;"> <tr> <td style="width: 20%;"><b>Violation Number</b></td> <td style="width: 10%; text-align: center;">6</td> <td style="width: 70%;"></td> </tr> <tr> <td><b>Rule Cite(s)</b></td> <td></td> <td>           30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and Tex. Health &amp; Safety Code § 382.085(b)         </td> </tr> <tr> <td><b>Violation Description</b></td> <td></td> <td>           Failed to comply with the MAERs. Specifically, the Respondent exceeded the VOC MAER of 2.05 lbs/hr by 0.01 lb/hr for a total of two hours on October 19, 2014 and December 18, 2014 and exceeded the CO MAER of 18.32 lbs/hr by 26.73 lbs/hr for one hour on April 9, 2015 for the Steam Cracking Furnace, EPN DB-105, resulting in the unauthorized release of 0.02 lb of VOC emissions and 26.73 lbs of CO emissions.         </td> </tr> </table>			<b>Violation Number</b>	6		<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)	<b>Violation Description</b>		Failed to comply with the MAERs. Specifically, the Respondent exceeded the VOC MAER of 2.05 lbs/hr by 0.01 lb/hr for a total of two hours on October 19, 2014 and December 18, 2014 and exceeded the CO MAER of 18.32 lbs/hr by 26.73 lbs/hr for one hour on April 9, 2015 for the Steam Cracking Furnace, EPN DB-105, resulting in the unauthorized release of 0.02 lb of VOC emissions and 26.73 lbs of CO emissions.
<b>Violation Number</b>	6										
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)									
<b>Violation Description</b>		Failed to comply with the MAERs. Specifically, the Respondent exceeded the VOC MAER of 2.05 lbs/hr by 0.01 lb/hr for a total of two hours on October 19, 2014 and December 18, 2014 and exceeded the CO MAER of 18.32 lbs/hr by 26.73 lbs/hr for one hour on April 9, 2015 for the Steam Cracking Furnace, EPN DB-105, resulting in the unauthorized release of 0.02 lb of VOC emissions and 26.73 lbs of CO emissions.									
<b>Base Penalty</b>		\$25,000									
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>											
<b>OR</b>	<b>Release</b>	<b>Harm</b>									
		Major      Moderate      Minor									
	Actual	[ ]	[ ]	x							
	Potential	[ ]	[ ]	[ ]		Percent 15.0%					
<b>&gt;&gt; Programmatic Matrix</b>											
	Falsification	Major	Moderate	Minor							
	[ ]	[ ]	[ ]	[ ]		Percent 0.0%					
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.										
<b>Adjustment</b>					\$21,250						
					\$3,750						
<b>Violation Events</b>											
Number of Violation Events		1	3		Number of violation days						
	daily	[ ]									
	weekly	[ ]									
	monthly	[ ]									
	quarterly	[ ]									
	semiannual	x									
	annual	[ ]									
	single event	[ ]									
One semiannual event is recommended for the instances of non-compliance that occurred from October 19, 2014 to April 9, 2015.											
<b>Good Faith Efforts to Comply</b>		25.0%	Reduction		\$937						
		Before NOE/NOV      NOE/NOV to EDPRP/Settlement Offer									
	Extraordinary	[ ]									
	Ordinary	x									
	N/A	[ ]									
Notes	The Respondent completed the corrective measures on April 9, 2015, prior to the NOE dated September 1, 2016.										
<b>Violation Subtotal</b>					\$2,813						
<b>Economic Benefit (EB) for this violation      Statutory Limit Test</b>											
<b>Estimated EB Amount</b>		\$236	<b>Violation Final Penalty Total</b>		\$5,738						
<b>This violation Final Assessed Penalty (adjusted for limits)</b>					\$5,738						

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**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
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	19-Oct-2014	9-Apr-2015	0.47	\$236	n/a	\$236

Notes for DELAYED costs

Estimated cost to adjust the feed, fuel, and oxygen levels in order to comply with the VOC and CO hourly MAERs for the Steam Cracking Furnace, EPN DB-105. 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

\$10,000

**TOTAL**

\$236

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right; font-size: small;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>
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<b>Violation Number</b>	7	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. 02327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 0.16 lb/hr to 1.87 lbs/hr for a total of four hours on four days from November 21, 2014 to February 9, 2015 for the Steam Cracking Furnace, EPN DDB-102A, resulting in 3.75 lbs of unauthorized CO emissions.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	
	Potential				
					<b>Percent</b> 15.0%

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>		Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%	
Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.						

  

<b>Adjustment</b>	\$21,250
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<b>Adjustment</b>	\$3,750
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**Violation Events**

Number of Violation Events	1	4	Number of violation days
daily			
weekly			
monthly			
quarterly	x		
semiannual			
annual			
single event			

  

<b>Violation Base Penalty</b>	\$3,750
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One quarterly event is recommended for the instances of non-compliance that occurred from November 21, 2014 to February 9, 2015.

  

**Good Faith Efforts to Comply**

<b>25.0%</b>	<b>Reduction</b>	\$937
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		
Notes	The Respondent completed the corrective measures on February 9, 2015, prior to the NOE dated September 1, 2016.	

  

<b>Violation Subtotal</b>	\$2,813
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$110
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$5,738
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$5,738	

## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 7

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	21-Nov-2014	9-Feb-2015	0.22	\$110	n/a	\$110

Notes for DELAYED costs

Estimated cost to adjust the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102A. 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

\$10,000

**TOTAL**

\$110

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>
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<b>Violation Number</b>	8	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. 02327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to comply with the MAERs. Specifically, the Respondent exceeded the nitrogen oxides ("NOx") MAER of 26.60 lbs/hr by a range from 0.01 lb/hr to 1.87 lbs/hr for a total of 52 hours on 11 days from December 2, 2014 to January 8, 2015 and exceeded the CO MAER of 7.03 lbs/hr by a range from 0.41 lb/hr to 7.66 lbs/hr for a total of three hours on three days from February 8, 2015 to March 18, 2015 for the Steam Cracking Furnace, EPN DDB-102B, resulting in the unauthorized release of 29.66 lbs of NOx emissions and 10.72 lbs of CO emissions.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	
	Potential				
					<b>Percent</b> 15.0%

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>		<b>Falsification</b>			
		Major	Moderate	Minor	
					<b>Percent</b> 0.0%
Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.					

  

<b>Adjustment</b>	\$21,250
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	\$3,750
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**Violation Events**

Number of Violation Events	1	14	Number of violation days
daily			
weekly			
monthly			
quarterly			
semiannual	x		
annual			
single event			
<b>Violation Base Penalty</b> \$3,750			
One semiannual event is recommended for the instances of non-compliance that occurred from February 2, 2014 to March 18, 2015.			

  

**Good Faith Efforts to Comply**

<b>25.0%</b>	<b>Reduction</b>
Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	
Ordinary	x
N/A	
Notes	The Respondent completed the corrective measures on March 18, 2015, prior to the NOE dated September 1, 2016.
<b>Violation Subtotal</b> \$2,813	

  

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

<b>Estimated EB Amount</b>	\$145
<b>Statutory Limit Test</b>	
<b>Violation Final Penalty Total</b>	\$5,738
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$5,738	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 8

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	2-Dec-2014	18-Mar-2015	0.29	\$145	n/a	\$145

Notes for DELAYED costs

Estimated cost to adjust the feed, fuel, and oxygen levels in order to comply with the NOx and CO hourly MAERs for the Steam Cracking Furnace, EPN DDB-102B. 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

\$10,000

**TOTAL**

\$145

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	9	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. Q2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by 23.24 lbs/hr for one hour on October 21, 2014 for the Steam Cracking Furnace, EPN DDB-102C, resulting in 23.24 lbs of unauthorized CO emissions.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	<b>Percent</b>
	Potential				

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b>
					0.0%

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
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<b>Adjustment</b>	\$3,750
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**Violation Events**

Number of Violation Events	1		1	Number of violation days
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	daily			
	weekly			
	monthly			
	quarterly	x		<b>Violation Base Penalty</b>
	semiannual			\$3,750
	annual			
	single event			

  

One quarterly event is recommended for the instance of non-compliance that occurred on October 21, 2014.
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**Good Faith Efforts to Comply**

	25.0%		Reduction	\$937
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary	x		
N/A			

  

Notes	The Respondent completed the corrective measures on October 21, 2014, prior to the NOE dated September 1, 2016.
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<b>Violation Subtotal</b>	\$2,813
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**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
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Estimated EB Amount	\$0		Violation Final Penalty Total	\$5,738
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$5,738
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 9

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	21-Oct-2014	21-Oct-2014	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to adjust the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102C. The Date Required is the 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

\$10,000

**TOTAL**

\$0



<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	10	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 101, SC No. 1, FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>	Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 14.40 lbs/hr by a range from 6.94 lbs/hr to 64.51 lbs/hr for a total of 169 hours on nine days from May 26, 2015 to June 2, 2015 and on August 20, 2015 for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B, resulting in 9,806.82 lbs of unauthorized CO emissions.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	<b>Percent</b>
	Potential				15.0%

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b>
					0.0%

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
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<b>Adjustment</b>	\$3,750
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**Violation Events**

Number of Violation Events	1		9	Number of violation days
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	daily			
	weekly			
	monthly			
	quarterly	x		<b>Violation Base Penalty</b>
	semiannual			\$3,750
	annual			
	single event			

  

One quarterly event is recommended for the instances of non-compliance that occurred from May 26, 2015 to August 20, 2015.

  

**Good Faith Efforts to Comply**

	<b>25.0%</b>	
		<b>Reduction</b>
		\$937

  

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

  

Notes	The Respondent completed the corrective measures on August 20, 2015, prior to the NOE dated September 1, 2016.
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<b>Violation Subtotal</b>	\$2,813
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**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$118
	<b>Violation Final Penalty Total</b>
	\$5,738
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>
	\$5,738

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 10

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	26-May-2015	20-Aug-2015	0.24	\$118	n/a	\$118

Notes for DELAYED costs

Estimated cost to adjust the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B. 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

\$10,000

**TOTAL**

\$118

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right; color: red; font-size: small;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>																
<table style="width: 100%;"> <tr> <td style="width: 20%;"><b>Violation Number</b></td> <td style="width: 80%; text-align: center;">11</td> </tr> <tr> <td><b>Rule Cite(s)</b></td> <td>30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.B.(2), FOP No. O2327, GTC and STC No. 20, and Tex. Health &amp; Safety Code § 382.085(b)</td> </tr> <tr> <td><b>Violation Description</b></td> <td>Failed to comply with the emissions limit. Specifically, the Respondent exceeded the CO emissions limit of 0.037 pound per one million British thermal units ("lb/MMBtu") based on the higher heating value of the fuel on a 24-hour average by a range from 0.011 lb/MMBtu to 0.299 lb/MMBtu for a total of 172 hours on nine days from May 11, 2015 to June 2, 2015 for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B.</td> </tr> </table>			<b>Violation Number</b>	11	<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.B.(2), FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)	<b>Violation Description</b>	Failed to comply with the emissions limit. Specifically, the Respondent exceeded the CO emissions limit of 0.037 pound per one million British thermal units ("lb/MMBtu") based on the higher heating value of the fuel on a 24-hour average by a range from 0.011 lb/MMBtu to 0.299 lb/MMBtu for a total of 172 hours on nine days from May 11, 2015 to June 2, 2015 for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B.										
<b>Violation Number</b>	11																	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.B.(2), FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)																	
<b>Violation Description</b>	Failed to comply with the emissions limit. Specifically, the Respondent exceeded the CO emissions limit of 0.037 pound per one million British thermal units ("lb/MMBtu") based on the higher heating value of the fuel on a 24-hour average by a range from 0.011 lb/MMBtu to 0.299 lb/MMBtu for a total of 172 hours on nine days from May 11, 2015 to June 2, 2015 for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B.																	
		<b>Base Penalty</b> \$25,000																
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																		
OR	<table border="1" style="margin: auto;"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <td style="text-align: center;">Release</td> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td style="text-align: center;">Actual</td> <td></td> <td></td> <td style="text-align: center;">x</td> </tr> <tr> <td style="text-align: center;">Potential</td> <td></td> <td></td> <td></td> </tr> </table>		Harm			Release	Major	Moderate	Minor	Actual			x	Potential				<b>Percent</b> 15.0%
		Harm																
	Release	Major	Moderate	Minor														
	Actual			x														
Potential																		
<b>&gt;&gt; Programmatic Matrix</b>																		
	<table border="1" style="margin: auto;"> <tr> <td></td> <th>Falsification</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>		Falsification	Major	Moderate	Minor						<b>Percent</b> 0.0%						
	Falsification	Major	Moderate	Minor														
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.																	
		<b>Adjustment</b> \$21,250																
		\$3,750																
<b>Violation Events</b>																		
Number of Violation Events <span style="border: 1px solid black; padding: 2px 10px;">1</span> <span style="margin-left: 100px;"><span style="border: 1px solid black; padding: 2px 10px;">9</span> Number of violation days</span>																		
	<table border="1" style="margin: auto;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td style="text-align: center;">x</td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly		quarterly	x	semiannual		annual		single event		<b>Violation Base Penalty</b> \$3,750		
daily																		
weekly																		
monthly																		
quarterly	x																	
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<div style="display: flex; justify-content: space-between;"> <span><b>25.0%</b></span> <span><b>Reduction</b> \$937</span> </div> <div style="display: flex; justify-content: space-between; font-size: small; margin-top: 5px;"> <span>Before NOE/NOV</span> <span>NOE/NOV to EDPRP/Settlement Offer</span> </div> <table style="margin: auto;"> <tr> <td style="width: 30%;">Extraordinary</td> <td style="width: 30%;"></td> <td style="width: 30%;"></td> </tr> <tr> <td>Ordinary</td> <td style="text-align: center;">x</td> <td></td> </tr> <tr> <td>N/A</td> <td></td> <td></td> </tr> </table>		Extraordinary			Ordinary	x		N/A										
Extraordinary																		
Ordinary	x																	
N/A																		
Notes	The Respondent completed the corrective measures on June 2, 2015, prior to the NOE dated September 1, 2016.																	
		<b>Violation Subtotal</b> \$2,813																
<b>Economic Benefit (EB) for this violation</b>																		
<b>Statutory Limit Test</b>																		
Estimated EB Amount	<span style="border: 1px solid black; padding: 2px 10px;">\$30</span>	<b>Violation Final Penalty Total</b> \$5,738																
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$5,738																

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 11

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	11-May-2015	2-Jun-2015	0.06	\$30	n/a	\$30

Notes for DELAYED costs

Estimated cost to adjust the feed, fuel, and oxygen levels in order to comply with the CO emissions limit for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B. 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

\$10,000

**TOTAL**

\$30

<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)	<i>Policy Revision 4 (April 2014)</i>	
<b>Case ID No.</b>	60882	<i>PCW Revision March 26, 2014</i>	
<b>Reg. Ent. Reference No.</b>	RN100238708		
<b>Media</b>	Air		
<b>Enf. Coordinator</b>	Danielle Porras		
<b>Violation Number</b>	12		
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 117.340(j) and 122.143(4), FOP No. O2327, GTC and STC No. 1.A., and Tex. Health & Safety Code § 382.085(b)		
<b>Violation Description</b>	Failed to record the operating time for stationary internal combustion engines with a non-resettable elapsed run-time meter. Specifically, the Respondent did not equip Stationary Engines DDM-904N, DM-177, PP3 MN1601, PP4 TN1601, DM-904N, AN-101, AN-111, and AN-402 with non-resettable elapsed run time meters, but the operating time for these engines were not being recorded.		
		<b>Base Penalty</b>	\$25,000

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

<b>OR</b>	<b>Release</b>	<b>Harm</b>			<b>Percent</b>
		Major	Moderate	Minor	
	Actual				
	Potential				

**>> Programmatic Matrix**

<b>Matrix Notes</b>	Falsification	Major	Moderate	Minor	<b>Percent</b>	
				x		1.0%
	Less than 30% of the rule requirements were not met.					

**Adjustment** \$24,750

\$250

**Violation Events**

Number of Violation Events	8	151	Number of violation days
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daily		<b>Violation Base Penalty</b>	\$2,000
weekly			
monthly			
quarterly			
semiannual			
annual			
single event	x		

Eight single events are recommended (one event for each engine).

**Good Faith Efforts to Comply**

	<b>25.0%</b>		<b>Reduction</b>	\$500
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	x			
N/A				
Notes	The Respondent completed the corrective measures by April 15, 2017, prior to the NOE dated April 28, 2017.			

**Violation Subtotal** \$1,500

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

**Statutory Limit Test**

Estimated EB Amount	\$31	Violation Final Penalty Total	\$3,060
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$3,060

## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 12

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$1,500	15-Nov-2016	15-Apr-2017	0.41	\$31	n/a	\$31
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to begin recording the operating time for Stationary Engines DDM-904N, DM-177, PP3 MN1601, PP4 TN1601, DM-904N, AN-101, AN-111, and AN-402. The Date Required is the investigation date and the Final Date is the date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

**TOTAL**

\$31

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	13	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 122.121 and 122.210(a) and Tex. Health & Safety Code §§ 382.054 and 382.085(b)
<b>Violation Description</b>		Failed to obtain a revision for an FOP prior to operating emission units at the site. Specifically, after FOP No. 02327 was revised on July 29, 2005, the Respondent did not submit an application to revise FOP No. 02327 to add Engines OLE2COMP2, UTILCOMP4, UTILCOMP5, and UTILCOMP6 that were replaced in April 2013, resulting in the operation of these emission units prior to obtaining authorization.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0.0%
	Potential				

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>	Falsification	Major	Moderate	Minor	
		x			<b>Percent</b> 15.0%
		100% of the rule requirements were not met.			

  

<b>Adjustment</b>	\$21,250
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<b>Adjustment</b>	\$3,750
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**Violation Events**

Number of Violation Events	17	1498	Number of violation days
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	daily		<b>Violation Base Penalty</b> \$63,750
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

  

Seventeen quarterly events are recommended from the April 1, 2013 non-compliance date to the May 8, 2017 screening date for Investigation No. 1358543.

  

**Good Faith Efforts to Comply**

<b>10.0%</b>	<b>Reduction</b>	\$6,375
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			<b>Violation Subtotal</b> \$57,375
Ordinary		x	
N/A			

  

<b>Notes</b>	The Respondent completed the corrective measures by October 27, 2017, after the NOE dated April 28, 2017.
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$0
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$107,100
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$107,100
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 13

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See the Economic Benefit in Violation No. 2 in PCW No. 1 of 4.

## 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

\$0

**TOTAL**

\$0



<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)		Policy Revision 4 (April 2014)	
<b>Case ID No.</b>	60882		PCW Revision March 26, 2014	
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	14			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(2), 113.1090, and 122.143(4), 40 CFR § 63.6650(b)(3), FOP No. O2327, GTC and STC No. 1.A., and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to submit the 40 CFR Part 63 Subpart ZZZZ compliance reports no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. Specifically, the Respondent did not submit the 40 CFR Part 63 Subpart ZZZZ compliance reports for the January 1, 2013 through June 30, 2013, July 1, 2013 through December 31, 2013, January 1, 2014 through June 30, 2014, July 1, 2014 through December 31, 2014, January 1, 2015 through June 30, 2015, July 1, 2015 through December 31, 2015, January 1, 2016 through June 30, 2016 reporting periods for Firewater Pump AG-203B and Level Control Pump AG-2705D by July 31, 2013, January 31, 2014, July 31, 2014, January 31, 2015, July 31, 2015, January 31, 2016, and July 31, 2016, respectively.			
			<b>Base Penalty</b>	\$25,000
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
<b>OR</b>	<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor
	Actual			
	Potential			
				<b>Percent</b> <span style="border: 1px solid blue; padding: 0 20px;">0.0%</span>
<b>&gt;&gt; Programmatic Matrix</b>				
	Falsification	Major	Moderate	Minor
		x		
				<b>Percent</b> <span style="border: 1px solid blue; padding: 0 20px;">15.0%</span>
Matrix Notes	100% of the rule requirements were not met.			
			<b>Adjustment</b>	\$21,250
				\$3,750
<b>Violation Events</b>				
Number of Violation Events		7	1377	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		
			<b>Violation Base Penalty</b>	\$26,250
Seven single events are recommended (one event for each missing report).				
<b>Good Faith Efforts to Comply</b>		0.0%	<b>Reduction</b> <span style="border: 1px solid blue; text-align: right;">\$0</span>	
		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.		
			<b>Violation Subtotal</b>	\$26,250
<b>Economic Benefit (EB) for this violation</b>				
		<b>Statutory Limit Test</b>		
<b>Estimated EB Amount</b>		\$1,000	<b>Violation Final Penalty Total</b> <span style="border: 1px solid blue; text-align: right;">\$46,725</span>	
			<b>This violation Final Assessed Penalty (adjusted for limits)</b> <span style="border: 1px solid blue; text-align: right;">\$46,725</span>	

# Economic Benefit Worksheet

Respondent INEOS USA LLC (PCW No. 1 of 4)  
Case ID No. 60882  
Reg. Ent. Reference No. RN100238708  
Media Air  
Violation No. 14

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,750	31-Jul-2013	1-Jan-2025	11.43	\$1,000	n/a	\$1,000

Notes for DELAYED costs

Estimated cost to submit the 40 CFR Part 63 Subpart ZZZZ compliance reports for the January 1, 2013 through June 30, 2013, July 1, 2013 through December 31, 2013, January 1, 2014 through June 30, 2014, July 1, 2014 through December 31, 2014, January 1, 2015 through June 30, 2015, July 1, 2015 through December 31, 2015, January 1, 2016 through June 30, 2016 reporting periods for Firewater Pump AG-203B and Level Control Pump AG-2705D (\$250/report). 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

\$1,750

TOTAL

\$1,000

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	15	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 61.C.(1), FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>	Failed to maintain records for the calibration of the lower explosive limit ("LEL") detector. Specifically, the Respondent did not maintain the records for the calibration of the LEL detectors for Unit Nos. D5, D10, M2, M4, M5, M8, M9, T5, and Z14 on 13 occasions during maintenance, startup, or shutdown ("MSS") activities that occurred from October 1, 2015 to September 30, 2016 and did not record the calibration of the LEL detector for the No. 1 Olefins Unit MSS activities that occurred on nine occasions from May 29, 2016 to June 21, 2016.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>	<b>Release</b>	<b>Harm</b>			<b>Percent</b>
		Major	Moderate	Minor	
	Actual	Potential			
		0.0%			

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>	Falsification	Major	Moderate	Minor	<b>Percent</b>
				x	
Less than 30% of the rule requirements were not met.					
<b>Adjustment</b>					\$24,750

  

	\$250
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**Violation Events**

Number of Violation Events	10	365	Number of violation days
	daily		
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	
<b>Violation Base Penalty</b>			
\$2,500			
Ten single events are recommended (one event for each of the missing set of records for each unit).			

  

**Good Faith Efforts to Comply**

25.0%	<b>Reduction</b>
Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	
Ordinary	x
N/A	
Notes	The Respondent completed the corrective measures by September 30, 2016, prior to the NOE dated April 28, 2017.
<b>Violation Subtotal</b>	
\$1,875	

  

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

<b>Estimated EB Amount</b>	\$75
<b>Statutory Limit Test</b>	
<b>Violation Final Penalty Total</b>	\$3,825
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$3,825	

## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 15

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$1,500	1-Oct-2015	30-Sep-2016	1.00	\$75	n/a	\$75
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to upgrade the data acquisition and data storage system for the MSS monitoring program and begin maintaining the records for the calibration of the LEL detectors. 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

\$1,500

**TOTAL**

\$75

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	16	<b>Rule Cite(s)</b>	
		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 61.C.(2), FOP No. 02327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>		Failed to maintain records for the functionality test of the LEL detector. Specifically, the Respondent did not maintain the records for the functionality test of the LEL detectors Unit Nos. A9, D10, D12, D20, H12, H18, H20, J3, J6, M1, M2, M3, M7, M8, M9, and T5 on 33 occasions during MSS activities that occurred from October 1, 2015 to September 30, 2016 and did not record the functionality test data of the LEL detector for the No. 1 Olefins Unit MSS activities that occurred on nine occasions from May 29, 2016 through June 21, 2016.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

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

  

**>> Programmatic Matrix**

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

  

<b>Adjustment</b>	\$24,750
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<b>Adjustment</b>	\$250
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**Violation Events**

Number of Violation Events	17	365	Number of violation days
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daily	<input type="text"/>	<b>Violation Base Penalty</b>	\$4,250
weekly	<input type="text"/>		
monthly	<input type="text"/>		
quarterly	<input type="text"/>		
semiannual	<input type="text"/>		
annual	<input type="text"/>		
single event	<input checked="" type="text" value="x"/>		

  

Seventeen single events are recommended (one event for each of the missing set of records for each unit).	
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**Good Faith Efforts to Comply**

<b>25.0%</b>	<b>Reduction</b>
Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>
Ordinary	<input checked="" type="text" value="x"/>
N/A	<input type="text"/>
Notes	The Respondent completed the corrective measures by September 30, 2016, prior to the NOE dated April 28, 2017.

  

<b>Violation Subtotal</b>	\$3,188
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<b>Statutory Limit Test</b>
\$75	<b>Violation Final Penalty Total</b>
	\$6,503

  

<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$6,503
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## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 16

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	1-Oct-2015	30-Sep-2016	1.00	\$75	n/a	\$75
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to begin maintaining the records for the functionality test for the LEL detectors. The Date Required is the first date of non-compliance date and the Final Date is the date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

**TOTAL**

\$75

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	17	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(E)(i), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, General Conditions No. 7, FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to maintain records containing the information and data sufficient to demonstrate compliance with the permit. Specifically, the Respondent did not maintain the records for the LEL readings during the MSS activities that occurred on November 5, 2015 and April 4, 2016 to demonstrate compliance with SC No. 61.C. of NSR Permit Nos. 95 and PSDTX854M2.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input style="width: 50px;" type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input checked="" type="text"/>	<b>Percent</b> <input style="width: 50px;" type="text"/>

  

Matrix Notes	Less than 30% of the rule requirements were not met.
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<b>Adjustment</b>	\$24,750
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	\$250
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**Violation Events**

Number of Violation Events	1	2	Number of violation days
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	daily	<input type="text"/>	<b>Violation Base Penalty</b> <input style="width: 50px;" 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 checked="" type="text"/>	

  

One single event is recommended.
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**Good Faith Efforts to Comply**

<b>25.0%</b>	<b>Reduction</b>	\$62
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Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer		
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="text"/>	<input type="text"/>
N/A	<input type="text"/>	<input type="text"/>
Notes	The Respondent completed the corrective measures by September 30, 2016, prior to the NOE dated April 28, 2017.	

  

<b>Violation Subtotal</b>	\$188
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$68
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$383
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$383
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## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 17

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$1,500	5-Nov-2015	30-Sep-2016	0.90	\$68	n/a	\$68
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to begin maintaining the records containing the information and data sufficient for the LEL readings during MSS activities in order to demonstrate compliance with NSR Permit Nos. 95 and PSDTX854M2. 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

\$1,500

**TOTAL**

\$68



<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>
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<b>Violation Number</b>	18	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(2), 113.120, 113.890, and 122.143(4), 40 CFR §§ 63.138(b)(1)(i) and 63.2450(a), FOP No. O2327, GTC and STC No. 1.A., and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>	Failed to comply with the concentration limit. Specifically, the Respondent exceeded the benzene outlet concentration limit of 50 parts per million by weight ("ppmw") by a range from 2.8 ppmw to 410.0 ppmw for a total of 16 hours on three days from February 4, 2016 to March 31, 2016 for the Second Stage Hydrotreater Unit Treatment Process PRO-SSMON and by a range from 17.1 ppmw to 87.0 ppmw for a total of two hours on April 1, 2016 for the Olefins 2 Aromatic Waste Minimization Project Treatment Process PRO-AWMP2.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>	<b>Release</b>	<b>Harm</b>			
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	x	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b>
					15.0%

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>	<b>Falsification</b>	Major	Moderate	Minor	
		<input type="text"/>	<input type="text"/>	<input type="text"/>	
					<b>Percent</b>
					0.0%

  

	<b>Adjustment</b>
	\$21,250

  

	\$3,750
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**Violation Events**

Number of Violation Events	1	4	Number of violation days
daily	<input type="text"/>		
weekly	<input type="text"/>		
monthly	<input type="text"/>		
quarterly	x		
semiannual	<input type="text"/>		
annual	<input type="text"/>		
single event	<input type="text"/>		

  

One quarterly event is recommended for the instances of non-compliance that occurred from February 4, 2016 to April 1, 2016.	
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<b>Good Faith Efforts to Comply</b>	25.0%	
	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	x	<input type="text"/>
N/A	<input type="text"/>	<input type="text"/>
Notes	The Respondent completed the corrective measures on April 1, 2016, prior to the NOE dated April 28, 2017.	
<b>Violation Subtotal</b>		\$2,813

  

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$78
	<b>Violation Final Penalty Total</b>
	\$5,738
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$5,738	

## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 18

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	4-Feb-2016	1-Apr-2016	0.16	\$78	n/a	\$78

Notes for DELAYED costs

Estimated cost to adjust the process conditions in order to comply with the benzene outlet concentration limit for the Second Stage Hydrotreater Unit Treatment Process PRO-SSMON and Olefins 2 Aromatic Waste Minimization Project Treatment Process PRO-AWMP2. 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

\$10,000

**TOTAL**

\$78

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	19	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. 02327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 9.25 lbs/hr by a range from 0.01 lb/hr to 0.33 lb/hr for a total of 39 hours from November 9, 2015 through November 20, 2015 for the Steam Cracking Furnace, EPN DDB-101B, resulting in 4.27 lbs of unauthorized CO emissions.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	
	Potential				<b>Percent</b> 15.0%

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
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	\$3,750
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**Violation Events**

Number of Violation Events	1	11	Number of violation days
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	daily				
	weekly				
	monthly				
	quarterly	x			<b>Violation Base Penalty</b> \$3,750
	semiannual				
	annual				
	single event				

  

One quarterly event is recommended for the instances of non-compliance that occurred from November 9, 2015 to November 20, 2015.
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**Good Faith Efforts to Comply**

<b>25.0%</b>	<b>Reduction</b> \$937
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		Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		
Notes	The Respondent completed the corrective measures on November 20, 2015, prior to the NOE dated April 28, 2017.	

  

<b>Violation Subtotal</b>	\$2,813
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$15
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$5,738
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$5,738
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 19

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	9-Nov-2015	20-Nov-2015	0.03	\$15	n/a	\$15

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-101B. 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

\$10,000

**TOTAL**

\$15

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>									
<table style="width: 100%;"> <tr> <td style="width: 20%;"><b>Violation Number</b></td> <td style="width: 10%; text-align: center;">20</td> <td style="width: 70%;"></td> </tr> <tr> <td><b>Rule Cite(s)</b></td> <td></td> <td>           30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 97769, SC No. 1, FOP No. O2327, GTC and STC No. 20, and Tex. Health &amp; Safety Code § 382.085(b)         </td> </tr> <tr> <td><b>Violation Description</b></td> <td></td> <td>           Failed to comply with the MAERs. Specifically, the Respondent exceeded the NOx MAER of 14.85 lbs/hr by a range from 0.23 lb/hr to 7.97 lbs/hr for a total of four hours on three days from February 24, 2016 to September 20, 2016 and exceeded the CO MAER of 21.78 lbs/hr by a range from 7.89 lbs/hr to 67.52 lbs/hr for a total of three hours on July 26, 2016 and July 28, 2016 for Furnace No. 105, EPN DDB-105, resulting in the unauthorized release of 9.34 lbs of NOx emissions and 88.02 lbs of CO emissions.         </td> </tr> </table>			<b>Violation Number</b>	20		<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 97769, SC No. 1, FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)	<b>Violation Description</b>		Failed to comply with the MAERs. Specifically, the Respondent exceeded the NOx MAER of 14.85 lbs/hr by a range from 0.23 lb/hr to 7.97 lbs/hr for a total of four hours on three days from February 24, 2016 to September 20, 2016 and exceeded the CO MAER of 21.78 lbs/hr by a range from 7.89 lbs/hr to 67.52 lbs/hr for a total of three hours on July 26, 2016 and July 28, 2016 for Furnace No. 105, EPN DDB-105, resulting in the unauthorized release of 9.34 lbs of NOx emissions and 88.02 lbs of CO emissions.
<b>Violation Number</b>	20										
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 97769, SC No. 1, FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)									
<b>Violation Description</b>		Failed to comply with the MAERs. Specifically, the Respondent exceeded the NOx MAER of 14.85 lbs/hr by a range from 0.23 lb/hr to 7.97 lbs/hr for a total of four hours on three days from February 24, 2016 to September 20, 2016 and exceeded the CO MAER of 21.78 lbs/hr by a range from 7.89 lbs/hr to 67.52 lbs/hr for a total of three hours on July 26, 2016 and July 28, 2016 for Furnace No. 105, EPN DDB-105, resulting in the unauthorized release of 9.34 lbs of NOx emissions and 88.02 lbs of CO emissions.									
		<b>Base Penalty</b> <span style="border: 1px solid black; padding: 2px;">\$25,000</span>									
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>											
OR	<b>Release</b>	<b>Harm</b>									
		Major      Moderate      Minor									
	Actual	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;">x</span>							
	Potential	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>		<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">15.0%</span>					
<b>&gt;&gt; Programmatic Matrix</b>											
	Falsification	Major	Moderate	Minor							
	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>		<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">0.0%</span>					
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.										
					<b>Adjustment</b> <span style="border: 1px solid black; padding: 2px;">\$21,250</span>						
					<span style="border: 1px solid black; padding: 2px;">\$3,750</span>						
<b>Violation Events</b>											
Number of Violation Events		<span style="border: 1px solid black; padding: 2px;">2</span>	<span style="border: 1px solid black; padding: 2px;">5</span>		Number of violation days						
	daily	<span style="border: 1px solid black; padding: 2px;"></span>									
	weekly	<span style="border: 1px solid black; padding: 2px;"></span>									
	monthly	<span style="border: 1px solid black; padding: 2px;"></span>									
	quarterly	<span style="border: 1px solid black; padding: 2px;"></span>									
	semiannual	<span style="border: 1px solid black; padding: 2px;">x</span>									
	annual	<span style="border: 1px solid black; padding: 2px;"></span>									
	single event	<span style="border: 1px solid black; padding: 2px;"></span>									
Two semiannual events are recommended for the instances of non-compliance that occurred from February 24, 2016 to September 20, 2016.											
<b>Good Faith Efforts to Comply</b>		<span style="border: 1px solid black; padding: 2px;">25.0%</span>	<b>Reduction</b> <span style="border: 1px solid black; padding: 2px;">\$1,875</span>								
		Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer									
	Extraordinary	<span style="border: 1px solid black; padding: 2px;"></span>									
	Ordinary	<span style="border: 1px solid black; padding: 2px;">x</span>									
	N/A	<span style="border: 1px solid black; padding: 2px;"></span>									
	Notes	The Respondent completed the corrective measures on September 20, 2016, prior to the NOE dated April 28, 2017.									
					<b>Violation Subtotal</b> <span style="border: 1px solid black; padding: 2px;">\$5,625</span>						
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>								
Estimated EB Amount		<span style="border: 1px solid black; padding: 2px;">\$286</span>	Violation Final Penalty Total		<span style="border: 1px solid black; padding: 2px;">\$11,475</span>						
					<b>This violation Final Assessed Penalty (adjusted for limits)</b> <span style="border: 1px solid black; padding: 2px;">\$11,475</span>						

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 20

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	24-Feb-2016	20-Sep-2016	0.57	\$286	n/a	\$286

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the NOx and CO hourly MAERs for Furnace No. 105, EPN DDB-105. 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

\$10,000

**TOTAL**

\$286

<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)			
<b>Case ID No.</b>	60882	<i>Policy Revision 4 (April 2014)</i>		
<b>Reg. Ent. Reference No.</b>	RN100238708	<i>PCW Revision March 26, 2014</i>		
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	21			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 117.310(c)(2)(B) and 122.143(4), FOP No. O2327, GTC and STC No. 1.A., and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the concentration limit. Specifically, the Respondent exceeded the ammonia concentration limit of 10 parts per million by volume dry ("ppmvd") at 3.0 percent oxygen ("% O2") based on a 24-hour averaging period by a range from 0.02 ppmv to 7.94 ppmv for a total of 503 hours on 38 days from November 7, 2015 to September 9, 2016 for the Steam Cracking Furnace, EPN DB-109.			
<b>Base Penalty</b>				\$25,000

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	<b>Percent</b> 15.0%
Potential					

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

**Matrix Notes**

Human health or the environment has been exposed to insignificant amounts of pollutants that did 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	3	38	Number of violation days
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	daily		<b>Violation Base Penalty</b> \$11,250
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

Three quarterly events are recommended for the instances of non-compliance that occurred from November 7, 2015 to March 23, 2016 and from July 28, 2016 to September 9, 2016.

**Good Faith Efforts to Comply** Reduction

	25.0%		
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary			
Ordinary	x		
N/A			

**Notes**

The Respondent completed the corrective measures on September 9, 2016, prior to the NOE dated April 28, 2017.

**Violation Subtotal** \$8,438

**Economic Benefit (EB) for this violation** **Statutory Limit Test**

Estimated EB Amount	\$421	Violation Final Penalty Total	\$17,213
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**This violation Final Assessed Penalty (adjusted for limits)** \$17,213

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 21

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	7-Nov-2015	9-Sep-2016	0.84	\$421	n/a	\$421

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the ammonia concentration limit for the Steam Cracking Furnace, EPN DB-109. 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

\$10,000

**TOTAL**

\$421



<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	22	<b>Rule Cite(s)</b>	
		30 Tex. Admin. Code §§ 106.8(c)(2) and (4) and 122.143(4), FOP No. 02327, GTC and STC No. 22, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>		Failed to provide records upon request and maintain records containing sufficient information to demonstrate compliance with all applicable Permits by Rules ("PBRs"). Specifically, the Respondent was requested to provide the records containing sufficient information to demonstrate compliance for each PBR and standard exemption listed in the NSR Authorization Table of FOP No. 02327 by February 23, 2017, but 40% of the requested records were not provided.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>	<b>Release</b>	<b>Harm</b>			
		Major	Moderate	Minor	
	Actual				
	Potential				
					<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">0.0%</span>

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>	<b>Falsification</b>	Major	Moderate	Minor	
			x		
					<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">7.0%</span>

  

<b>Adjustment</b>	\$23,250
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	\$1,750
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**Violation Events**

Number of Violation Events	<span style="border: 1px solid black; padding: 2px;">1</span>	<span style="border: 1px solid black; padding: 2px;">74</span>	Number of violation days
daily			
weekly			
monthly			
quarterly			
semiannual			
annual			
single event	x		
<b>Violation Base Penalty</b> <span style="border: 1px solid black; padding: 2px;">\$1,750</span>			

  

One single event is recommended.	
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**Good Faith Efforts to Comply**

<b>0.0%</b>		<b>Reduction</b>	\$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.		
<b>Violation Subtotal</b>			\$1,750

  

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

<b>Estimated EB Amount</b>	\$590
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$3,115
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$3,115	

## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 22

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$1,500	23-Feb-2017	1-Jan-2025	7.86	\$590	n/a	\$590
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to begin maintaining the records containing sufficient information to demonstrate compliance for each Permit by Rule ("PBR") and standard exemption listed in the NSR Authorization Table of FOP No. 02327 and make the records available in a reviewable format at the request of personnel from the Commission. The Date Required is the date the records request was due 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

\$1,500

**TOTAL**

\$590

<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)			Policy Revision 4 (April 2014)
<b>Case ID No.</b>	60882			PCW Revision March 26, 2014
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	23			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 02327, GTC, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	<p>Failed to report all instances of deviations. Specifically, the deviation reports for the October 1, 2015 through March 31, 2016 and April 1, 2016 through September 30, 2016 reporting periods did not include the deviations for failing to obtain a revision for FOP No. 02327 prior to operating emission units at the site; failing to submit an application for a revision to FOP No. 02327 for those activities at a site which change, add, or remove one or more permit terms or conditions; and failing to submit the 40 CFR Part 63 Subpart ZZZZ compliance reports.</p>			
		<b>Base Penalty</b>	\$25,000	

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0.0%
Potential					

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
				x	<b>Percent</b> 1.0%

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

**Adjustment** \$24,750

\$250

**Violation Events**

Number of Violation Events	2		373	Number of violation days
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	daily		<b>Violation Base Penalty</b> \$500
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	

Two single events are recommended.

**Good Faith Efforts to Comply**

	0.0%		<b>Reduction</b> \$0
Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer			
Extraordinary			
Ordinary			
N/A	x		
Notes	<div style="border: 1px solid black; padding: 5px;">           The Respondent does not meet the good faith criteria for this violation.         </div>		

**Violation Subtotal** \$500

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

	<b>Statutory Limit Test</b>
Estimated EB Amount	\$217
	<b>Violation Final Penalty Total</b> \$890
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$890	

## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 23

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	30-Apr-2016	1-Jan-2025	8.68	\$217	n/a	\$217

#### Notes for DELAYED costs

Estimated cost to submit the revised deviation reports for the October 1, 2015 through March 31, 2016 and April 1, 2016 through September 30, 2016 reporting periods to report the deviations for failing to to obtain a revision for FOP No. O2327 prior to operating emission units at the site; failing to submit an application for a revision to FOP No. O2327 for those activities at a site which change, add, or remove one or more permit terms or conditions; and failing to submit the 40 CFR Part 63 Subpart ZZZZ compliance reports (\$250/deviation report). The Date Required is the date the first deviation report was due and the Final Date is the estimated date of compliance.

See the Economic Benefit in Violation No. 3 of PCW No. 1 of 4 for implementing measures designed to ensure that all instances of deviations are reported in a timely manner.

### 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

\$500

**TOTAL**

\$217

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	24	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC Nos. 65.A. and 65.C., FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>	Failed to maintain records to support planned MSS activities. Specifically, the Respondent did not record the number of vacuum truck transfers and the volume of material transferred during five liquid transfers that occurred from April 1, 2017 to September 30, 2017.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

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

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	<b>Percent</b> <input type="text" value="1.0%"/>

  

<b>Matrix Notes</b>	Less than 30% of the rule requirements were not met.
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<b>Adjustment</b>	\$24,750
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	\$250
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**Violation Events**

Number of Violation Events	2	5	Number of violation days
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	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"/>	<b>Violation Base Penalty</b> <input type="text" value="\$500"/>

  

Two single events are recommended (one event for each incomplete record).
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**Good Faith Efforts to Comply**

<b>25.0%</b> <small>Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer</small>	<b>Reduction</b> <input type="text" value="\$125"/>
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	Extraordinary	<input type="text"/>	
	Ordinary	<input type="text" value="x"/>	
	N/A	<input type="text"/>	

  

<b>Notes</b>	The Respondent completed the corrective measures by September 30, 2017, prior to the NOE dated June 24, 2019.
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<b>Violation Subtotal</b>	\$375
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$37
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$765
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$765
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## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 24

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$1,500	1-Apr-2017	30-Sep-2017	0.50	\$37	n/a	\$37
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to begin maintaining the records for the number of vacuum truck transfers and the volume of material transferred during the liquid transfers supporting planned MSS activities. 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

\$1,500

**TOTAL**

\$37

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right; font-size: small;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>
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<b>Violation Number</b>	25	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. Q2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>	Failed to comply with the MAERs. Specifically, the Respondent exceeded the NOx MAER of 45.01 lbs/hr by a range from 0.23 lb/hr to 4.59 lbs/hr for a total of 12 hours and exceeded the CO MAER of 231.90 lbs/hr by a range from 5.24 lbs/hr to 20.82 lbs/hr for a total of 11 hours on November 21, 2016 and November 22, 2016 for the No. 1 Olefins Flare, EPN DM-1101, resulting in the unauthorized release of 34.04 lbs of NOx emissions and 144.22 lbs of CO emissions.	

  

**Base Penalty** \$25,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px; text-align: center;">x</div>	
	Potential	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	

**Percent** 15.0%

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	

**Percent** 0.0%

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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**Adjustment** \$21,250

\$3,750

  

**Violation Events**

Number of Violation Events <span style="border: 1px solid black; padding: 2px 10px;">1</span>	<span style="border: 1px solid black; padding: 2px 10px;">2</span>	Number of violation days
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daily	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>
weekly	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>
monthly	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>
quarterly	<div style="border: 1px solid black; width: 50px; height: 15px; text-align: center;">x</div>
semiannual	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>
annual	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>
single event	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>

**Violation Base Penalty** \$3,750

  

One quarterly event is recommended for the instances of non-compliance that occurred on November 21, 2016 and November 22, 2016.

  

**Good Faith Efforts to Comply**

<b>25.0%</b>	<b>Reduction</b> <span style="border: 1px solid black; padding: 2px 20px;">\$937</span>
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Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	<div style="border: 1px solid black; width: 100px; height: 15px;"></div>
Ordinary	<div style="border: 1px solid black; width: 100px; height: 15px; text-align: center;">x</div>
N/A	<div style="border: 1px solid black; width: 100px; height: 15px;"></div>

Notes	The Respondent completed the corrective actions by November 29, 2016, prior to the NOE dated June 24, 2019.
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**Violation Subtotal** \$2,813

  

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

<b>Estimated EB Amount</b>	<span style="border: 1px solid black; padding: 2px 20px;">\$11</span>	<b>Statutory Limit Test</b>
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	<b>Violation Final Penalty Total</b>	<span style="border: 1px solid black; padding: 2px 20px;">\$5,738</span>
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**This violation Final Assessed Penalty (adjusted for limits)** \$5,738

## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 25

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	21-Nov-2016	29-Nov-2016	0.02	\$11	n/a	\$11

Notes for DELAYED costs

Estimated cost to maximize the hydrogen to fuel gas ratio in order to comply with the NOx and CO hourly MAERs for the No. 1 Olefins Flare, EPN DM-1101. 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

\$10,000

**TOTAL**

\$11



<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)	<i>Policy Revision 4 (April 2014)</i>		
<b>Case ID No.</b>	60882	<i>PCW Revision March 26, 2014</i>		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	26			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 97769, SC No. 1, FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	<p>Failed to comply with the MAERs. Specifically, the Respondent exceeded the NOx MAER of 14.85 lbs/hr by a range from 0.01 lb/hr to 38.20 lbs/hr for a total of 11 hours on three days from December 29, 2016 to February 5, 2017, exceeded the CO MAER of 21.78 lbs/hr by 17.93 lbs/hr and 55.51 lbs/hr for a total of two hours on April 3, 2017, exceeded the ammonia ("NH3") MAER of 4.77 lbs/hr by 0.64 lb/hr on January 21, 2017 and 2.25 lbs/hr on April 3, 2017, and exceeded the NOx annual MAER of 21.68 tons per year ("tpy") based on a 12-month rolling period for the 12-month periods ending from October 2016 through June 2017 for Furnace No. 105, EPN DDB-105, resulting in the unauthorized release of 0.90 ton of NOx emissions, 73.44 lbs of CO emissions, and 2.89 lbs of NH3 emissions.</p>			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	
	Potential				<b>Percent</b>
					15.0%

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b>
					0.0%

  

<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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**Adjustment**    \$21,250

**Base Penalty**    \$3,750

  

**Violation Events**

Number of Violation Events	3	272	Number of violation days
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	daily					
	weekly					
	monthly					
	quarterly	x				
	semiannual					
	annual					
	single event					

  

**Violation Base Penalty**    \$11,250

Three quarterly events are recommended for the period of non-compliance from October 1, 2016 through June 30, 2017.

  

**Good Faith Efforts to Comply**    **25.0%**    Reduction    \$2,812

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

  

<b>Notes</b>	The Respondent completed the corrective actions by July 31, 2017, prior to the NOE dated June 24, 2019.
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**Violation Subtotal**    \$8,438

  

**Economic Benefit (EB) for this violation**    **Statutory Limit Test**

<b>Estimated EB Amount</b>	\$415	<b>Violation Final Penalty Total</b>	\$17,213
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$17,213	

## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 26

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	1-Oct-2016	31-Jul-2017	0.83	\$415	n/a	\$415

Notes for DELAYED costs

Estimated cost to restore the steam in the furnace, restart the ammonia system heater, resume ammonia injection, and make adjustments to the furnace to limit the firing rate and NOx emissions in order to comply with the NOx, CO, and NH3 hourly MAERs and NOx annual MAER for Furnace No. 105, EPN DDB-105. 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

\$10,000

**TOTAL**

\$415

<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)	Policy Revision 4 (April 2014) PCW Revision March 26, 2014		
<b>Case ID No.</b>	60882			
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	27			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by a range from 0.59 lb/hr to 12.86 lbs/hr for a total of four hours on four days from October 18, 2016 to August 9, 2017 and exceeded the NH3 MAER of 4.36 lbs/hr by 5.47 lbs/hr for one hour on August 25, 2017 for the Steam Cracking Furnace, EPN DB-105, resulting in the unauthorized release of 22.88 lbs of CO emissions and 5.47 lbs of NH3 emissions.			
<b>Base Penalty</b>				\$25,000

  

<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>					
<b>OR</b>	<b>Release</b>	<b>Major</b>	<b>Harm Moderate</b>	<b>Minor</b>	
	Actual			x	
	Potential				
				<b>Percent</b>	15.0%

  

<b>&gt;&gt; Programmatic Matrix</b>					
<b>Matrix Notes</b>	<b>Falsification</b>	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>	
				<b>Percent</b>	0.0%
Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.					
<b>Adjustment</b>					\$21,250

  

				<b>\$3,750</b>
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<b>Violation Events</b>				
Number of Violation Events	2	Number of violation days	5	
	<div style="border: 1px solid black; padding: 2px;">daily</div> <div style="border: 1px solid black; padding: 2px;">weekly</div> <div style="border: 1px solid black; padding: 2px;">monthly</div> <div style="border: 1px solid black; padding: 2px;">quarterly</div> <div style="border: 1px solid black; padding: 2px;">semiannual</div> <div style="border: 1px solid black; padding: 2px;">annual</div> <div style="border: 1px solid black; padding: 2px;">single event</div>			
				<b>Violation Base Penalty</b>
				\$7,500
Two semiannual events are recommended for the instances of non-compliance that occurred from October 18, 2016 to August 25, 2017.				

  

<b>Good Faith Efforts to Comply</b>	25.0%	<b>Reduction</b>	\$1,875
	Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer		
Extraordinary			
Ordinary	x		
N/A			
Notes	The Respondent completed the corrective measures on August 25, 2017, prior to the NOE dated June 24, 2019.		
<b>Violation Subtotal</b>			\$5,625

  

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount	\$426
	<b>Violation Final Penalty Total</b>
	\$11,475
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$11,475	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 27

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	18-Oct-2016	25-Aug-2017	0.85	\$426	n/a	\$426

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the CO and NH3 hourly MAERs for the Steam Cracking Furnace, EPN DB-105. 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

\$10,000

**TOTAL**

\$426

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	28	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 0.14 lb/hr to 55.97 lbs/hr for a total of 22 hours on eight days from October 21, 2016 to July 27, 2017 for the Steam Cracking Furnace, EPN DDB-102B, resulting in 172.79 lbs of unauthorized CO emissions.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	
	Potential				
					<b>Percent</b> 15.0%

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>		Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%	
Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.						

  

<b>Adjustment</b>	\$21,250
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	\$3,750
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**Violation Events**

Number of Violation Events	2	8	Number of violation days
daily			
weekly			
monthly			
quarterly			
semiannual	x		
annual			
single event			
<b>Violation Base Penalty</b>			
\$7,500			
Two semiannual events are recommended for the instances of non-compliance that occurred from October 21, 2016 to July 27, 2017.			

  

**Good Faith Efforts to Comply**

<b>25.0%</b>	<b>Reduction</b>
	\$1,875
Extraordinary	
Ordinary	x
N/A	
Notes	The Respondent completed the corrective measures on July 27, 2017, prior to the NOE dated June 24, 2019.
<b>Violation Subtotal</b>	
\$5,625	

  

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount	\$382
	<b>Violation Final Penalty Total</b>
	\$11,475
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$11,475	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 28

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	21-Oct-2016	27-Jul-2017	0.76	\$382	n/a	\$382

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102B. 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

\$10,000

**TOTAL**

\$382

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right; color: red; font-size: small;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>																
<b>Violation Number</b> <span style="border: 1px solid black; padding: 2px;">29</span>																		
<b>Rule Cite(s)</b> 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. Q2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)																		
<b>Violation Description</b> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         Failed to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by a range from 1.33 lbs/hr to 55.55 lbs/hr for a total of eight hours on eight days from November 24, 2016 to September 20, 2017 and exceeded the NH3 MAER of 4.36 lbs/hr by 3.54 lbs/hr and 7.17 lbs/hr for a total of two hours on August 25, 2017 for the Steam Cracking Furnace, EPN DB-106, resulting in unauthorized release of 163.88 lbs of CO emissions and 10.71 lbs of NH3 emissions.       </div>																		
<b>Base Penalty</b>		\$25,000																
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																		
OR	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <th colspan="3" style="text-align: center;">Harm</th> </tr> <tr> <td style="text-align: center;">Release</td> <th style="text-align: center;">Major</th> <th style="text-align: center;">Moderate</th> <th style="text-align: center;">Minor</th> </tr> <tr> <td style="text-align: center;">Actual</td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black; text-align: center;">x</td> </tr> <tr> <td style="text-align: center;">Potential</td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;"></td> </tr> </table>		Harm			Release	Major	Moderate	Minor	Actual			x	Potential				<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">15.0%</span>
		Harm																
	Release	Major	Moderate	Minor														
Actual			x															
Potential																		
<b>&gt;&gt; Programmatic Matrix</b>																		
Matrix Notes	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <th style="text-align: center;">Major</th> <th style="text-align: center;">Moderate</th> <th style="text-align: center;">Minor</th> </tr> <tr> <td style="text-align: center;">Falsification</td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;"></td> </tr> </table>		Major	Moderate	Minor	Falsification				<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">0.0%</span>								
		Major	Moderate	Minor														
	Falsification																	
Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.																		
<b>Adjustment</b>		\$21,250																
		\$3,750																
<b>Violation Events</b>																		
Number of Violation Events <span style="border: 1px solid black; padding: 2px;">2</span>		<span style="border: 1px solid black; padding: 2px;">9</span> Number of violation days																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="text-align: center;">daily</td><td style="border: 1px solid black;"></td></tr> <tr><td style="text-align: center;">weekly</td><td style="border: 1px solid black;"></td></tr> <tr><td style="text-align: center;">monthly</td><td style="border: 1px solid black;"></td></tr> <tr><td style="text-align: center;">quarterly</td><td style="border: 1px solid black;"></td></tr> <tr><td style="text-align: center;">semiannual</td><td style="border: 1px solid black; text-align: center;">x</td></tr> <tr><td style="text-align: center;">annual</td><td style="border: 1px solid black;"></td></tr> <tr><td style="text-align: center;">single event</td><td style="border: 1px solid black;"></td></tr> </table>		daily		weekly		monthly		quarterly		semiannual	x	annual		single event		<b>Violation Base Penalty</b> <span style="border: 1px solid black; padding: 2px;">\$7,500</span>		
daily																		
weekly																		
monthly																		
quarterly																		
semiannual	x																	
annual																		
single event																		
Two semiannual events are recommended for the instances of non-compliance that occurred from November 24, 2016 to September 20, 2017.																		
<b>Good Faith Efforts to Comply</b>		<b>Reduction</b> <span style="border: 1px solid black; padding: 2px;">\$1,875</span>																
Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary <span style="border: 1px solid black; padding: 2px;"></span>																		
Ordinary <span style="border: 1px solid black; padding: 2px; text-align: center;">x</span>																		
N/A <span style="border: 1px solid black; padding: 2px;"></span>																		
Notes <span style="border: 1px solid black; padding: 5px; margin-top: 5px;">           The Respondent completed the corrective measures on September 20, 2017, prior to the NOE dated June 24, 2019.         </span>																		
<b>Violation Subtotal</b>		\$5,625																
<b>Economic Benefit (EB) for this violation</b>																		
<b>Statutory Limit Test</b>																		
Estimated EB Amount <span style="border: 1px solid black; padding: 2px;">\$411</span>		<b>Violation Final Penalty Total</b> <span style="border: 1px solid black; padding: 2px;">\$11,475</span>																
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$11,475																

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 29

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	24-Nov-2016	20-Sep-2017	0.82	\$411	n/a	\$411

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the CO and NH3 hourly MAERs for the Steam Cracking Furnace, EPN DB-106. 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

\$10,000

**TOTAL**

\$411



<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)			Policy Revision 4 (April 2014)
<b>Case ID No.</b>	60882			PCW Revision March 26, 2014
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	30			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 0.21 lb/hr to 12.55 lbs/hr for a total of seven hours on four days from November 28, 2016 to September 26, 2017 for the Steam Cracking Furnace, EPN DDB-102D, resulting in 40.26 lbs of unauthorized CO emissions.			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	<b>Percent</b> 15.0%
	Potential				

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>		<b>Falsification</b>			
		Major	Moderate	Minor	
					<b>Percent</b> 0.0%
	Human health or the environment has been exposed to insignificant amounts of pollutants that did 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	2		Number of violation days	4
	<div style="border: 1px solid black; padding: 2px;">           daily weekly monthly quarterly semiannual annual single event         </div>			
				<b>Violation Base Penalty</b> \$7,500

Two semiannual events are recommended for the instances of non-compliance that occurred from November 28, 2016 to September 26, 2017.

  

**Good Faith Efforts to Comply**

	25.0%		Reduction \$1,875
	Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer		
Extraordinary			
Ordinary	x		
N/A			
Notes	The Respondent completed the corrective measures on September 26, 2017, prior to the NOE dated June 24, 2019.		
<b>Violation Subtotal</b>			\$5,625

  

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

	<b>Statutory Limit Test</b>
Estimated EB Amount	\$414
	<b>Violation Final Penalty Total</b> \$11,475
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$11,475	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 30

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	28-Nov-2016	26-Sep-2017	0.83	\$414	n/a	\$414

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102D. 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

\$10,000

**TOTAL**

\$414

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	31	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. Q2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>	Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by a range from 0.14 lb/hr to 20.28 lbs/hr for a total of 10 hours on nine days from November 30, 2016 to August 17, 2017 for the Steam Cracking Furnace, EPN DB-108, resulting in 60.78 lbs of unauthorized CO emissions.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	<b>Percent</b>
Potential				15.0%	

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b>

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
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<b>Adjustment</b>	\$3,750
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**Violation Events**

Number of Violation Events	2		9	Number of violation days
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	daily	weekly	monthly	quarterly	semiannual	annual	single event	
					x			<b>Violation Base Penalty</b>

  

Two semiannual events are recommended for the instances of non-compliance that occurred from November 30, 2016 to August 17, 2017.
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**Good Faith Efforts to Comply**

	25.0%		Reduction	\$1,875
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary	x		
N/A			

  

Notes	The Respondent completed the corrective measures on August 17, 2017, prior to the NOE dated June 24, 2019.
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<b>Violation Subtotal</b>	\$5,625
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**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
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Estimated EB Amount	\$356		Violation Final Penalty Total	\$11,475
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$11,475
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 31

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	30-Nov-2016	17-Aug-2017	0.71	\$356	n/a	\$356

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DB-108. 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

\$10,000

**TOTAL**

\$356

<b>Screening Date</b> 23-Sep-2016 <b>Respondent</b> INEOS USA LLC (PCW No. 1 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right; color: red; font-size: small;">         Policy Revision 4 (April 2014)          PCW Revision March 26, 2014       </div>	<b>PCW</b>
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<b>Violation Number</b>	32	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 101, SC No. 1, FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 14.40 lbs/hr by a range from 0.08 lb/hr to 27.36 lbs/hr for a total of 106 hours on 13 days from November 6, 2016 to January 27, 2017 for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B, resulting in 460.29 lbs of unauthorized CO emissions.

  

**Base Penalty** \$25,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	
	Potential				

**Percent** 15.0%

  

**>> Programmatic Matrix**

	<b>Falsification</b>	Major	Moderate	Minor	

**Percent** 0.0%

  

**Matrix Notes** Human health or the environment has been exposed to insignificant amounts of pollutants that did 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	<span style="border: 1px solid black; padding: 2px 10px;">1</span>	<span style="border: 1px solid black; padding: 2px 10px;">13</span>	Number of violation days
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daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

**Violation Base Penalty** \$3,750

  

One quarterly event is recommended for the instances of non-compliance that occurred from November 6, 2016 to January 27, 2017.

  

**Good Faith Efforts to Comply**

	<span style="border: 1px solid black; padding: 2px 10px;">25.0%</span>	
		Before NOE/NOV NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		
Notes	The Respondent completed the corrective measures on January 27, 2017, prior to the NOE dated June 24, 2019.	

**Reduction** \$937

  

**Violation Subtotal** \$2,813

  

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

	<b>Statutory Limit Test</b>
Estimated EB Amount <span style="border: 1px solid black; padding: 2px 20px;">\$112</span>	Violation Final Penalty Total <span style="border: 1px solid black; padding: 2px 20px;">\$5,738</span>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <span style="border: 1px solid black; padding: 2px 20px;">\$5,738</span>	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 32

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	6-Nov-2016	27-Jan-2017	0.22	\$112	n/a	\$112

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the CO hourly MAER for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B. 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

\$10,000

**TOTAL**

\$112

<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)	Policy Revision 4 (April 2014) PCW Revision March 26, 2014		
<b>Case ID No.</b>	60882			
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	33			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 0.73 lb/hr to 7.70 lbs/hr for a total of six hours on three days from February 23, 2017 to August 23, 2017 for the Steam Cracking Furnace, EPN DDB-102A, resulting in 26.96 lbs of unauthorized CO emissions.			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	<b>Percent</b> 15.0%
	Potential				

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>		<b>Falsification</b>			
		Major	Moderate	Minor	
					<b>Percent</b> 0.0%
Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.					
<b>Adjustment</b>					\$21,250

  

\$3,750

**Violation Events**

Number of Violation Events	1	Number of violation days	3														
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td></td></tr> <tr><td>semiannual</td><td style="text-align: center;">x</td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly		quarterly		semiannual	x	annual		single event			
daily																	
weekly																	
monthly																	
quarterly																	
semiannual	x																
annual																	
single event																	
<b>Violation Base Penalty</b>			\$3,750														
One semiannual event is recommended for the instances of non-compliance that occurred from February 23, 2017 to August 23, 2017.																	

  

**Good Faith Efforts to Comply**

<b>25.0%</b>		<b>Reduction</b>	\$937
Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer			
Extraordinary			
Ordinary	x		
N/A			
Notes	The Respondent completed the corrective measures on August 23, 2017, prior to the NOE dated June 24, 2019.		
<b>Violation Subtotal</b>			\$2,813

  

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

<b>Statutory Limit Test</b>	
Estimated EB Amount	\$248
<b>Violation Final Penalty Total</b>	\$5,738
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$5,738	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 33

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	23-Feb-2017	23-Aug-2017	0.50	\$248	n/a	\$248

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102A. 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

\$10,000

**TOTAL**

\$248



<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)			Policy Revision 4 (April 2014)
<b>Case ID No.</b>	60882			PCW Revision March 26, 2014
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	34			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the MAER. Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 2.02 lbs/hr to 32.69 lbs/hr for a total of six hours on four days from March 19, 2017 to August 18, 2017 for the Steam Cracking Furnace, EPN DDB-102C, resulting in 81.21 lbs of unauthorized CO emissions.			
			<b>Base Penalty</b>	\$25,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	<b>Percent</b> 15.0%
Potential					

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>		<b>Falsification</b>			
		Major	Moderate	Minor	
					<b>Percent</b> 0.0%
Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.					
				<b>Adjustment</b>	\$21,250

  

\$3,750

**Violation Events**

Number of Violation Events	1	Number of violation days	4	
	<div style="border: 1px solid black; padding: 2px;">           daily            weekly            monthly            quarterly            semiannual            annual            single event         </div>			
			<b>Violation Base Penalty</b>	\$3,750
One semiannual event is recommended for the instances of non-compliance that occurred from March 19, 2017 to August 18, 2017.				

  

**Good Faith Efforts to Comply**

		<b>25.0%</b>	<b>Reduction</b>	\$937
Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer				
	Extraordinary			
	Ordinary	x		
	N/A			
	<b>Notes</b>	The Respondent completed the corrective measures on August 18, 2017, prior to the NOE dated June 24, 2019.		
			<b>Violation Subtotal</b>	\$2,813

  

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

<b>Statutory Limit Test</b>	
Estimated EB Amount	\$208
<b>Violation Final Penalty Total</b>	\$5,738
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
	\$5,738

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 34

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	19-Mar-2017	18-Aug-2017	0.42	\$208	n/a	\$208

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102C. 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

\$10,000

**TOTAL**

\$208

<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)			Policy Revision 4 (April 2014)
<b>Case ID No.</b>	60882			PCW Revision March 26, 2014
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	35			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 02327, GTC, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to report all instances of deviations. Specifically, the deviation report for the April 1, 2016 through September 30, 2016 reporting period did not include the deviation for conducting a cylinder gas audit ("CGA") earlier than two months after the previous CGA.			
		<b>Base Penalty</b>	\$25,000	

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

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual				
	Potential				<b>Percent</b> 0.0%

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
				x	<b>Percent</b> 1.0%
<b>Matrix Notes</b>	Less than 30% of the rule requirements were not met.				
	<b>Adjustment</b>				\$24,750

\$250

**Violation Events**

Number of Violation Events	1	985	Number of violation days	
	<div style="border: 1px solid black; padding: 2px;">daily</div> <div style="border: 1px solid black; padding: 2px;">weekly</div> <div style="border: 1px solid black; padding: 2px;">monthly</div> <div style="border: 1px solid black; padding: 2px;">quarterly</div> <div style="border: 1px solid black; padding: 2px;">semiannual</div> <div style="border: 1px solid black; padding: 2px;">annual</div> <div style="border: 1px solid black; padding: 2px;">single event</div>			<b>Violation Base Penalty</b> \$250
	One single event is recommended.			

**Good Faith Efforts to Comply**

	10.0%		Reduction	\$25
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary		x		
N/A				
Notes	The Respondent completed the corrective measures by September 30, 2020, after to the NOE dated June 24, 2019.			
	<b>Violation Subtotal</b>			\$225

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

<b>Estimated EB Amount</b>	\$6	<b>Statutory Limit Test</b>		
		<b>Violation Final Penalty Total</b>	\$420	
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$420	

## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 35

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	30-Oct-2016	26-Apr-2017	0.49	\$6	n/a	\$6

Notes for DELAYED costs

Estimated cost to submit a revised deviation report for the April 1, 2016 through September 30, 2016 reporting period to report the deviation for conducting a CGA earlier than two months after the previous CGA. The Date Required is the date the deviation report was due and the Final Date is the date of compliance.

See the Economic Benefit in Violation No. 3 of PCW No. 1 of 4 for implementing measures designed to ensure that all instances of deviations are reported in a timely manner.

### 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**

\$6

<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)	Policy Revision 4 (April 2014) PCW Revision March 26, 2014		
<b>Case ID No.</b>	60882			
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	36			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. 02327, GTC and STC No. 2.F., and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, although Incident No. 270980 began on September 4, 2017 at 9:55 a.m., Incident No. 270980 was not discovered until October 24, 2017 at 9:55 a.m. so the initial notification for Incident No. 270980 was due by October 25, 2017 at 9:55 a.m., but was not submitted until October 25, 2017 at 2:47 p.m.			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>		Harm			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0.0%
Potential					

  

**>> Programmatic Matrix**

	Falsification			
	Major	Moderate	Minor	
			x	<b>Percent</b> 1.0%

  

Matrix Notes	Less than 30% of the rule requirements were not met.
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<b>Adjustment</b>	\$24,750
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<b>Violation Events</b>	
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Number of Violation Events	1		Number of violation days	1
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	daily		<b>Violation Base Penalty</b>	\$250
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		

  

One single event is recommended.

  

**Good Faith Efforts to Comply**

	25.0%		<b>Reduction</b>	\$62
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Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer

	Extraordinary		<b>Violation Subtotal</b>	\$188
	Ordinary	x		
	N/A			

  

	Notes	The Respondent completed the corrective measures on October 25, 2017, prior to the NOE dated July 13, 2020.
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**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
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Estimated EB Amount	\$0		<b>Violation Final Penalty Total</b>	\$383
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$383
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 36

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	25-Oct-2017	25-Oct-2017	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to submit the initial notification for Incident No. 270980. The Date Required is the date the initial notification 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**

\$0

<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)			
<b>Case ID No.</b>	60882	<i>Policy Revision 4 (April 2014)</i>		
<b>Reg. Ent. Reference No.</b>	RN100238708	<i>PCW Revision March 26, 2014</i>		
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	37			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to prevent unauthorized emissions. Specifically, the Respondent released 8,617.16 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 270980) that began on September 4, 2017 and lasted 1,201 hours.			
<b>Base Penalty</b>				\$25,000

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	<b>Percent</b> 15.0%
	Potential				

**>> Programmatic Matrix**

<b>Matrix Notes</b>		Falsification	Major	Moderate	Minor	
						<b>Percent</b> 0.0%
		Human health or the environment has been exposed to insignificant amounts of pollutants that did 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	51	Number of violation days
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	daily		<b>Violation Base Penalty</b> \$3,750
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

One quarterly event is recommended.

**Good Faith Efforts to Comply**

	25.0%		<b>Reduction</b>	\$937
		<small>Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer</small>		
Extraordinary				
Ordinary	x			
N/A				
Notes	The Respondent completed the corrective measures by January 15, 2018, prior to the NOE dated July 13, 2020.			

**Violation Subtotal** \$2,813

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

	<b>Statutory Limit Test</b>
Estimated EB Amount	\$27
	<b>Violation Final Penalty Total</b> \$5,738
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$5,738	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 37

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	4-Sep-2017	15-Jan-2018	0.36	\$27	n/a	\$27

Notes for DELAYED costs

Estimated cost to update the procedure for the Boiler Startup by adding steps to ensure that the valves are closed after a startup activity has been completed in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 270980. The Date Required is the date the emissions event began and the Final Date is the date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

**TOTAL**

\$27



<b>Screening Date</b>	23-Sep-2016	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 1 of 4)	Policy Revision 4 (April 2014) PCW Revision March 26, 2014		
<b>Case ID No.</b>	60882			
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	38			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to prevent unauthorized emissions. Specifically, the Respondent released 32,724.77 lbs of CO, 6,422.18 lbs of NOx, and 36,234.14 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 275491) that occurred on January 2, 2018 and lasted 18 hours and 15 minutes.			
<b>Base Penalty</b>				\$25,000

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

<b>OR</b>		<b>Harm</b>				
	<b>Release</b>	Major	Moderate	Minor		
	Actual		x			
	Potential				<b>Percent</b>	30.0%

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor		
					<b>Percent</b>	0.0%

**Matrix Notes**

Based on the air dispersion modeling that was provided 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** \$17,500

\$7,500

**Violation Events**

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

**Violation Base Penalty** \$7,500

One monthly event is recommended.

**Good Faith Efforts to Comply**

	25.0%		<b>Reduction</b>	\$1,875
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	x			
N/A				
Notes	The Respondent completed the corrective measures on October 1, 2020, prior to the NOE dated May 14, 2021.			

**Violation Subtotal** \$5,625

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

	\$1,374		<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>		<b>Violation Final Penalty Total</b>	\$11,475

**This violation Final Assessed Penalty (adjusted for limits)** \$11,475

## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 1 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 38

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	2-Jan-2018	1-Oct-2020	2.75	\$1,374	n/a	\$1,374

Notes for DELAYED costs

Estimated cost to remove the local stop switch from the current enclosure and install a new switch rated for the area electrical classifications in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 275491. The Date Required is the date the emissions event began and the Final Date is the date of compliance.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$1,374



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

<b>DATES</b>	<b>Assigned</b>	1-May-2017	<b>Screening</b>	8-May-2017	<b>EPA Due</b>	
	<b>PCW</b>	6-Aug-2024				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	INEOS USA LLC (PCW No. 2 of 4)				
<b>Reg. Ent. Ref. No.</b>	RN100238708				
<b>Facility/Site Region</b>	12-Houston	<b>Major/Minor Source</b>	Major		

## CASE INFORMATION

<b>Enf./Case ID No.</b>	60882	<b>No. of Violations</b>	1
<b>Docket No.</b>	2021-0818-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Danielle Porras
		<b>EC's Team</b>	Enforcement Team 2
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$10,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$112,500
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	78.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$87,750
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Notes  
Enhancement for three NOVs with same or similar violations, three NOVs with dissimilar violations, and three orders containing a denial of liability. Reduction for one Notice of Intent to conduct an audit and one Disclosure of Violations.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$11,250
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<b>Economic Benefit</b>	0.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
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Total EB Amounts \$0  
Estimated Cost of Compliance \$0  
\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$189,000
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

<b>Final Penalty Amount</b>	\$189,000
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$189,000
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<b>DEFERRAL</b>	20.0%	<b>Reduction</b>	<b>Adjustment</b>	-\$37,800
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$151,200
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**Screening Date** 8-May-2017  
**Respondent** INEOS USA LLC (PCW No. 2 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Enf. Coordinator** Danielle Porras

**Docket No.** 2021-0818-AIR-E

**PCW**

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

## 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> )	3	15%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	3	60%
	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> )	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	1	-2%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2)** 78%

### >> 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 three NOVs with same or similar violations, three NOVs with dissimilar violations, and three orders containing a denial of liability. Reduction for one Notice of Intent to conduct an audit and one Disclosure of Violations.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 78%

<b>Screening Date</b>	8-May-2017	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 2 of 4)			Policy Revision 2 (September 2002)
<b>Case ID No.</b>	60882			PCW Revision October 30, 2008
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	1			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 122.121 and 122.210(a) and Tex. Health & Safety Code §§ 382.054 and 382.085(b)			
<b>Violation Description</b>	Failed to obtain a revision for federal operating permit ("FOP") prior to operating emission units at the site. Specifically, after FOP No. O2327 was revised on July 29, 2005, the Respondent did not submit an application to revise FOP No. O2327 to add Emergency Generator DM-177 that was constructed on or about April 1, 2006, resulting in the operation of this emission unit prior to obtaining authorization.			
		<b>Base Penalty</b>	\$10,000	

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0%
	Potential				

  

**>> Programmatic Matrix**

	<b>Falsification</b>	Major	Moderate	Minor	
		x			<b>Percent</b> 25%

  

<b>Matrix Notes</b>	100% of the rule requirements were not met.
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<b>Adjustment</b>	\$7,500
	\$2,500

  

**Violation Events**

Number of Violation Events	45	Number of violation days	4055
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	<b>daily</b>			
	weekly			
	monthly			
	quarterly	x		<b>Violation Base Penalty</b> \$112,500
	semiannual			
	annual			
	single event			

  

Forty-five quarterly events are recommended from the April 1, 2006 non-compliance date to the May 8, 2017 screening date.

  

**Good Faith Efforts to Comply**

	<b>10.0%</b>			
	Before NOV	NOV to EDPRP/Settlement Offer		<b>Reduction</b> \$11,250
Extraordinary				
Ordinary		x		
N/A				

  

<b>Notes</b>	The Respondent completed the corrective measures by October 27, 2017, after the Notice of Enforcement dated April 28, 2017.
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<b>Violation Subtotal</b>	\$101,250
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$0	<b>Violation Final Penalty Total</b>	\$189,000
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$189,000	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 2 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	See the Economic Benefit in Violation No. 2 in PCW No. 1 of 2.						

## 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 \$0

**TOTAL** \$0



# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

<b>DATES</b>	<b>Assigned</b>	31-Aug-2020	<b>Screening</b>	8-Sep-2020	<b>EPA Due</b>	22-Feb-2021
	<b>PCW</b>	16-Oct-2024				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)				
<b>Reg. Ent. Ref. No.</b>	RN100238708				
<b>Facility/Site Region</b>	12-Houston	<b>Major/Minor Source</b>	Major		

## CASE INFORMATION

<b>Enf./Case ID No.</b>	60882	<b>No. of Violations</b>	32
<b>Docket No.</b>	2021-0818-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Danielle Porras
		<b>EC's Team</b>	Enforcement Team 2
<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>	\$297,000
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	78.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$231,660
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Notes: Enhancement for three NOV's with same or similar violations, three NOV's with dissimilar violations, and three orders containing a denial of liability. Reduction for one Notice of Intent to conduct an audit and one Disclosure of Violations.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$44,284
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<b>Economic Benefit</b>	50.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$22,426
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Total EB Amounts	\$22,426
Estimated Cost of Compliance	\$239,600

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$506,802
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	\$506,802
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$506,802
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<b>DEFERRAL</b>	20.0%	<b>Reduction</b>	<b>Adjustment</b>	-\$101,360
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$405,442
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Screening Date 8-Sep-2020

Docket No. 2021-0818-AIR-E

PCW

Respondent INEOS USA LLC (PCW No. 3 of 4)

Case ID No. 60882

Reg. Ent. Reference No. RN100238708

Media Air

Enf. Coordinator Danielle Porras

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

## Compliance History Worksheet

## &gt;&gt; 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> )	3	15%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	3	60%
	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> )	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	1	-2%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 78%

## &gt;&gt; Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

## Compliance History Notes

Enhancement for three NOVs with same or similar violations, three NOVs with dissimilar violations, and three orders containing a denial of liability. Reduction for one Notice of Intent to conduct an audit and one Disclosure of Violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, &amp; 7) 78%

## &gt;&gt; Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 78%



Screening Date 8-Sep-2020

Docket No. 2021-0818-AIR-E

PCW

Respondent INEOS USA LLC (PCW No. 3 of 4)

Policy Revision 4 (April 2014)

Case ID No. 60882

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100238708

Media Air

Enf. Coordinator Danielle Porras

Violation Number 1

**Rule Cite(s)** 30 Tex. Admin. Code §§ 101.20(1), (2), and (3), 113.100, 116.115(c), and 122.143(4), 40 Code of Federal Regulations ("CFR") §§ 60.18(c)(3)(ii) and 63.11(b)(6)(ii), New Source Review ("NSR") Permit Nos. 95 and PSDTX854M2 (effective December 21, 2015), Special Conditions ("SC") No. 12.A., NSR Permit Nos. 95 and PSDTX854M2 (effective August 8, 2018), SC No. 7.A., Federal Operating Permit ("FOP") No. O2327, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") Nos. 1.A. and 26, and Tex. Health & Safety Code § 382.085(b)

**Violation Description** Failed to maintain the net heating value of the gas being combusted at 300 British thermal units per standard cubic foot ("Btu/scf") or greater if the flare is steam-assisted or air-assisted. Specifically, the net heating value of the gas being combusted by the No. 1 Olefins Flare was less than 300 Btu/scf when the net heating value ranged from 0.00 Btu/scf to 299.47 Btu/scf for 668 hours on 178 days from August 1, 2018 to September 24, 2019.

Base Penalty \$25,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 15.0%

## &gt;&gt; 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 did 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 5 178 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$18,750

Five quarterly events are recommended for the instances of non-compliance that occurred from August 1, 2018 to September 24, 2019.

## Good Faith Efforts to Comply

10.0%

Reduction \$1,875

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

Extraordinary		
Ordinary		x
N/A		

Notes The Respondent completed the corrective measures by April 14, 2022, after the Notice of Enforcement ("NOE") dated August 26, 2020.

Violation Subtotal \$16,875

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$1,852

Violation Final Penalty Total \$32,201

This violation Final Assessed Penalty (adjusted for limits) \$32,201

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	1-Aug-2018	14-Apr-2022	3.70	\$1,852	n/a	\$1,852

### Notes for DELAYED costs

Estimated cost to obtain Permit by Rule Registration No. 168626 to increase the natural gas flow to the No. 1 Olefins Flare in order to maintain the net heating value of the gas being combusted at 300 Btu/scf or greater. The Date Required is the initial 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

\$10,000

**TOTAL**

\$1,852

<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	Policy Revision 4 (April 2014)		
<b>Case ID No.</b>	60882	PCW Revision March 26, 2014		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	2			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(1), (2), and (3), 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(1) and 63.11(b)(4), NSR Permit Nos. 95 and PSDTX854M2 (effective December 21, 2015), SC No. 12.C., NSR Permit Nos. 95 and PSDTX854M2 (effective August 8, 2018), SC No. 7.C., FOP No. O2327, GTC and STC Nos. 1.A., 3.A.(i), and 26, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to operate a flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours. Specifically, the Respondent documented that visible emissions were observed for a total of 63 hours and 34 minutes on 12 days from June 2, 2018 to September 19, 2019 for the No. 2 Olefins Flare.			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	
	Potential				
				<b>Percent</b>	15.0%

  

**>> Programmatic Matrix**

	<b>Falsification</b>	Major	Moderate	Minor	
				<b>Percent</b>	0.0%

  

<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
<b>\$3,750</b>	

  

**Violation Events**

Number of Violation Events	4	Number of violation days	12
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	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			

  

<b>Violation Base Penalty</b>	\$15,000
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Four quarterly events are recommended for the instances of non-compliance that occurred from June 2, 2018 to September 19, 2019.	
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**Good Faith Efforts to Comply**

	<b>25.0%</b>		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary	x		
N/A			
<b>Notes</b>	The Respondent completed the corrective measures on September 19, 2019, prior to the NOE dated August 26, 2020.		
<b>Violation Subtotal</b>			\$11,250

  

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

<b>Estimated EB Amount</b>	\$1,299	<b>Statutory Limit Test</b>	
<b>Violation Final Penalty Total</b>		\$23,651	
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$23,651	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$20,000	2-Jun-2018	19-Sep-2019	1.30	\$1,299	n/a	\$1,299

### Notes for DELAYED costs

Estimated cost to stabilize the flare to reduce flaring, restore the steam pressure to increase the steam to the flare, restart the boilers, and repair the electrical system in order to operate the No. 2 Olefins Flare with no visible emissions. 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

\$20,000

**TOTAL**

\$1,299

<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>	
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	<i>Policy Revision 4 (April 2014)</i>			
<b>Case ID No.</b>	60882	<i>PCW Revision March 26, 2014</i>			
<b>Reg. Ent. Reference No.</b>	RN100238708				
<b>Media</b>	Air				
<b>Enf. Coordinator</b>	Danielle Porras				
<b>Violation Number</b>	3				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(1), (2) and (3), 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(1) and 63.11(b)(4), NSR Permit Nos. 95 and PSDTX854M2 (effective December 21, 2015), SC No. 12.C., NSR Permit Nos. 95 and PSDTX854M2 (effective August 8, 2018), SC No. 7.C., FOP No. O2327, GTC and STC Nos. 1.A., 3.A.(i), and 26, and Tex. Health & Safety Code § 382.085(b)				
<b>Violation Description</b>	Failed to operate a flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours. Specifically, the Respondent documented that visible emissions were observed for a total of six hours and 18 minutes on four days from September 29, 2018 to September 19, 2019 for the No. 1 Olefins Flare.				
<b>Base Penalty</b>				\$25,000	
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>					
<b>OR</b>	<b>Release</b>			<b>Harm</b>	
		Major	Moderate	Minor	
	Actual			x	
	Potential				
				<b>Percent</b>	15.0%
<b>&gt;&gt; Programmatic Matrix</b>					
	Falsification	Major	Moderate	Minor	
				<b>Percent</b>	0.0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.				
<b>Adjustment</b>				\$21,250	
					\$3,750
<b>Violation Events</b>					
Number of Violation Events		3	4	Number of violation days	
	daily				
	weekly				
	monthly				
	quarterly	x			
	semiannual				
	annual				
	single event				
				<b>Violation Base Penalty</b>	\$11,250
Three quarterly events are recommended for the instances of non-compliance that occurred from September 29, 2018 to October 24, 2018, on January 12, 2019, and on September 19, 2019.					
<b>Good Faith Efforts to Comply</b>		<b>25.0%</b>		<b>Reduction</b>	\$2,812
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary				
	Ordinary	x			
	N/A				
Notes	The Respondent completed the corrective measures on September 19, 2019, prior to the NOE dated August 26, 2020.				
<b>Violation Subtotal</b>				\$8,438	
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>		
<b>Estimated EB Amount</b>		\$973	<b>Violation Final Penalty Total</b>		\$17,914
<b>This violation Final Assessed Penalty (adjusted for limits)</b>				\$17,914	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				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)	\$20,000	29-Sep-2018	19-Sep-2019	0.97	\$973	n/a	\$973

### Notes for DELAYED costs

Estimated cost to stabilize the flare to reduce flaring, restore the steam pressure to increase the steam to the flare, restart the boilers, and repair the electrical system in order to operate the No. 1 Olefins Flare with no visible emissions. 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

\$20,000

**TOTAL**

\$973

<b>Screening Date</b> 8-Sep-2020 <b>Respondent</b> INEOS USA LLC (PCW No. 3 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right; color: red; font-size: small;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>														
<table style="width: 100%;"> <tr> <td style="width: 20%;"><b>Violation Number</b></td> <td style="width: 10%; text-align: center;">4</td> <td style="width: 70%;"></td> </tr> <tr> <td><b>Rule Cite(s)</b></td> <td></td> <td>30 Tex. Admin. Code §§ 101.20(2) and 122.143(4), 40 CFR § 61.354(a)(2), FOP No. 02327, GTC and STC No. 1.A., and Tex. Health &amp; Safety Code § 382.085(b)</td> </tr> <tr> <td><b>Violation Description</b></td> <td></td> <td>Failed to continuously monitor and record a process parameter for the treatment process or wastewater treatment system unit. Specifically, the benzene analyzers did not continuously monitor the Aromatic Waste Minimization Project stripper bottoms in the Benzene Treatment Process 2 Unit for a total of 95 hours and 37 minutes on seven days from October 11, 2017 to November 30, 2017.</td> </tr> </table>			<b>Violation Number</b>	4		<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(2) and 122.143(4), 40 CFR § 61.354(a)(2), FOP No. 02327, GTC and STC No. 1.A., and Tex. Health & Safety Code § 382.085(b)	<b>Violation Description</b>		Failed to continuously monitor and record a process parameter for the treatment process or wastewater treatment system unit. Specifically, the benzene analyzers did not continuously monitor the Aromatic Waste Minimization Project stripper bottoms in the Benzene Treatment Process 2 Unit for a total of 95 hours and 37 minutes on seven days from October 11, 2017 to November 30, 2017.					
<b>Violation Number</b>	4															
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(2) and 122.143(4), 40 CFR § 61.354(a)(2), FOP No. 02327, GTC and STC No. 1.A., and Tex. Health & Safety Code § 382.085(b)														
<b>Violation Description</b>		Failed to continuously monitor and record a process parameter for the treatment process or wastewater treatment system unit. Specifically, the benzene analyzers did not continuously monitor the Aromatic Waste Minimization Project stripper bottoms in the Benzene Treatment Process 2 Unit for a total of 95 hours and 37 minutes on seven days from October 11, 2017 to November 30, 2017.														
		<b>Base Penalty</b> \$25,000														
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																
OR	<b>Release</b>	<table style="width: 100%;"> <tr> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> </tr> <tr> <td style="text-align: center;">Actual</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">Potential</td> <td></td> <td style="text-align: center;">x</td> </tr> </table>	Major	Moderate	Minor	Actual			Potential		x	<b>Percent</b> 7.0%				
	Major	Moderate	Minor													
	Actual															
Potential		x														
<b>&gt;&gt; Programmatic Matrix</b>																
	<b>Falsification</b>	<table style="width: 100%;"> <tr> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>	Major	Moderate	Minor				<b>Percent</b> 0.0%							
Major	Moderate	Minor														
Matrix Notes	Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.															
		<b>Adjustment</b> \$23,250														
		\$1,750														
<b>Violation Events</b>																
Number of Violation Events <span style="border: 1px solid black; padding: 0 10px;">1</span>		<span style="border: 1px solid black; padding: 0 10px;">7</span> Number of violation days														
	<table style="width: 100%;"> <tr><td style="text-align: center;">daily</td><td></td></tr> <tr><td style="text-align: center;">weekly</td><td></td></tr> <tr><td style="text-align: center;">monthly</td><td></td></tr> <tr><td style="text-align: center;">quarterly</td><td></td></tr> <tr><td style="text-align: center;">semiannual</td><td></td></tr> <tr><td style="text-align: center;">annual</td><td></td></tr> <tr><td style="text-align: center;">single event</td><td style="text-align: center;">x</td></tr> </table>	daily		weekly		monthly		quarterly		semiannual		annual		single event	x	<b>Violation Base Penalty</b> \$1,750
daily																
weekly																
monthly																
quarterly																
semiannual																
annual																
single event	x															
One single event is recommended (one event for the instances of non-compliance that occurred from October 11, 2017 to November 30, 2017).																
<b>Good Faith Efforts to Comply</b>																
<b>25.0%</b>		<b>Reduction</b> \$437														
Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer																
Extraordinary																
Ordinary	x															
N/A																
Notes	The Respondent completed the corrective measures on November 30, 2017, prior to the NOE dated August 26, 2020.															
		<b>Violation Subtotal</b> \$1,313														
<b>Economic Benefit (EB) for this violation</b>																
<b>Estimated EB Amount</b> \$68		<b>Statutory Limit Test</b>														
		<b>Violation Final Penalty Total</b> \$3,379														
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$3,379														

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	11-Oct-2017	30-Nov-2017	0.14	\$68	n/a	\$68

### Notes for DELAYED costs

Estimated cost to re-establish communication in the distributive control system historian so that the system can collect, communicate, and record process data in order to continuously monitor and record the Aromatic Waste Minimization Project stripper bottoms in the Benzene Treatment Process 2 Unit. 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

\$10,000

**TOTAL**

\$68



<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	Policy Revision 4 (April 2014)		
<b>Case ID No.</b>	60882	PCW Revision March 26, 2014		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	5			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.A.(1), FOP No. 02327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the emissions limit. Specifically, the Respondent exceeded the nitrogen oxides ("NOx") emissions limit of 0.2 pound per million British thermal units ("lb/MMBtu") by a range from 0.01 lb/MMBtu to 0.07 lb/MMBtu for a total of 220 hours on 13 days from October 5, 2018 to March 25, 2019 for the No. 1 Olefins Unit Steam Boiler, Emissions Point Number ("EPN") DB-901A.			
		<b>Base Penalty</b>	\$25,000	

  

<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>						
<b>OR</b>	<b>Release</b>	<b>Harm</b>				
		Major	Moderate	Minor		
	Actual			x		
	Potential				<b>Percent</b>	15.0%

  

<b>&gt;&gt; Programmatic Matrix</b>						
<b>Matrix Notes</b>	Falsification	Major	Moderate	Minor		
					<b>Percent</b>	0.0%
Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.						
					<b>Adjustment</b>	\$21,250
						\$3,750

  

<b>Violation Events</b>					
Number of Violation Events	2		Number of violation days	13	
	daily				
	weekly				
	monthly				
	quarterly	x			
	semiannual				
	annual				
	single event				
Two quarterly events are recommended for the instances of non-compliance that occurred from October 5, 2018 to March 25, 2019.					
<b>Violation Base Penalty</b>					\$7,500

  

<b>Good Faith Efforts to Comply</b>		<b>10.0%</b>		<b>Reduction</b>	\$750	
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary					
	Ordinary		x			
	N/A					
	Notes	The Respondent completed the corrective measures on September 26, 2022, after the NOE dated August 26, 2020.				
					<b>Violation Subtotal</b>	\$6,750

  

<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>	
<b>Estimated EB Amount</b>	\$1,989	<b>Violation Final Penalty Total</b>	\$13,301
		<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$13,301

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**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
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	5-Oct-2018	26-Sep-2022	3.98	\$1,989	n/a	\$1,989

### Notes for DELAYED costs

Estimated cost to permanently shut down the No. 1 Olefins Unit Steam Boiler, EPN DB-901A, at the Plant. 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

\$10,000

### TOTAL

\$1,989

<b>Screening Date</b> 8-Sep-2020 <b>Respondent</b> INEOS USA LLC (PCW No. 3 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <b>Base Penalty</b> \$25,000	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	6	<b>Rule Cite(s)</b>	
		30 Tex. Admin. Code §§ 101.201(b) and 122.143(4), FOP No. 02327, GTC and STC No. 2.F., and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>		Failed to create a final record for a non-reportable emissions event no later than two weeks after the end of an emissions event. Specifically, the final record for the non-reportable emissions event that occurred from December 10, 2017 to March 8, 2018 was not created by March 22, 2018, the final record for the non-reportable emissions event that occurred from April 16, 2018 to April 20, 2018 was not created by May 4, 2018, and the final record for the non-reportable emissions event that occurred from November 14, 2018 to November 28, 2018 was not created by December 12, 2018.	

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input style="width: 50px;" type="text" value="0.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>		<b>Falsification</b>			
		Major	Moderate	Minor	
	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input style="width: 50px;" type="text" value="15.0%"/>
	100% of the rule requirements were not met.				

**Adjustment**

\$21,250

\$3,750

  

**Violation Events**

Number of Violation Events	3	901	Number of violation days
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	daily	<input type="text"/>	<b>Violation Base Penalty</b>	<div style="border: 1px solid black; padding: 2px 10px;">\$11,250</div>
	weekly	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input checked="" type="text" value="x"/>		

Three single events are recommended (one event for each missing final record).

  

**Good Faith Efforts to Comply**

10.0%

**Reduction**

\$1,125

Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>
Ordinary	<input checked="" type="text" value="x"/>
N/A	<input type="text"/>

Notes: The Respondent completed the corrective measures on December 14, 2020, after the NOE dated August 26, 2020.

**Violation Subtotal**

\$10,125

  

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

**Statutory Limit Test**

Estimated EB Amount	\$103	Violation Final Penalty Total	\$19,601
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**This violation Final Assessed Penalty (adjusted for limits)**

\$19,601

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**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
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$750	22-Mar-2018	14-Dec-2020	2.73	\$103	n/a	\$103

### Notes for DELAYED costs

Estimated cost to create the final records for the non-reportable emissions events that occurred from December 10, 2017 to March 8, 2018, from April 16, 2018 to April 20, 2018, and from November 14, 2018 to November 28, 2018 (\$250/final record). The Date Required is the date the first final record was due to be created 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

\$750

**TOTAL**

\$103

<b>Screening Date</b> 8-Sep-2020 <b>Respondent</b> INEOS USA LLC (PCW No. 3 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	7	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 02327, GTC, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to report all instances of deviations. Specifically, the deviation report for the October 1, 2017 through March 31, 2018 reporting period did not include the deviation for failing to create the final record for a non-reportable emissions event no later than two weeks after the end of the emissions event.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input style="width: 50px;" type="text" value="0.0%"/>

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	<b>Percent</b> <input style="width: 50px;" type="text" value="1.0%"/>

  

Matrix Notes	Less than 30% of the rule requirements were not met.
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<b>Adjustment</b>	\$24,750
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	\$250
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**Violation Events**

Number of Violation Events <input style="width: 50px;" type="text" value="1"/>	<input style="width: 50px;" type="text" value="862"/>	Number of violation days
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	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"/>	
															<b>Violation Base Penalty</b> <input style="width: 50px;" type="text" value="\$250"/>

  

One single event is recommended.
----------------------------------

  

**Good Faith Efforts to Comply**

	<b>10.0%</b>	
		<b>Reduction</b> <input style="width: 50px;" type="text" value="\$25"/>

  

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text" value="x"/>
N/A	<input type="text"/>	<input type="text"/>

  

Notes	The Respondent completed the corrective measures by February 4, 2021, after the NOE dated August 26, 2020.
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<b>Violation Subtotal</b>	\$225
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<input style="width: 50px;" type="text" value="\$35"/>	
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	<input style="width: 50px;" type="text" value="\$1,121"/>
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	<input style="width: 50px;" type="text" value="\$1,121"/>
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 7

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	30-Apr-2018	4-Feb-2021	2.77	\$35	n/a	\$35

### Notes for DELAYED costs

Estimated cost to submit a revised deviation report for the October 1, 2017 through March 31, 2018 reporting period to report the deviation for the failing to create the final record for a non-reportable emissions event no later than two weeks after the end of the emissions event. The Date Required is the date the deviation report was due and the Final Date is the date of compliance.

See the Economic Benefit in Violation No. 3 of PCW No. 1 of 4 for implementing measures designed to ensure that all instances of deviations are reported in a timely manner.

## 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**

\$35

<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)			Policy Revision 4 (April 2014)
<b>Case ID No.</b>	60882			PCW Revision March 26, 2014
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	8			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 02327, GTC, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to report all instances of deviations. Specifically, the deviation report for the April 1, 2018 through September 30, 2018 reporting period did not include the deviation for failing to create the final record for a non-reportable emissions event no later than two weeks after the end of the emissions event.			
		<b>Base Penalty</b>	\$25,000	

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

<b>OR</b>	<b>Harm</b>				
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">0.0%</span>
	Potential				

**>> Programmatic Matrix**

<b>OR</b>	<b>Falsification</b>	Major	Moderate	Minor	
				x	<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">1.0%</span>
	<b>Matrix Notes</b>	Less than 30% of the rule requirements were not met.			

**Adjustment** \$24,750

\$250

**Violation Events**

Number of Violation Events	<span style="border: 1px solid black; padding: 2px;">1</span>	<span style="border: 1px solid black; padding: 2px;">679</span>	Number of violation days
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<div style="border: 1px solid black; padding: 2px;">daily</div> <div style="border: 1px solid black; padding: 2px;">weekly</div> <div style="border: 1px solid black; padding: 2px;">monthly</div> <div style="border: 1px solid black; padding: 2px;">quarterly</div> <div style="border: 1px solid black; padding: 2px;">semiannual</div> <div style="border: 1px solid black; padding: 2px;">annual</div> <div style="border: 1px solid black; padding: 2px;">single event</div>	<div style="border: 1px solid black; height: 15px;"></div> <div style="border: 1px solid black; height: 15px;"></div> <div style="border: 1px solid black; height: 15px;"></div> <div style="border: 1px solid black; height: 15px;"></div> <div style="border: 1px solid black; height: 15px;"></div> <div style="border: 1px solid black; height: 15px;"></div> <div style="border: 1px solid black; height: 15px; text-align: center;">x</div>	
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**Violation Base Penalty** \$250

One single event is recommended.

**Good Faith Efforts to Comply**

	<b>10.0%</b>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		
<b>Notes</b>	The Respondent completed the corrective measures by February 4, 2021, after the NOE dated August 26, 2020.	

**Reduction** \$25

**Violation Subtotal** \$225

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <span style="border: 1px solid black; padding: 2px;">\$28</span>	<b>Violation Final Penalty Total</b> <span style="border: 1px solid black; padding: 2px;">\$1,121</span>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <span style="border: 1px solid black; padding: 2px;">\$1,121</span>	

## Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 8

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	30-Oct-2018	4-Feb-2021	2.27	\$28	n/a	\$28

Notes for DELAYED costs

Estimated cost to submit a revised deviation report for the April 1, 2018 through September 30, 2018 reporting period to report the deviation for the failing to create the final record for a non-reportable emissions event no later than two weeks after the end of the emissions event. The Date Required is the date the deviation report was due and the Final Date is the date of compliance.

See the Economic Benefit in Violation No. 3 of PCW No. 1 of 4 for implementing measures designed to ensure that all instances of deviations are reported in a timely manner.

### 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**

\$28



<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	Policy Revision 4 (April 2014) PCW Revision March 26, 2014		
<b>Case ID No.</b>	60882			
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	9			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 02327, GTC, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to report all instances of deviations. Specifically, the deviation report for the October 1, 2018 through March 31, 2019 reporting period did not include the deviation for failing to create the final record for a non-reportable emissions event no later than two weeks after the end of the emissions event.			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>		<b>Harm</b>					
	<b>Release</b>	Major	Moderate	Minor			
	Actual						
	Potential						
					<b>Percent</b>	0.0%	

  

**>> Programmatic Matrix**

	<b>Falsification</b>	Major	Moderate	Minor		
				x		
					<b>Percent</b>	1.0%

  

Matrix Notes	Less than 30% of the rule requirements were not met.
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<b>Adjustment</b>	\$24,750
\$250	

  

**Violation Events**

Number of Violation Events	1	Number of violation days	497
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	daily					
	weekly					
	monthly					
	quarterly					
	semiannual					
	annual					
	single event		x			

  

One single event is recommended.	
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<b>Good Faith Efforts to Comply</b>	<b>10.0%</b>	<b>Reduction</b>	\$25
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
Extraordinary					
Ordinary		x			
N/A					
Notes	The Respondent completed the corrective measures by February 4, 2021, after the NOE dated August 26, 2020.				

  

<b>Violation Subtotal</b>	\$225
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$22
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$1,121
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$1,121	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 9

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	30-Apr-2019	4-Feb-2021	1.77	\$22	n/a	\$22

### Notes for DELAYED costs

Estimated cost to submit a revised deviation report for the October 1, 2018 through March 31, 2019 reporting period to report the deviation for the failing to create the final record for a non-reportable emissions event no later than two weeks after the end of the emissions event. The Date Required is the date the deviation report was due and the Final Date is the date of compliance.

See the Economic Benefit in Violation No. 3 of PCW No. 1 of 4 for implementing measures designed to ensure that all instances of deviations are reported in a timely manner.

## 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**

\$22

<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	Policy Revision 4 (April 2014)		
<b>Case ID No.</b>	60882	PCW Revision March 26, 2014		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	10			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to prevent unauthorized emissions. Specifically, the Respondent released 7,575.10 pounds ("lbs") of carbon monoxide ("CO"), 1,486.37 lbs of NOx, and 6,622.43 lbs of volatile organic compounds ("VOC") from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 334381) that occurred on April 22, 2020 and lasted seven hours.			
<b>Base Penalty</b>				\$25,000

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

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

**>> Programmatic Matrix**

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

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

**Violation Events**

Number of Violation Events	<input type="text" value="1"/>	<input type="text" value="1"/>	Number of violation days
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	daily	<input type="text"/>			
	weekly	<input type="text"/>			
	monthly	<input checked="" type="text"/>			
	quarterly	<input type="text"/>			
	semiannual	<input type="text"/>			
	annual	<input type="text"/>			
	single event	<input type="text"/>			

**Violation Base Penalty**

One monthly event is recommended.

**Good Faith Efforts to Comply**

	<b>10.0%</b>				
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
Extraordinary	<input type="text"/>	<input type="text"/>			
Ordinary	<input type="text"/>	<input checked="" type="text"/>			
N/A	<input type="text"/>	<input type="text"/>			

Notes	The Respondent completed the corrective measures by September 27, 2022, after the NOE dated August 28, 2020.
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**Violation Subtotal**

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

<b>Estimated EB Amount</b>	<input type="text" value="\$1,216"/>	<b>Statutory Limit Test</b>
		<b>Violation Final Penalty Total</b> <input type="text" value="\$13,301"/>
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$13,301"/>

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 10

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	22-Apr-2020	27-Sep-2022	2.43	\$1,216	n/a	\$1,216

### Notes for DELAYED costs

Estimated cost to install sample points and begin routine sampling for 2301 and 3301 lube oil and clean lube oil reservoirs for both Turbine 1 and Turbine 2 in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 334381. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

## Avoided Costs

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

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

### Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$1,216

<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	Policy Revision 4 (April 2014)		
<b>Case ID No.</b>	60882	PCW Revision March 26, 2014		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	11			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,070.60 lbs of CO, 406.19 lbs of NOx, and 2,916.80 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, and released 880.50 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 341971) that occurred on September 9, 2020 and lasted five hours and 20 minutes.			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>	<b>Release</b>	<b>Harm</b>			
		Major	Moderate	Minor	
	Actual			x	
	Potential				<b>Percent</b>
					15.0%

  

**>>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b>
					0.0%

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
\$3,750	

  

**Violation Events**

Number of Violation Events	1		1	Number of violation days
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	daily			<b>Violation Base Penalty</b>	\$3,750
	weekly				
	monthly				
	quarterly	x			
	semiannual				
	annual				
	single event				

  

One quarterly event is recommended.

  

**Good Faith Efforts to Comply**

	<b>10.0%</b>		<b>Reduction</b>	\$375
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary		x	
N/A			

  

Notes	The Respondent completed the corrective measures by April 6, 2021, after the NOE dated December 15, 2020.
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<b>Violation Subtotal</b>	\$3,375
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**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$286
<b>Violation Final Penalty Total</b>	\$7,001
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$7,001	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 11

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	9-Sep-2020	6-Apr-2021	0.57	\$286	n/a	\$286

Notes for DELAYED costs

Estimated cost to implement a low output alarm at 10 percent to alert operators if the valve fails inadvertently in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 341971. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$286

<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	Policy Revision 4 (April 2014)		
<b>Case ID No.</b>	60882	PCW Revision March 26, 2014		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	12			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), 117.345(c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 20.H., FOP No. 03966, GTC and STC Nos. 1.A. and 7, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to submit a copy of the testing and sampling reports within 60 days after the completion of the testing and sampling. Specifically, the copy of the performance test for Turbine 1 was required to be submitted by April 14, 2020, but was not submitted until April 28, 2020; the copy of the performance test for Turbine 2 was required to be submitted by April 16, 2020, but was not submitted until April 28, 2020; the copy of the performance test for Boiler 2 was required to be submitted by April 20, 2020, but was not submitted until April 28, 2020; and the copy of the performance test for the Dew Point Heater was required to be submitted by April 27, 2020, but was not submitted until April 28, 2020.			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>	<b>Harm</b>					
	<b>Release</b>	Major	Moderate	Minor		
	Actual					
	Potential					
					<b>Percent</b>	0.0%

  

**>> Programmatic Matrix**

<b>OR</b>	<b>Falsification</b>					
	Major	Moderate	Minor			
					<b>Percent</b>	15.0%

  

Matrix Notes	100% of the rule requirements were not met.
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<b>Adjustment</b>	\$21,250
<b>\$3,750</b>	

  

**Violation Events**

Number of Violation Events	4	Number of violation days	14
daily			
weekly			
monthly			
quarterly			
semiannual			
annual			
single event	x		

  

<b>Violation Base Penalty</b>	\$15,000
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Four single events are recommended (one event for each late performance test report).	
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**Good Faith Efforts to Comply**

	<b>25.0%</b>			
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	x			
N/A				
Notes	The Respondent completed the corrective measures on April 28, 2020, prior to the NOE dated August 4, 2021.			
<b>Violation Subtotal</b>				\$11,250

  

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

<b>Estimated EB Amount</b>	\$2	<b>Violation Final Penalty Total</b>	\$23,651	
<b>This violation Final Assessed Penalty (adjusted for limits)</b>				\$23,651

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 12

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,000	14-Apr-2020	28-Apr-2020	0.04	\$2	n/a	\$2

### Notes for DELAYED costs

Estimated cost to submit a copy of the performance test reports for Turbine 1, Turbine 2, Boiler 2, and the Dew Point Heater (\$250/report). The Date Required is the date the first report 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

\$1,000

### TOTAL

\$2



<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)			Policy Revision 4 (April 2014)
<b>Case ID No.</b>	60882			PCW Revision March 26, 2014
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	13			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the maximum allowable emissions rate ("MAER"). Specifically, during a stack test completed on February 14, 2020, the Respondent exceeded the sulfur dioxide ("SO2") MAER of 0.07 pound per hour ("lb/hr") by 0.052 lb/hr for Turbine 1, EPN Turbine 1, resulting in approximately 686.40 lbs of unauthorized SO2 emissions.			
			<b>Base Penalty</b>	\$25,000

  

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

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual			x	
	Potential				
					<b>Percent</b> 15.0%

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
<b>\$3,750</b>	

  

**Violation Events**

Number of Violation Events	7		550	Number of violation days
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	daily				
	weekly				
	monthly				
	quarterly	x			
	semiannual				
	annual				
	single event				

  

<b>Violation Base Penalty</b>	\$26,250
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Seven quarterly events are recommended from the February 14, 2020 stack test date to the August 17, 2021 screening date for Investigation No. 1659825.

  

**Good Faith Efforts to Comply**

	<b>0.0%</b>		Reduction	\$0
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	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.
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<b>Violation Subtotal</b>	\$26,250
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$2,152	<b>Statutory Limit Test</b>	
		<b>Violation Final Penalty Total</b>	\$47,426
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$47,426

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 13

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$8,000	14-Feb-2020	1-Jul-2025	5.38	\$2,152	n/a	\$2,152

### Notes for DELAYED costs

Estimated cost to conduct a stack test demonstrating compliance with the SO2 hourly MAER for Turbine 1, EPN Turbine 1. The Date Required is the date of the non-compliant stack test 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

\$8,000

### TOTAL

\$2,152

<b>Screening Date</b> 8-Sep-2020 <b>Respondent</b> INEOS USA LLC (PCW No. 3 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right; color: red; font-size: small;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>
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<b>Violation Number</b>	14	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>	Failed to comply with the MAER. Specifically, during a stack test completed on February 16, 2020, the Respondent exceeded the SO2 MAER of 0.07 lb/hr by 0.038 lb/hr for Turbine 2, EPN Turbine 2, resulting in approximately 499.78 lbs of unauthorized SO2 emissions.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual			x	<b>Percent</b> <span style="border: 1px solid black; padding: 0 20px;">15.0%</span>
	Potential				

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> <span style="border: 1px solid black; padding: 0 20px;">0.0%</span>

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
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<b>Adjustment</b>	\$3,750
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**Violation Events**

Number of Violation Events	7	548	Number of violation days
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	daily		<b>Violation Base Penalty</b> <span style="border: 1px solid black; padding: 0 20px;">\$26,250</span>
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

  

Seven quarterly events are recommended from the February 16, 2020 stack test date to the August 17, 2021 screening date for Investigation No. 1659825.

  

**Good Faith Efforts to Comply**

	<b>0.0%</b>	
	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.	

  

<b>Violation Subtotal</b>	\$26,250
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**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$2,150
	<b>Violation Final Penalty Total</b>
	\$47,426
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$47,426

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 14

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$8,000	16-Feb-2020	1-Jul-2025	5.38	\$2,150	n/a	\$2,150

### Notes for DELAYED costs

Estimated cost to conduct a stack test demonstrating compliance with the SO2 hourly MAER for Turbine 2, EPN Turbine 2. The Date Required is the date of the non-compliant stack test 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

\$8,000

### TOTAL

\$2,150

<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	Policy Revision 4 (April 2014)		
<b>Case ID No.</b>	60882	PCW Revision March 26, 2014		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	15			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the MAER. Specifically, during a stack test completed on February 20, 2020, the Respondent exceeded the SO2 MAER of 0.05 lb/hr by 0.003 lb/hr for Boiler 2, EPN BLR2, resulting in approximately 39.17 lbs of unauthorized SO2 emissions.			
<b>Base Penalty</b>				\$25,000

  

<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>					
<b>OR</b>	<b>Release</b>	<b>Harm</b>			
		Major      Moderate      Minor			
	Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
				<b>Percent</b> <input type="text" value="15.0%"/>	

  

<b>&gt;&gt; Programmatic Matrix</b>					
<b>Matrix Notes</b>	Falsification	Major	Moderate	Minor	
		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
				<b>Percent</b> <input type="text" value="0.0%"/>	
Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.					
<b>Adjustment</b>				\$21,250	
				<b>\$3,750</b>	

  

<b>Violation Events</b>				
Number of Violation Events	<input type="text" value="3"/>	<input type="text" value="544"/>	Number of violation days	
	daily	<input type="text"/>		
	weekly	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input checked="" type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		
<b>Violation Base Penalty</b> <input type="text" value="\$11,250"/>				
Three semiannual events are recommended from the February 20, 2020 stack test date to the August 17, 2021 screening date.				

  

<b>Good Faith Efforts to Comply</b>		<input type="text" value="0.0%"/>		<b>Reduction</b>	<input type="text" value="\$0"/>
	Before NOE/NOV      NOE/NOV to EDPRP/Settlement Offer				
	Extraordinary	<input type="text"/>	<input type="text"/>		
	Ordinary	<input type="text"/>	<input type="text"/>		
	N/A	<input checked="" type="text"/>	<input type="text"/>		
	Notes	The Respondent does not meet the good faith criteria for this violation.			
<b>Violation Subtotal</b>				<input type="text" value="\$11,250"/>	

  

<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>	
<b>Estimated EB Amount</b>	<input type="text" value="\$2,146"/>	<b>Violation Final Penalty Total</b>	<input type="text" value="\$20,726"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			<input type="text" value="\$20,726"/>

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 15

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$8,000	20-Feb-2020	1-Jul-2025	5.36	\$2,146	n/a	\$2,146

Notes for DELAYED costs

Estimated cost to conduct a stack test demonstrating compliance with the SO2 hourly MAER for Boiler 2, EPN BLR2. The Date Required is the date of the non-compliant stack test 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

\$8,000

**TOTAL**

\$2,146

<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	<i>Policy Revision 4 (April 2014)</i>		
<b>Case ID No.</b>	60882	<i>PCW Revision March 26, 2014</i>		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	16			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the MAER. Specifically, during a stack test completed on February 29, 2020, the Respondent exceeded the particulate matter ("PM") MAER of 1.95 lbs/hr by 0.46 lb/hr for Boiler 1, EPN BLR1, resulting in approximately 839.04 lbs of unauthorized PM emissions.			
			<b>Base Penalty</b>	\$25,000

  

<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>							
<b>OR</b>	<b>Release</b>	<b>Harm</b>	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>		
	Actual				x		<b>Percent</b> 15.0%
	Potential						
<b>&gt;&gt; Programmatic Matrix</b>							
	Falsification	Major	Moderate	Minor		<b>Percent</b> 0.0%	
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.						
						<b>Adjustment</b> \$21,250	
						\$3,750	

  

<b>Violation Events</b>				
Number of Violation Events	1	76	Number of violation days	
	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			
One quarterly event is recommended from the February 29, 2020 stack test date to the May 15, 2020 compliance date.				
<b>Good Faith Efforts to Comply</b>			<b>25.0%</b>	<b>Reduction</b> \$937
Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer				
	Extraordinary			
	Ordinary	x		
	N/A			
Notes	The Respondent completed the corrective measures on May 15, 2020, prior to the NOE dated August 4, 2021.			
				<b>Violation Subtotal</b> \$2,813

  

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> \$83	<b>Violation Final Penalty Total</b> \$6,439
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$6,439	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 16

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$8,000	29-Feb-2020	15-May-2020	0.21	\$83	n/a	\$83

### Notes for DELAYED costs

Estimated cost to conduct a stack test demonstrating compliance with the PM hourly MAER for Boiler 1, EPN BLR1. The Date Required is the date of the non-compliant stack test 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

\$8,000

### TOTAL

\$83



<b>Screening Date</b> 8-Sep-2020 <b>Respondent</b> INEOS USA LLC (PCW No. 3 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>														
<b>Violation Number</b> <span style="border: 1px solid black; padding: 2px;">17</span>																
<b>Rule Cite(s)</b> 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and Tex. Health & Safety Code § 382.085(b)																
<b>Violation Description</b> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         Failed to comply with the MAER. Specifically, during a stack test completed on February 20, 2020, the Respondent exceeded the PM MAER of 1.95 lbs/hr by 8.26 lbs/hr for Boiler 2, EPN BLR2, resulting in approximately 17,643.36 lbs of unauthorized PM emissions.       </div>																
<b>Base Penalty</b>		\$25,000														
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																
OR	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Release</th> <th style="text-align: center;">Major</th> <th style="text-align: center;">Moderate</th> <th style="text-align: center;">Minor</th> </tr> <tr> <td>Actual</td> <td></td> <td style="text-align: center;">x</td> <td></td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> </tr> </table>	Release	Major	Moderate	Minor	Actual		x		Potential				<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">30.0%</span>		
	Release	Major	Moderate	Minor												
	Actual		x													
Potential																
<b>&gt;&gt; Programmatic Matrix</b>																
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Falsification</th> <th style="text-align: center;">Major</th> <th style="text-align: center;">Moderate</th> <th style="text-align: center;">Minor</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table>	Falsification	Major	Moderate	Minor					<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">0.0%</span>						
Falsification	Major	Moderate	Minor													
Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.															
<b>Adjustment</b>		\$17,500														
		\$7,500														
<b>Violation Events</b>																
Number of Violation Events <span style="border: 1px solid black; padding: 2px;">3</span>		Number of violation days <span style="border: 1px solid black; padding: 2px;">89</span>														
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td style="text-align: center;">x</td></tr> <tr><td>quarterly</td><td></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly	x	quarterly		semiannual		annual		single event		<b>Violation Base Penalty</b> <span style="border: 1px solid black; padding: 2px;">\$22,500</span>
daily																
weekly																
monthly	x															
quarterly																
semiannual																
annual																
single event																
Three monthly events are recommended from the February 20, 2020 stack test date to the May 19, 2020 compliance date.																
<b>Good Faith Efforts to Comply</b>																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;"><b>25.0%</b></td> </tr> <tr> <td></td> <td style="text-align: center;">Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer</td> </tr> <tr> <td>Extraordinary</td> <td></td> </tr> <tr> <td>Ordinary</td> <td style="text-align: center;">x</td> </tr> <tr> <td>N/A</td> <td></td> </tr> </table>			<b>25.0%</b>		Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer	Extraordinary		Ordinary	x	N/A		<b>Reduction</b> <span style="border: 1px solid black; padding: 2px;">\$5,625</span>				
	<b>25.0%</b>															
	Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer															
Extraordinary																
Ordinary	x															
N/A																
Notes <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">           The Respondent completed the corrective measures on May 19, 2020, prior to the NOE dated August 4, 2021.         </div>																
<b>Violation Subtotal</b>		\$16,875														
<b>Economic Benefit (EB) for this violation</b>																
<b>Estimated EB Amount</b>		\$98														
<b>Statutory Limit Test</b>																
<b>Violation Final Penalty Total</b>		\$35,126														
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$35,126														

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 17

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$8,000	20-Feb-2020	19-May-2020	0.24	\$98	n/a	\$98

Notes for DELAYED costs

Estimated cost to conduct a stack test demonstrating compliance with the PM hourly MAER for Boiler 2, EPN BLR2. The Date Required is the date of the non-compliant stack test 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

\$8,000

TOTAL

\$98

<b>Screening Date</b> 8-Sep-2020 <b>Respondent</b> INEOS USA LLC (PCW No. 3 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>
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<b>Violation Number</b>	18	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), 117.310(c)(2), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 7, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to comply with the concentration limit. Specifically, during a stack test completed on February 29, 2020, the Respondent exceeded the ammonia ("NH3") concentration limit of 10 parts per million by volume dry ("ppmvd") corrected to 3.0 percent oxygen ("% O2") by 2.25 ppmvd for Boiler 3, EPN BLR3.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

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

  

<b>Percent</b>	15.0%
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**>> Programmatic Matrix**

	<b>Falsification</b>	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

  

<b>Percent</b>	0.0%
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Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
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	\$3,750
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**Violation Events**

Number of Violation Events	3	81	Number of violation days
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	<b>daily</b>	<input type="text"/>		
	weekly	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input checked="" type="text" value="x"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		

  

<b>Violation Base Penalty</b>	\$11,250
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Three quarterly events are recommended from the February 29, 2020 stack test date to the May 20, 2020 compliance date.
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**Good Faith Efforts to Comply**

<b>25.0%</b>	<b>Reduction</b>	\$2,812
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="text" value="x"/>	<input type="text"/>
N/A	<input type="text"/>	<input type="text"/>

  

Notes	The Respondent completed the corrective measures on May 20, 2020, prior to the NOE dated August 4, 2021.
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<b>Violation Subtotal</b>	\$8,438
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$89	
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$17,914	
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$17,914
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 18

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$8,000	29-Feb-2020	20-May-2020	0.22	\$89	n/a	\$89

### Notes for DELAYED costs

Estimated cost to conduct a stack test demonstrating compliance with the NH3 concentration limit for Boiler 3, EPN BLR3. The Date Required is the date of the non-compliant stack test 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

\$8,000

**TOTAL**

\$89

<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	<i>Policy Revision 4 (April 2014)</i>		
<b>Case ID No.</b>	60882	<i>PCW Revision March 26, 2014</i>		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	19			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 117.340(a) and 122.143(4), FOP No. 03966, GTC and STC No. 1.A., and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to maintain and operate a totalizing fuel flow meter to individually and continuously measure the gas and liquid fuel usage. Specifically, during the stack test conducted from February 26, 2020 to February 27, 2020, the fuel flow meter for the Dew Point Heater was not operational.			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>			<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor		
	Actual					
	Potential			x	<b>Percent</b>	7.0%

  

**>>> Programmatic Matrix**

<b>Matrix Notes</b>	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%
Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.					
<b>Adjustment</b>					\$23,250

  

\$1,750

**Violation Events**

Number of Violation Events	1	1	Number of violation days
daily			
weekly			
monthly			
quarterly			
semiannual			
annual			
single event	x		
One single event is recommended.			
<b>Violation Base Penalty</b> \$1,750			

  

**Good Faith Efforts to Comply**

	<b>25.0%</b>		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary	x		
N/A			
Notes	The Respondent completed the corrective measures on February 27, 2020, prior to the NOE dated August 4, 2021.		
<b>Violation Subtotal</b> \$1,313			

  

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

<b>Estimated EB Amount</b>	<b>Statutory Limit Test</b>
\$0	
<b>Violation Final Penalty Total</b>	\$3,379
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$3,379	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 19

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	27-Feb-2020	27-Feb-2020	0.00	\$0	n/a	\$0
Notes for DELAYED costs Estimated cost to replace the battery for the totalizing fuel flow meter in order to continuously measure the gas and liquid fuel usage for the Dew Point Heater. The Date Required is the date of non-compliance and the Final Date is the compliance date.							

## 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	\$100	<b>TOTAL</b>	\$0
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<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)			
<b>Case ID No.</b>	60882	<i>Policy Revision 4 (April 2014)</i>		
<b>Reg. Ent. Reference No.</b>	RN100238708	<i>PCW Revision March 26, 2014</i>		
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	20			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the MAER. Specifically, during a stack test completed on February 20, 2020, the Respondent exceeded the SO2 MAER of 0.05 lb/hr by 0.0027 lb/hr for Boiler 3, EPN BLR3, resulting in approximately 34.67 lbs of unauthorized SO2 emissions.			
<b>Base Penalty</b>				\$25,000

  

<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
<b>OR</b>		<b>Release</b>	<b>Harm</b>	
		Major	Moderate	Minor
	Actual			x
	Potential			
				<b>Percent</b> 15.0%

  

<b>&gt;&gt; Programmatic Matrix</b>						
		Falsification	Major	Moderate	Minor	
				<b>Percent</b> 0.0%		
<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.					
<b>Adjustment</b>					\$21,250	
					\$3,750	

  

<b>Violation Events</b>				
	Number of Violation Events	3	544	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly			
	semiannual	x		
	annual			
	single event			
				<b>Violation Base Penalty</b>
				\$11,250
Three semiannual events are recommended from the February 20, 2020 stack test date to the August 17, 2021 screening date.				

  

<b>Good Faith Efforts to Comply</b>		<b>0.0%</b>		<b>Reduction</b>	\$0
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary				
	Ordinary				
	N/A	x			
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.				
<b>Violation Subtotal</b>					\$11,250

  

<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>	
<b>Estimated EB Amount</b>	\$2,146	<b>Violation Final Penalty Total</b>	\$20,726
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$20,726	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 20

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$8,000	20-Feb-2020	1-Jul-2025	5.36	\$2,146	n/a	\$2,146

**Notes for DELAYED costs**

Estimated cost to conduct a stack test demonstrating compliance with the SO2 hourly MAER for Boiler 3, EPN BLR3. The Date Required is the date of the non-compliant stack test 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

\$8,000

**TOTAL**

\$2,146



<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	Policy Revision 4 (April 2014) PCW Revision March 26, 2014		
<b>Case ID No.</b>	60882			
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	21			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to prevent unauthorized emissions. Specifically, the Respondent released 110.37 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 342492) that occurred on September 18, 2020 and lasted eight hours.			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	
	Potential				
				<b>Percent</b>	15.0%

  

**>> Programmatic Matrix**

	<b>Falsification</b>	Major	Moderate	Minor	
				<b>Percent</b>	0.0%

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
	\$3,750

  

**Violation Events**

Number of Violation Events	1	Number of violation days	1
daily			
weekly			
monthly			
quarterly	x		
semiannual			
annual			
single event			
<b>Violation Base Penalty</b>		\$3,750	

  

One quarterly event is recommended.

  

**Good Faith Efforts to Comply**

	<b>10.0%</b>		
Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer			
Extraordinary			
Ordinary		x	
N/A			
Notes	The Respondent completed the corrective measures by June 28, 2022, after the NOE dated December 18, 2020.		
<b>Violation Subtotal</b>			\$3,375

  

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

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$888
<b>Violation Final Penalty Total</b>	\$7,001
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$7,001	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 21

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	18-Sep-2020	28-Jun-2022	1.78	\$888	n/a	\$888

Notes for DELAYED costs

Estimated cost to implement a new DEHA injection in the feed to the unit, install new vent tubing for continuous purge and removal of potential oxygen from the system, and add operator rounds to check insulation bands for expansion in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 342492. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$888

<b>Screening Date</b> 8-Sep-2020 <b>Respondent</b> INEOS USA LLC (PCW No. 3 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right; color: red; font-size: small;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>			
<b>Violation Number</b> <span style="border: 1px solid black; padding: 2px;">22</span>					
<b>Rule Cite(s)</b> <span style="border: 1px solid black; padding: 5px;">30 Tex. Admin. Code §§ 101.201(b)(1)(G) and 122.143(4), FOP No. 02327, GTC and STC No. 2.F., and Tex. Health &amp; Safety Code § 382.085(b)</span>					
<b>Violation Description</b> <span style="border: 1px solid black; padding: 10px;">         Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify all of the compounds released from the EPNs involved during the shutdown of the Butadiene Unit on the final record for Incident No. 342492.       </span>					
<b>Base Penalty</b>		\$25,000			
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>					
OR	Release	Harm			
		Major	Moderate	Minor	
	Actual				<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">0.0%</span>
Potential					
<b>&gt;&gt; Programmatic Matrix</b>					
	Falsification	Major	Moderate	Minor	
				x	<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">1.0%</span>
Matrix Notes	Less than 30% of the rule requirements were not met.				
<b>Adjustment</b>					\$24,750
					\$250
<b>Violation Events</b>					
Number of Violation Events		1	104		Number of violation days
	daily				
	weekly				
	monthly				
	quarterly				
	semiannual				
	annual				
	single event	x			
One single event is recommended.					
<b>Good Faith Efforts to Comply</b>		10.0%	Reduction		\$25
		Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary				
	Ordinary		x		
	N/A				
	Notes	The Respondent completed the corrective measures by July 14, 2023, after the NOE dated December 18, 2020.			
<b>Violation Subtotal</b>					\$225
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>		
<b>Estimated EB Amount</b>		\$209	<b>Violation Final Penalty Total</b>		\$1,121
<b>This violation Final Assessed Penalty (adjusted for limits)</b>					\$1,121

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 22

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$1,500	2-Oct-2020	14-Jul-2023	2.78	\$209	n/a	\$209
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs Estimated cost to establish a review process to allow two levels of review for any reportable emissions event in order to ensure that all of the required information is identified on the final records for reportable emissions events. 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	\$1,500	<b>TOTAL</b>	\$209
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<b>Screening Date</b> 8-Sep-2020 <b>Respondent</b> INEOS USA LLC (PCW No. 3 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>
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<b>Violation Number</b>	23	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to prevent unauthorized emissions. Specifically, the Respondent released 77,184.97 lbs of CO, 15,145.54 lbs of NOx, and 78,003.59 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 344750) that began on October 24, 2020 and lasted 59 hours.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

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

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b>
	<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 performed on the air dispersion modeling that was provided by the Respondent, human health or the environment has been exposed to significant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$17,500
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	\$7,500
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**Violation Events**

Number of Violation Events	1	3	Number of violation days
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	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"/>	
															<b>Violation Base Penalty</b>
															<input type="text" value="\$7,500"/>

  

One monthly event is recommended.	
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**Good Faith Efforts to Comply**

	<b>10.0%</b>	
		<b>Reduction</b>
		<input type="text" value="\$750"/>

  

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	<input type="text"/>	<input checked="" type="text" value="x"/>	
N/A	<input type="text"/>	<input type="text"/>	

  

Notes	The Respondent completed the corrective measures on August 31, 2021, after the NOE dated May 13, 2021.
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<b>Violation Subtotal</b>	\$6,750
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**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$426

  

	<b>Violation Final Penalty Total</b>	\$13,301
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$13,301
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 23

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	24-Oct-2020	31-Aug-2021	0.85	\$426	n/a	\$426
Notes for DELAYED costs	Estimated cost to add inspection of rack and servo linkage pins to the Maintenance Preventative Maintenance Procedure in order to prevent recurrence to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 344750. The Date Required is the date the emissions event began and the Final Date is the date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance	\$10,000	<b>TOTAL</b>	\$426
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<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	Policy Revision 4 (April 2014)		
<b>Case ID No.</b>	60882	PCW Revision March 26, 2014		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	24			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the MAERs. Specifically, the Respondent exceeded the ethylene MAER of 78.75 tpy based on a 12-month rolling period, exceeded the CO MAER of 156.36 tpy based on a 12-month rolling period, and exceeded the NOx MAER of 30.68 tpy based on a 12-month rolling period for the 12-month period for the 12-month period ending on September 2020 for the Olefins 2 Flare Routine Startup, Shutdown and Maintenance Emissions, EPN DDM-3101MSS, resulting in 11.21 tons of unauthorized ethylene emissions, 27.42 tons of unauthorized CO emissions, and 5.38 tons of unauthorized NOx emissions.			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual		x		
	Potential				<b>Percent</b>
					30.0%

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b>
					0.0%

  

Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$17,500
<b>\$7,500</b>	

  

**Violation Events**

Number of Violation Events	1	Number of violation days	30
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	daily	
	weekly	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

  

<b>Violation Base Penalty</b>	\$7,500
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One monthly event is recommended for the period of non-compliance from September 1, 2020 through September 30, 2020.

  

**Good Faith Efforts to Comply**

	<b>10.0%</b>		<b>Reduction</b>	\$750
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary		x		
N/A				
Notes	The Respondent completed the corrective measures by May 31, 2021, after the NOE dated December 18, 2020.			

  

<b>Violation Subtotal</b>	\$6,750
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$373	<b>Statutory Limit Test</b>	
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<b>Violation Final Penalty Total</b>	\$13,301
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$13,301

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 24

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	1-Sep-2020	31-May-2021	0.75	\$373	n/a	\$373

Notes for DELAYED costs

Estimated cost to implement measures to comply with the ethylene, CO, and NOx annual MAERs for the Olefins 2 Flare Routine, Startup, Shutdown, and Maintenance Emissions, EPN DDM-3101MSS. 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

\$10,000

**TOTAL**

\$373



<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	Policy Revision 4 (April 2014)		
<b>Case ID No.</b>	60882	PCW Revision March 26, 2014		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	25			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(1), (2), and (3), 113.100, 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(3)(ii) and 63.11(b)(6)(ii), NSR Permit Nos. 95 and PSDTX854M2, SC No. 7.A., FOP No. O2327, GTC and STC Nos. 1.A. and 26, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to maintain the net heating value of the gas being combusted at 300 Btu/scf or greater if the flare is steam-assisted or air-assisted. Specifically, the net heating value of the gas being combusted by the No. 1 Olefins Facilities Flare was less than 300 Btu/scf when the net heating value ranged from 0.00 Btu/scf to 299.77 Btu/scf for a total of 3,357 hours on 301 days from October 1, 2019 to September 30, 2020.			
		<b>Base Penalty</b>	\$25,000	

  

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	
	Potential				<b>Percent</b> 15.0%

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>		Falsification	Major	Moderate	Minor	
						<b>Percent</b> 0.0%
		Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.				
		<b>Adjustment</b>		\$21,250		

\$3,750

  

**Violation Events**

Number of Violation Events	4	301	Number of violation days
	daily		
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		
<b>Violation Base Penalty</b> \$15,000			
Four quarterly events are recommended for the instances of non-compliance that occurred from October 1, 2019 to September 30, 2020.			

  

**Good Faith Efforts to Comply**

	<b>25.0%</b>		<b>Reduction</b> \$3,750
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary	x		
N/A			
Notes	The Respondent completed the corrective measures on September 30, 2020, prior to the NOE dated May 27, 2021.		
		<b>Violation Subtotal</b>	\$11,250

  

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

<b>Estimated EB Amount</b>	<b>Statutory Limit Test</b>
\$75	<b>Violation Final Penalty Total</b> \$23,651
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$23,651	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 25

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	1-Oct-2019	30-Sep-2020	1.00	\$75	n/a	\$75

### Notes for DELAYED costs

Estimated cost to add natural gas to the No. 1 Olefins Facilities Flare in order to maintain the net heating value of the gas being combusted at 300 Btu/scf or greater. 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

\$1,500

### TOTAL

\$75

<b>Screening Date</b>		8-Sep-2020		<b>Docket No.</b>		2021-0818-AIR-E		<b>PCW</b>	
<b>Respondent</b>		INEOS USA LLC (PCW No. 3 of 4)						<i>Policy Revision 4 (April 2014)</i>	
<b>Case ID No.</b>		60882						<i>PCW Revision March 26, 2014</i>	
<b>Reg. Ent. Reference No.</b>		RN100238708							
<b>Media</b>		Air							
<b>Enf. Coordinator</b>		Danielle Porras							
<b>Violation Number</b>		<input type="text" value="26"/>							
<b>Rule Cite(s)</b>		<div>30 Tex. Admin. Code §§ 115.725(a)(2)(D) and 122.143(4), FOP No. 02327, GTC and STC No. 1.A., and Tex. Health &amp; Safety Code § 382.085(b)</div>							
<b>Violation Description</b>		<div>Failed to comply with the operating parameter limit. Specifically, the Respondent did not maintain the established operating parameter limit of at least 2.6% O2 level when the oxygen level ranged from 0.00% to 2.598% for a total of 677 hours on 49 days from October 1, 2019 to January 12, 2020 for the No. 1 Olefins Boiler.</div>							
						<b>Base Penalty</b>		<input type="text" value="\$25,000"/>	
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>									
<b>OR</b>			<b>Harm</b>						
	<b>Release</b>		Major	Moderate	Minor				
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>			<b>Percent</b>	<input type="text" value="15.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>				
<b>&gt;&gt; Programmatic Matrix</b>									
	<b>Falsification</b>	Major	Moderate	Minor			<b>Percent</b>	<input type="text" value="0.0%"/>	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>					
<b>Matrix Notes</b>	<div>Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.</div>								
						<b>Adjustment</b>		<input type="text" value="\$21,250"/>	
								<input type="text" value="\$3,750"/>	
<b>Violation Events</b>									
		<b>Number of Violation Events</b>		<input type="text" value="2"/>	<input type="text" value="49"/>		<b>Number of violation days</b>		
	<div>daily</div> <div>weekly</div> <div>monthly</div> <div>quarterly</div> <div>semiannual</div> <div>annual</div> <div>single event</div>	<div><input type="text"/></div> <div><input type="text"/></div> <div><input type="text"/></div> <div><input type="text" value="x"/></div> <div><input type="text"/></div> <div><input type="text"/></div> <div><input type="text"/></div>				<b>Violation Base Penalty</b>		<input type="text" value="\$7,500"/>	
		<div>Two quarterly events are recommended for the instances of non-compliance that occurred from October 1, 2019 to January 12, 2020.</div>							
<b>Good Faith Efforts to Comply</b>				<input type="text" value="25.0%"/>			<b>Reduction</b>		<input type="text" value="\$1,875"/>
		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"/>					
	<b>Notes</b>	<div>The Respondent competed the corrective measures on January 12, 2020, prior to the NOE dated May 27, 2021.</div>							
						<b>Violation Subtotal</b>		<input type="text" value="\$5,625"/>	
<b>Economic Benefit (EB) for this violation</b>									
						<b>Statutory Limit Test</b>			
		<b>Estimated EB Amount</b>		<input type="text" value="\$21"/>		<b>Violation Final Penalty Total</b>		<input type="text" value="\$12,176"/>	
						<b>This violation Final Assessed Penalty (adjusted for limits)</b>		<input type="text" value="\$12,176"/>	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 26

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	1-Oct-2019	12-Jan-2020	0.28	\$21	n/a	\$21

### Notes for DELAYED costs

Estimated cost to raise the oxygen level for the No. 1 Olefins Boiler in order to comply with the operating parameter limit of at least 2.6% O2 level. 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

\$1,500

**TOTAL**

\$21

<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	Policy Revision 4 (April 2014)		
<b>Case ID No.</b>	60882	PCW Revision March 26, 2014		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	27			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit No. 97769, SC No. 5.F., FOP No. O2327, GTC and STC Nos. 1.A. and 26, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the concentration limit. Specifically, the Respondent exceeded the NH3 concentration limit of 10 ppmvd corrected to 3.0% O2 based on a rolling 24-hour averaging period by a range from 0.75 ppmvd to 144.99 ppmvd for a total of 14 hours on October 16, 2019 and April 11, 2020 for Furnace No. 105.			
<b>Base Penalty</b>				\$25,000

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	
	Potential				<b>Percent</b> 15.0%

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

Matrix Notes: Human health or the environment has been exposed to insignificant amounts of pollutants that did 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	2	2	Number of violation days
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daily					
weekly					
monthly					
quarterly	x				
semiannual					
annual					
single event					

**Violation Base Penalty** \$7,500

Two quarterly events are recommended for the instances of non-compliance that occurred on October 16, 2019 and April 11, 2020.

**Good Faith Efforts to Comply**

	<b>25.0%</b>			
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	x			
N/A				

Notes: The Respondent completed the corrective measures on April 11, 2020, prior to the NOE dated May 27, 2021.

**Violation Subtotal** \$5,625

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

<b>Estimated EB Amount</b>	\$244	<b>Violation Final Penalty Total</b>	\$12,176
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$12,176	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 27

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	16-Oct-2019	11-Apr-2020	0.49	\$244	n/a	\$244

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the NH3 concentration limit for Furnace No. 105. 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

\$10,000

**TOTAL**

\$244

<b>Screening Date</b> 8-Sep-2020 <b>Respondent</b> INEOS USA LLC (PCW No. 3 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right; color: red; font-size: small;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>
<b>Violation Number</b> <span style="border: 1px solid black; padding: 2px;">28</span>		
<b>Rule Cite(s)</b> 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 97769, SC No. 5.F., FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)		
<b>Violation Description</b> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         Failed to comply with the concentration limit. Specifically, the Respondent exceeded the NH3 slip concentration limit of 20 ppmvd corrected to 3% O2 on an hourly basis by a range from 3.18 ppmvd to 1,206.66 ppmvd for a total of 15 hours on five days from October 15, 2019 to August 22, 2020 for Furnace No. 105.       </div>		
<b>Base Penalty</b>		<span style="border: 1px solid black; padding: 2px;">\$25,000</span>
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>		
OR	<b>Release</b>	<b>Harm</b> Major      Moderate      Minor
	Actual	<div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto; text-align: center;">x</div>
	Potential	<div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div>
		<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">15.0%</span>
<b>&gt;&gt; Programmatic Matrix</b>		
	Falsification      Major      Moderate      Minor	
	<div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div>	<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">0.0%</span>
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.	
<b>Adjustment</b>		<span style="border: 1px solid black; padding: 2px;">\$21,250</span>
		<span style="border: 1px solid black; padding: 2px;">\$3,750</span>
<b>Violation Events</b>		
Number of Violation Events <span style="border: 1px solid black; padding: 2px;">3</span>		Number of violation days <span style="border: 1px solid black; padding: 2px;">5</span>
	<div style="border: 1px solid black; padding: 2px;">           daily            weekly            monthly            quarterly            semiannual            annual            single event         </div>	<div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto; text-align: center;">x</div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div>
		<b>Violation Base Penalty</b> <span style="border: 1px solid black; padding: 2px;">\$11,250</span>
Three quarterly events are recommended for the instances of non-compliance that occurred from October 15, 2019 to August 22, 2020.		
<b>Good Faith Efforts to Comply</b>		
<b>25.0%</b>		<b>Reduction</b> <span style="border: 1px solid black; padding: 2px;">\$2,812</span>
Before NOE/NOV      NOE/NOV to EDPRP/Settlement Offer		
Extraordinary		
Ordinary	x	
N/A		
Notes	The Respondent completed the corrective measures on August 22, 2020, prior to the NOE dated May 27, 2021.	
<b>Violation Subtotal</b>		<span style="border: 1px solid black; padding: 2px;">\$8,438</span>
<b>Economic Benefit (EB) for this violation</b>		
<b>Estimated EB Amount</b>		<span style="border: 1px solid black; padding: 2px;">\$427</span>
<b>Statutory Limit Test</b>		<b>Violation Final Penalty Total</b> <span style="border: 1px solid black; padding: 2px;">\$17,914</span>
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		<span style="border: 1px solid black; padding: 2px;">\$17,914</span>

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 28

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	15-Oct-2019	22-Aug-2020	0.85	\$427	n/a	\$427

Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the NH3 slip concentration limit for Furnace No. 105. 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

\$10,000

**TOTAL**

\$427



<b>Screening Date</b> 8-Sep-2020 <b>Respondent</b> INEOS USA LLC (PCW No. 3 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right; color: red; font-size: small;"> <i>Policy Revision 4 (April 2014)</i>  <i>PCW Revision March 26, 2014</i> </div>	<b>PCW</b>																							
<table style="width: 100%;"> <tr> <td style="width: 20%;"><b>Violation Number</b></td> <td>29</td> </tr> <tr> <td><b>Rule Cite(s)</b></td> <td>30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.B.(3), FOP No. 02327, GTC and STC No. 26, and Tex. Health &amp; Safety Code § 382.085(b)</td> </tr> <tr> <td><b>Violation Description</b></td> <td>Failed to comply with the firing rate limit. Specifically, the Respondent exceeded the firing rate limit of 388 million British thermal units per hour ("MMBtu/hr") by a range from 0.06 MMBtu/hr to 28.35 MMBtu/hr for a total of 227 hours on 13 days from October 1, 2019 to April 19, 2020 for the No. 2 Olefins Unit Steam Boiler.</td> </tr> </table>			<b>Violation Number</b>	29	<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.B.(3), FOP No. 02327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)	<b>Violation Description</b>	Failed to comply with the firing rate limit. Specifically, the Respondent exceeded the firing rate limit of 388 million British thermal units per hour ("MMBtu/hr") by a range from 0.06 MMBtu/hr to 28.35 MMBtu/hr for a total of 227 hours on 13 days from October 1, 2019 to April 19, 2020 for the No. 2 Olefins Unit Steam Boiler.																	
<b>Violation Number</b>	29																								
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.B.(3), FOP No. 02327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)																								
<b>Violation Description</b>	Failed to comply with the firing rate limit. Specifically, the Respondent exceeded the firing rate limit of 388 million British thermal units per hour ("MMBtu/hr") by a range from 0.06 MMBtu/hr to 28.35 MMBtu/hr for a total of 227 hours on 13 days from October 1, 2019 to April 19, 2020 for the No. 2 Olefins Unit Steam Boiler.																								
<b>Base Penalty</b>		\$25,000																							
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																									
OR	<table border="1" style="margin: auto;"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <td></td> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <th>Release</th> <td></td> <td></td> <td></td> </tr> <tr> <th>Actual</th> <td></td> <td></td> <td style="text-align: center;">x</td> </tr> <tr> <th>Potential</th> <td></td> <td></td> <td></td> </tr> </table>				Harm				Major	Moderate	Minor	Release				Actual			x	Potential				<b>Percent</b>	15.0%
		Harm																							
		Major	Moderate	Minor																					
	Release																								
Actual			x																						
Potential																									
<b>&gt;&gt; Programmatic Matrix</b>																									
	<table border="1" style="margin: auto;"> <tr> <td></td> <th>Falsification</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <th>Release</th> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <th>Actual</th> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <th>Potential</th> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Falsification	Major	Moderate	Minor	Release					Actual					Potential					<b>Percent</b>	0.0%
	Falsification	Major	Moderate	Minor																					
Release																									
Actual																									
Potential																									
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.																								
<b>Adjustment</b>					\$21,250																				
					\$3,750																				
<b>Violation Events</b>																									
Number of Violation Events		2	13	Number of violation days																					
	<table border="1" style="margin-left: 20px;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td style="text-align: center;">x</td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly		quarterly	x	semiannual		annual		single event		<b>Violation Base Penalty</b>				\$7,500					
daily																									
weekly																									
monthly																									
quarterly	x																								
semiannual																									
annual																									
single event																									
Two quarterly events are recommended for the instances of non-compliance that occurred from October 1, 2019 to April 19, 2020.																									
<b>Good Faith Efforts to Comply</b>		25.0%	<b>Reduction</b>		\$1,875																				
Before NOE/NOV    NOE/NOV to EDPRP/Settlement Offer																									
	<table border="1" style="margin-left: 20px;"> <tr><td>Extraordinary</td><td></td></tr> <tr><td>Ordinary</td><td style="text-align: center;">x</td></tr> <tr><td>N/A</td><td></td></tr> </table>	Extraordinary		Ordinary	x	N/A		The Respondent completed the corrective measures on April 19, 2020, prior to the NOE dated May 27, 2021.																	
Extraordinary																									
Ordinary	x																								
N/A																									
<b>Violation Subtotal</b>					\$5,625																				
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>																						
<b>Estimated EB Amount</b>		\$275	<b>Violation Final Penalty Total</b>		\$12,176																				
<b>This violation Final Assessed Penalty (adjusted for limits)</b>					\$12,176																				

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 29

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	1-Oct-2019	19-Apr-2020	0.55	\$275	n/a	\$275

### Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the firing rate limit for the No. 2 Olefins Unit Steam Boiler. 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

\$10,000

### TOTAL

\$275

<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)	Policy Revision 4 (April 2014) PCW Revision March 26, 2014		
<b>Case ID No.</b>	60882			
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	30			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 117.310(c)(2) and 122.143(4), FOP No. 02327, GTC and STC No. 1.A., and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the concentration limit. Specifically, the Respondent exceeded the NH3 concentration limit of 10 ppmvd corrected at 3.0% O2 by a range from 5.23 ppmvd to 262.37 ppmvd for a total of seven hours on August 27, 2020 and August 29, 2020 for the Steam Cracking Furnace.			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual			x	<b>Percent</b> 15.0%
Potential					

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
	\$3,750

  

**Violation Events**

Number of Violation Events	1	2	Number of violation days
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	daily		<b>Violation Base Penalty</b> \$3,750
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

  

One quarterly event is recommended for the instances of non-compliance that occurred on August 27, 2020 and August 29, 2020.

  

**Good Faith Efforts to Comply**

	<b>25.0%</b>		<b>Reduction</b>	\$937
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	x			
N/A				
Notes	The Respondent completed the corrective measures on August 29, 2020, prior to the NOE dated May 27, 2021.			
<b>Violation Subtotal</b>				\$2,813

  

**Economic Benefit (EB) for this violation**
**Statutory Limit Test**

<b>Estimated EB Amount</b>	\$3	<b>Violation Final Penalty Total</b>	\$6,439
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$6,439

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 30

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	27-Aug-2020	29-Aug-2020	0.01	\$3	n/a	\$3

### Notes for DELAYED costs

Estimated cost to implement measures in order to comply with the NH3 concentration limit for the Steam Cracking Furnace. 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

\$10,000

### TOTAL

\$3

<b>Screening Date</b> 8-Sep-2020 <b>Respondent</b> INEOS USA LLC (PCW No. 3 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <b>PCW</b> <i>Policy Revision 4 (April 2014)</i> <i>PCW Revision March 26, 2014</i>					
<b>Violation Number</b> <span style="border: 1px solid black; padding: 2px;">31</span>						
<b>Rule Cite(s)</b> 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)						
<b>Violation Description</b> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         Failed to comply with the MAER. Specifically, the Respondent exceeded the VOC MAER of 87.50 tpy based on a 12-month rolling period for the 12-month periods ending from August 2020 through September 2020 for the Olefins 1 and 2 Flare, EPN FLAREMSSCAP, resulting in 50.94 tons of unauthorized VOC emissions.       </div>						
<b>Base Penalty</b> <span style="border: 1px solid black; padding: 2px;">\$25,000</span>						
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>						
OR		Harm	Major	Moderate	Minor	
	<b>Release</b>					
	Actual		x			
	Potential					
						<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">30.0%</span>
<b>&gt;&gt; Programmatic Matrix</b>						
		Falsification	Major	Moderate	Minor	
						<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">0.0%</span>
Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.					
<b>Adjustment</b> <span style="border: 1px solid black; padding: 2px;">\$17,500</span>						
						\$7,500
<b>Violation Events</b>						
Number of Violation Events <span style="border: 1px solid black; padding: 2px;">2</span>		<span style="border: 1px solid black; padding: 2px;">61</span> Number of violation days				
	daily					
	weekly					
	monthly	x				
	quarterly					
	semiannual					
	annual					
	single event					
						<b>Violation Base Penalty</b> <span style="border: 1px solid black; padding: 2px;">\$15,000</span>
Two monthly events are recommended from August 1, 2020 through September 30, 2020.						
<b>Good Faith Efforts to Comply</b>		<span style="border: 1px solid black; padding: 2px;">25.0%</span>		Reduction <span style="border: 1px solid black; padding: 2px;">\$3,750</span>		
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer						
	Extraordinary					
	Ordinary	x				
	N/A					
	Notes	The Respondent completed the corrective measures by February 28, 2021, prior to the NOE dated May 27, 2021.				
<b>Violation Subtotal</b> <span style="border: 1px solid black; padding: 2px;">\$11,250</span>						
<b>Economic Benefit (EB) for this violation</b>						
<b>Statutory Limit Test</b>						
<b>Estimated EB Amount</b> <span style="border: 1px solid black; padding: 2px;">\$43</span>		<b>Violation Final Penalty Total</b> <span style="border: 1px solid black; padding: 2px;">\$23,651</span>				
<b>This violation Final Assessed Penalty (adjusted for limits)</b>						\$23,651

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 31

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	1-Aug-2020	28-Feb-2021	0.58	\$43	n/a	\$43

### Notes for DELAYED costs

Estimated cost to implement an improved maintenance management plan by having Operations personnel review the emission points where the emissions originated from every month and demonstrate compliance with the VOC annual MAER for the Olefins 1 and 2 Flare, EPN FLAREMSSCAP. 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

\$1,500

**TOTAL**

\$43

<b>Screening Date</b>	8-Sep-2020	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 3 of 4)			Policy Revision 4 (April 2014)
<b>Case ID No.</b>	60882			PCW Revision March 26, 2014
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	32			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 122.210(a) and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to submit an application for a revision to an FOP at a site to change, add, or remove one or more permit terms and conditions. Specifically, the Respondent did not submit an application to revise FOP No. O2327 to incorporate the applicable regulatory requirements for Stationary Reciprocating Internal Combustion Engines UTILCMP3, UTILCMP4, UTILCMP6, OLE2COMP2, and DCPCOMP2.			
		<b>Base Penalty</b>	\$25,000	

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual				<b>Percent</b> 0.0%
Potential					

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
		x			<b>Percent</b> 15.0%

Matrix Notes: 100% of the rule requirements were not met.

**Adjustment** \$21,250

\$3,750

**Violation Events**

Number of Violation Events	1		344	Number of violation days
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	daily		<b>Violation Base Penalty</b> \$3,750
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	

One single event is recommended.

**Good Faith Efforts to Comply**

	<b>0.0%</b>		<b>Reduction</b>	\$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**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$2,705
	<b>Violation Final Penalty Total</b> \$7,376
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$7,376	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 3 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 32

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$5,000	1-Jul-2020	23-Aug-2024	4.15	\$1,037	n/a	\$1,037
Other (as needed)	\$10,000	1-Jul-2020	1-Nov-2023	3.34	\$1,668	n/a	\$1,668

**Notes for DELAYED costs**

Estimated cost to obtain Permit by Rule No. 177025 to downsize Stationary Reciprocating Internal Combustion Engine DCPCOMP2 and update FOP No. 0237 through the use of the off-permit change process (\$5,000) and remove Stationary Reciprocating Internal Combustion Engines UTILCMP3, UTILCMP4, UTILCMP6, OLE2COMP2 from the Plant (\$10,000). The Dates Required are the first date of non-compliance and the Final Dates are the dates 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**

\$15,000

**TOTAL**

\$2,705





# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	8-Sep-2021	<b>Screening</b>	15-Sep-2021	<b>EPA Due</b>	27-Feb-2022
	<b>PCW</b>	22-Aug-2024				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	INEOS USA LLC (PCW No. 4 of 4)				
<b>Reg. Ent. Ref. No.</b>	RN100238708				
<b>Facility/Site Region</b>	12-Houston	<b>Major/Minor Source</b>	Major		

## CASE INFORMATION

<b>Enf./Case ID No.</b>	60882	<b>No. of Violations</b>	25
<b>Docket No.</b>	2021-0818-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Danielle Porras
		<b>EC's Team</b>	Enforcement Team 2
<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>	\$650,000
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	78.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$507,000
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Notes

Enhancement for three NOV's with same or similar violations, three NOV's with dissimilar violations, and three orders containing a denial of liability. Reduction for one Notice of Intent to conduct an audit and one Disclosure of Violations.

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

The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$26,125
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<b>Economic Benefit</b>	50.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$33,134
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Total EB Amounts	\$33,134
Estimated Cost of Compliance	\$240,000

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$1,164,009
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

<b>Final Penalty Amount</b>	\$1,164,009
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$1,164,009
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<b>DEFERRAL</b>	20.0%	<b>Reduction</b>	<b>Adjustment</b>	-\$232,801
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$931,208
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Screening Date 15-Sep-2021

Docket No. 2021-0818-AIR-E

PCW

Respondent INEOS USA LLC (PCW No. 4 of 4)

Policy Revision 5 (January 28, 2021)

Case ID No. 60882

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN100238708

Media Air

Enf. Coordinator Danielle Porras

## Compliance History Worksheet

## &gt;&gt; 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> )	3	15%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	3	60%
	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> )	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	1	-2%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 78%

## &gt;&gt; Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

Compliance History Notes

Enhancement for three NOVs with same or similar violations, three NOVs with dissimilar violations, and three orders containing a denial of liability. Reduction for one Notice of Intent to conduct an audit and one Disclosure of Violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, &amp; 7) 78%

## &gt;&gt; Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 78%

<b>Screening Date</b>	15-Sep-2021	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>	
<b>Respondent</b>	INEOS USA LLC (PCW No. 4 of 4)				Policy Revision 5 (January 28, 2021)
<b>Case ID No.</b>	60882				PCW Revision February 11, 2021
<b>Reg. Ent. Reference No.</b>	RN100238708				
<b>Media</b>	Air				
<b>Enf. Coordinator</b>	Danielle Porras				
<b>Violation Number</b>	1				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), 117.310(c)(2)(A), and 122.143(4), New Source Review ("NSR") Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, Special Conditions ("SC") No. 5, Federal Operating Permit ("FOP") No. O3966, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") Nos. 1.A. and 7, and Tex. Health & Safety Code § 382.085(b)				
<b>Violation Description</b>	Failed to comply with the concentration limits. Specifically, the Respondent exceeded the carbon monoxide ("CO") concentration limit of 4.0 parts per million by volume dry ("ppmvd") corrected to 15 percent oxygen ("% O2") by a range from 0.001 ppmvd to 72.25 ppmvd for a total of 1,178 hours on 99 days from January 15, 2020 to September 30, 2020, exceeded the nitrogen oxides ("NOx") concentration limit of 2.0 ppmvd at 15% O2 by a range from 0.0003 ppmvd to 556.78 ppmvd for a total of 412 hours on 40 days from January 15, 2020 to July 8, 2020, exceeded the ammonia ("NH3") concentration limit of 7.0 ppmvd at 15% O2 by a range from 0.001 ppmvd to 3.18 ppmvd for a total of 23 hours on seven days from January 29, 2020 to August 18, 2020, and exceeded the NH3 concentration limit of 10.0 ppmvd at 15% O2 by 0.18 ppmvd for one hour on January 9, 2020 for Turbine 1.				
		<b>Base Penalty</b>	\$25,000		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>					
<b>OR</b>	<b>Release</b>	<b>Major</b>	<b>Harm Moderate</b>	<b>Minor</b>	
	Actual			X	
	Potential				
			<b>Percent</b>	30.0%	
<b>&gt;&gt; Programmatic Matrix</b>					
	<b>Falsification</b>	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>	
			<b>Percent</b>	0.0%	
<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.				
		<b>Adjustment</b>	\$17,500		
			\$7,500		
<b>Violation Events</b>					
	Number of Violation Events	9	107	Number of violation days	
	daily				
	weekly				
	monthly	X			
	quarterly				
	semiannual				
	annual				
	single event				
			<b>Violation Base Penalty</b>	\$67,500	
	Nine monthly events are recommended for the instances of non-compliance that occurred from January 15, 2020 to September 30, 2020.				
<b>Good Faith Efforts to Comply</b>		0.0%		<b>Reduction</b>	\$0
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary				
	Ordinary				
	N/A	X			
	<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.			
		<b>Violation Subtotal</b>	\$67,500		
<b>Economic Benefit (EB) for this violation</b>					
	<b>Estimated EB Amount</b>	\$2,484	<b>Violation Final Penalty Total</b>	\$121,475	
		<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$121,475		

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	15-Jan-2020	1-Jan-2025	4.97	\$2,484	n/a	\$2,484

**Notes for DELAYED costs**

Estimated cost to implement measures designed to comply with the CO, NOx, and NH3 concentration limits for Turbine 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**

\$2,484

<b>Screening Date</b>	15-Sep-2021	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 4 of 4)			Policy Revision 5 (January 28, 2021)
<b>Case ID No.</b>	60882			PCW Revision February 11, 2021
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	2			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), 117.310(c)(2)(A), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 5, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the concentration limits. Specifically, the Respondent exceeded the CO concentration limit of 4.0 ppmvd at 15% O2 by a range from 0.001 ppmvd to 37.44 ppmvd for a total of 2,760 hours on 153 days from January 15, 2020 to September 30, 2020, exceeded the NOx concentration limit of 2.0 ppmvd at 15% O2 by a range from 0.0001 ppmvd to 83.68 ppmvd for a total of 144 hours on 26 days from January 14, 2020 to August 27, 2020, exceeded the NH3 concentration limit of 7.0 ppmvd at 15% O2 by a range from 0.56 ppmvd to 14.23 ppmvd for a total of 25 hours on seven days from March 21, 2020 to June 27, 2020, and exceeded the NH3 concentration limit of 10.0 ppmvd at 15% O2 by a range from 2.66 ppmvd to 11.23 ppmvd for a total of 19 hours on five days from March 27, 2020 to June 27, 2020 for Turbine 2.			
		<b>Base Penalty</b>	\$25,000	

>> Environmental, Property and Human Health Matrix

OR		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			X	<b>Percent</b> 30.0%
Potential					

>>Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that did 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	9	155	Number of violation days
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daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

**Violation Base Penalty**
\$67,500

Nine monthly events are recommended for the instances of non-compliance that occurred from January 14, 2020 to September 30, 2020.

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**
\$67,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount	\$2,485	Violation Final Penalty Total	\$121,475
This violation Final Assessed Penalty (adjusted for limits)		\$121,475	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	14-Jan-2020	1-Jan-2025	4.97	\$2,485	n/a	\$2,485
Notes for DELAYED costs	Estimated cost to implement measures designed to comply with the CO, NOx, and NH3 concentration limits for Turbine 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** \$2,485

<b>Screening Date</b>		15-Sep-2021		<b>Docket No.</b>		2021-0818-AIR-E		<b>PCW</b>	
<b>Respondent</b>		INEOS USA LLC (PCW No. 4 of 4)						<i>Policy Revision 5 (January 28, 2021)</i>	
<b>Case ID No.</b>		60882						<i>PCW Revision February 11, 2021</i>	
<b>Reg. Ent. Reference No.</b>		RN100238708							
<b>Media</b>		Air							
<b>Enf. Coordinator</b>		Danielle Porras							
<b>Violation Number</b>		3							
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and Tex. Health & Safety Code § 382.085(b)							
<b>Violation Description</b>		Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, the Respondent exceeded the CO MAER of 6.60 pounds per hour ("lbs/hr") by a range from 0.03 lb/hr to 36.75 lbs/hr for a total of 220 hours on 35 days from February 1, 2020 to September 30, 2020 and exceeded the NOx MAER of 5.42 lbs/hr by a range from 0.09 lb/hr to 29.42 lbs/hr for a total of 85 hours on 23 days from from January 29, 2020 to September 3, 2020 for Turbine 1, Emissions Point Number ("EPN") Turbine 1, resulting in the unauthorized release of 850.73 lbs of CO emissions and 600.11 lbs of NOx emissions.							
						<b>Base Penalty</b>		\$25,000	
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>									
<b>OR</b>		<b>Release</b>		<b>Harm</b>					
			Major	Moderate	Minor				
		Actual			x				
		Potential				<b>Percent</b>	30.0%		
<b>&gt;&gt;Programmatic Matrix</b>									
		Falsification	Major	Moderate	Minor				
						<b>Percent</b>	0.0%		
<b>Matrix Notes</b>		Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.							
						<b>Adjustment</b>		\$17,500	
								\$7,500	
<b>Violation Events</b>									
		Number of Violation Events		7		49		Number of violation days	
		daily							
		weekly							
		monthly	x						
		quarterly							
		semiannual							
		annual							
		single event							
		Seven monthly events are recommended for the instances of non-compliance that occurred from January 29, 2020 to February 28, 2020 and from April 3, 2020 to September 30, 2020.							
<b>Good Faith Efforts to Comply</b>				0.0%		Reduction		\$0	
		Before NOE/NOV		NOE/NOV to EDRP/Settlement Offer					
		Extraordinary							
		Ordinary							
		N/A	x						
		Notes	The Respondent does not meet the good faith criteria for this violation.						
						<b>Violation Subtotal</b>		\$52,500	
<b>Economic Benefit (EB) for this violation</b>									
						<b>Statutory Limit Test</b>			
		<b>Estimated EB Amount</b>		\$2,464		<b>Violation Final Penalty Total</b>		\$94,775	
						<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$94,775	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**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				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	29-Jan-2020	1-Jan-2025	4.93	\$2,464	n/a	\$2,464
Notes for DELAYED costs	Estimated cost to implement measures designed to comply with the CO and NOx hourly MAERs for Turbine 1, Turbine 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** \$2,464



<b>Screening Date</b>	15-Sep-2021	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>																										
<b>Respondent</b>	INEOS USA LLC (PCW No. 4 of 4)	Policy Revision 5 (January 28, 2021)																												
<b>Case ID No.</b>	60882	PCW Revision February 11, 2021																												
<b>Reg. Ent. Reference No.</b>	RN100238708																													
<b>Media</b>	Air																													
<b>Enf. Coordinator</b>	Danielle Porras																													
<b>Violation Number</b>	4																													
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. Q3966, GTC and STC No. 7, and Tex. Health & Safety Code § 382.085(b)																													
<b>Violation Description</b>	<p>Failed to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 6.60 lbs/hr by a range from 2.60 lbs/hr to 205.17 lbs/hr for a total of 1,558 hours on 93 days from January 30, 2020 to September 30, 2020, exceeded the NOx MAER of 5.42 lbs/hr by a range from 0.06 lb/hr to 111.53 lbs/hr for a total of 58 hours on 11 days from January 30, 2020 to July 7, 2020, exceeded the NH3 MAER of 7.01 lbs/hr by a range from 0.76 lb/hr to 14.09 lbs/hr for a total of three hours on three days from April 18, 2020 to May 25, 2020, and exceeded the volatile organic compounds ("VOC") MAER of 0.68 lb/hr by a range from 0.0001 lb/hr to 0.05 lb/hr for a total of 50 hours from February 15, 2020 to March 29, 2020 for Turbine 2, EPN Turbine 2, resulting in the unauthorized release of 9,819.14 lbs of CO emissions, 1,695.43 lbs of NOx emissions, 16.47 lbs of NH3 emissions, and 1.50 lbs of VOC emissions.</p>																													
<b>Base Penalty</b>			\$25,000																											
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																														
<b>OR</b>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%;"></td> <td style="width:15%; text-align: center;"><b>Release</b></td> <td style="width:15%; text-align: center;"><b>Harm</b></td> <td style="width:15%;"></td> <td style="width:15%;"></td> <td style="width:15%;"></td> </tr> <tr> <td></td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">Actual</td> <td></td> <td style="text-align: center;">x</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">Potential</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>					<b>Release</b>	<b>Harm</b>					Major	Moderate	Minor			Actual		x				Potential						<b>Percent</b>	50.0%
		<b>Release</b>	<b>Harm</b>																											
		Major	Moderate	Minor																										
Actual		x																												
Potential																														
<b>&gt;&gt;Programmatic Matrix</b>																														
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%;"></td> <td style="width:15%; text-align: center;">Falsification</td> <td style="width:15%; text-align: center;">Major</td> <td style="width:15%; text-align: center;">Moderate</td> <td style="width:15%; text-align: center;">Minor</td> <td style="width:15%;"></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>					Falsification	Major	Moderate	Minor								<b>Percent</b>	0.0%												
	Falsification	Major	Moderate	Minor																										
Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.																													
<b>Adjustment</b>			\$12,500																											
			\$12,500																											
<b>Violation Events</b>																														
Number of Violation Events		8	97	Number of violation days																										
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td style="text-align: center;">x</td></tr> <tr><td>quarterly</td><td></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly	x	quarterly		semiannual		annual		single event					<b>Violation Base Penalty</b>	\$100,000										
daily																														
weekly																														
monthly	x																													
quarterly																														
semiannual																														
annual																														
single event																														
Eight monthly events are recommended for the instances of non-compliance that occurred from January 30, 2020 to September 30, 2020.																														
<b>Good Faith Efforts to Comply</b>		0.0%		<b>Reduction</b>	\$0																									
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%;"></td> <td style="width:15%; text-align: center;">Before NOE/NOV</td> <td style="width:15%; text-align: center;">NOE/NOV to EDRP/Settlement Offer</td> </tr> <tr> <td style="text-align: center;">Extraordinary</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">Ordinary</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">N/A</td> <td style="text-align: center;">x</td> <td></td> </tr> </table>		Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer	Extraordinary			Ordinary			N/A	x																		
	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer																												
Extraordinary																														
Ordinary																														
N/A	x																													
Notes	The Respondent does not meet the good faith criteria for this violation.																													
<b>Violation Subtotal</b>			\$100,000																											
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>																											
<b>Estimated EB Amount</b>		\$2,463	<b>Violation Final Penalty Total</b>		\$179,325																									
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$179,325																											

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	30-Jan-2020	1-Jan-2025	4.93	\$2,463	n/a	\$2,463
Notes for DELAYED costs	Estimated cost to implement measures designed to comply with the CO, NOx, NH3, and VOC hourly MAERs for Turbine 2, Turbine 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** \$2,463

<b>Screening Date</b>	15-Sep-2021	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 4 of 4)			<i>Policy Revision 5 (January 28, 2021)</i>
<b>Case ID No.</b>	60882			<i>PCW Revision February 11, 2021</i>
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	5			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 7, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	<p>Failed to comply with the emissions and concentration limits. Specifically, the Respondent exceeded the CO concentration limit of 50 ppmvd at 3% O2 by a range from 1.99 ppmvd to 139.43 ppmvd for a total of 15 hours on four days from February 24, 2020 to March 29, 2020, exceeded the NOx emissions limit of 0.01 pound per million British thermal units ("lb/MMBtu") by a range from 0.005 lb/MMBtu to 0.08 lb/MMBtu for a total of 171 hours on 19 days from February 20, 2020 to September 11, 2020, and exceeded the NH3 concentration limit of 10.0 ppmvd at 3% O2 based on a rolling 24-hour averaging period by a range from 0.05 ppmvd to 64.57 ppmvd for a total of 558 hours on 29 days from February 23, 2020 to September 16, 2020 for Boiler 1.</p>			
		<b>Base Penalty</b>	\$25,000	
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
<b>OR</b>	<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor
	Actual			x
Potential				
		<b>Percent</b>	30.0%	
<b>&gt;&gt; Programmatic Matrix</b>				
	Falsification	Major	Moderate	Minor
	<b>Percent</b>	0.0%		
<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
	<b>Adjustment</b>	\$17,500		
		\$7,500		
<b>Violation Events</b>				
	Number of Violation Events	5	47	Number of violation days
	daily			
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			
	<b>Violation Base Penalty</b>	\$37,500		
	Five monthly events are recommended for the instances of non-compliance that occurred from February 20, 2020 to April 21, 2020, on July 3, 2020, and on September 16, 2020.			
<b>Good Faith Efforts to Comply</b>	0.0%	Reduction		\$0
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary				
N/A	x			
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.			
	<b>Violation Subtotal</b>	\$37,500		
<b>Economic Benefit (EB) for this violation</b>				
	<b>Statutory Limit Test</b>			
<b>Estimated EB Amount</b>	\$2,434	<b>Violation Final Penalty Total</b>	\$68,075	
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$68,075		

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**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
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	20-Feb-2020	1-Jan-2025	4.87	\$2,434	n/a	\$2,434
Notes for DELAYED costs	Estimated cost to implement measures designed to comply with the CO and NH3 concentration limits and NOx emissions limit for Boiler 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** \$2,434

<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="text-align: right;"> <i>Policy Revision 5 (January 28, 2021)</i>  <i>PCW Revision February 11, 2021</i> </div>	<b>PCW</b>
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<b>Violation Number</b>	6	<b>Rule Cite(s)</b>	
		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 4, FOP No. 03966, GTC and STC Nos. 1.A. and 7, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>		Failed to comply with the emissions and concentration limits. Specifically, the Respondent exceeded the NOx emissions limit of 0.01 lb/MMBtu by a range from 0.01 lb/MMBtu to 0.09 lb/MMBtu for a total of 391 hours on 34 days from February 4, 2020 to September 22, 2020 and exceeded the NH3 concentration limit of 10.0 ppmvd at 3% O2 based on a rolling 24-hour averaging period by a range from 0.05 ppmvd to 0.42 ppmvd for a total on 21 hours on July 3, 2020 and July 4, 2020 for Boiler 2.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>	<b>Release</b>	<b>Harm</b>			<b>Percent</b>
		Major	Moderate	Minor	
	Actual	[ ]	[ ]	x	
	Potential	[ ]	[ ]	[ ]	

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>	Falsification	Major	Moderate	Minor	<b>Percent</b>
		[ ]	[ ]	[ ]	
	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.				

  

<b>Adjustment</b>	\$17,500
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<b>Adjustment</b>	\$7,500
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**Violation Events**

Number of Violation Events	6	36	Number of violation days
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daily	[ ]	<b>Violation Base Penalty</b>	\$45,000
weekly	[ ]		
monthly	x		
quarterly	[ ]		
semiannual	[ ]		
annual	[ ]		
single event	[ ]		

  

Six monthly events are recommended for the instances of non-compliance that occurred from February 4, 2020 to July 1, 2020 and from August 24, 2020 to September 22, 2020.
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**Good Faith Efforts to Comply**

<b>0.0%</b>	<b>Reduction</b>
	\$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.		

  

<b>Violation Subtotal</b>	\$45,000
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<b>Statutory Limit Test</b>
\$2,456	

  

<b>Violation Final Penalty Total</b>	\$81,425
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$81,425
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**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
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## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	4-Feb-2020	1-Jan-2025	4.91	\$2,456	n/a	\$2,456
Notes for DELAYED costs	Estimated cost to implement measures designed to comply with the NOx emissions limit and NH3 concentration limit for Boiler 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** \$2,456

<b>Screening Date</b>	15-Sep-2021	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 4 of 4)	<i>Policy Revision 5 (January 28, 2021)</i>		
<b>Case ID No.</b>	60882	<i>PCW Revision February 11, 2021</i>		
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	7			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 7, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to comply with the emissions and concentration limits. Specifically, the Respondent exceeded the CO concentration limit of 50 ppmvd at 3% O2 by a range from 0.23 ppmvd to 299.04 ppmvd for a total of 115 hours on 13 days from January 6, 2020 to April 19, 2020, exceeded the NOx emissions limit of 0.01 lb/MMBtu by a range from 0.005 lb/MMBtu to 0.19 lb/MMBtu for a total of 616 hours on 36 days from January 6, 2020 to September 16, 2020, and exceeded the NH3 concentration limit of 10.0 ppmvd at 3% O2 based on a rolling 24-hour averaging period by a range from 0.05 ppmvd to 28.67 ppmvd for a total of 741 hours on 48 days from January 20, 2020 to September 30, 2020 for Boiler 3.			
		<b>Base Penalty</b>	\$25,000	

  

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

<b>OR</b>	<b>Harm</b>					
	<b>Release</b>	Major	Moderate	Minor		
	Actual			x		
	Potential					
				<b>Percent</b>	30.0%	

  

**>> Programmatic Matrix**

<b>OR</b>	<b>Harm</b>					
	<b>Release</b>	Major	Moderate	Minor		
	Actual					
	Potential					
				<b>Percent</b>	0.0%	

  

<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$17,500
<b>\$7,500</b>	

  

**Violation Events**

Number of Violation Events	7	81	Number of violation days
daily			
weekly			
monthly	x		
quarterly			
semiannual			
annual			
single event			
<b>Violation Base Penalty</b>			
\$52,500			

  

Seven monthly events are recommended for the instances of non-compliance that occurred from January 6, 2020 to May 13, 2020, from July 15, 2020 to July 16, 2020, and from September 15, 2020 to September 30, 2020.	
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**Good Faith Efforts to Comply**

	<b>0.0%</b>		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary			
N/A	x		
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.		
		<b>Violation Subtotal</b>	\$52,500

  

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

<b>Estimated EB Amount</b>	<b>Statutory Limit Test</b>
\$2,496	<b>Violation Final Penalty Total</b>
	\$94,775
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$94,775	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 7

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	6-Jan-2020	1-Jan-2025	4.99	\$2,496	n/a	\$2,496

**Notes for DELAYED costs**

Estimated cost to implement measures designed to comply with the CO and NH3 concentration limits and NOx emissions limit for Boiler 3. 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**

\$2,496



Screening Date	15-Sep-2021	Docket No.	2021-0818-AIR-E	PCW
Respondent	INEOS USA LLC (PCW No. 4 of 4)			
Case ID No.	60882			
Reg. Ent. Reference No.	RN100238708			
Media	Air			
Enf. Coordinator	Danielle Porras			
Violation Number	8			
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 15.22 lbs/hr by a range from 1.49 lb/hr to 15.39 lbs/hr for a total of five hours on February 24, 2020 and March 3, 2020, exceeded the NOx MAER of 4.17 lbs/hr by a range from 0.01 lb/hr to 10.00 lbs/hr for a total of 87 hours on 16 days from February 25, 2020 to September 11, 2020, exceeded the NH3 MAER of 1.85 lbs/hr by a range from 0.01 lb/hr to 29.00 lbs/hr for a total of 206 hours on 16 days from February 23, 2020 to April 19, 2020, and exceeded the sulfur dioxide ("SO2") MAER of 0.05 lb/hr by a range from 0.00001 lb/hr to 0.01 lb/hr for a total of six hours on February 23, 2020 and February 24, 2020 for Boiler 1, EPN BLR1, resulting in the unauthorized release of 34.01 lbs of CO emissions, 407.69 lbs of NOx emissions, 533.00 lbs of NH3, and 0.06 lb of SO2 emissions.			
			Base Penalty	\$25,000
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
OR		Harm		
	Release	Major	Moderate	Minor
	Actual			x
Potential				
			Percent	30.0%
<b>&gt;&gt; Programmatic Matrix</b>				
	Falsification	Major	Moderate	Minor
			Percent	0.0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
			Adjustment	\$17,500
				\$7,500
<b>Violation Events</b>				
	Number of Violation Events	4	30	Number of violation days
	daily			
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			
			Violation Base Penalty	\$30,000
	Four monthly events are recommended for the instances of non-compliance that occurred from February 23, 2020 to April 19, 2020 and from July 25, 2020 to September 11, 2020.			
<b>Good Faith Efforts to Comply</b>		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	\$30,000
<b>Economic Benefit (EB) for this violation</b>				
	Estimated EB Amount	\$2,430	Violation Final Penalty Total	\$54,725
	This violation Final Assessed Penalty (adjusted for limits)			\$54,725

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 8

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	23-Feb-2020	1-Jan-2025	4.86	\$2,430	n/a	\$2,430
Notes for DELAYED costs	Estimated cost to implement measures designed to comply with the CO, NOx, NH3, and SO2 hourly MAERs for Boiler 1, EPN BLR1. 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** \$2,430

<b>Screening Date</b>	15-Sep-2021	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>															
<b>Respondent</b>	INEOS USA LLC (PCW No. 4 of 4)			Policy Revision 5 (January 28, 2021)															
<b>Case ID No.</b>	60882			PCW Revision February 11, 2021															
<b>Reg. Ent. Reference No.</b>	RN100238708																		
<b>Media</b>	Air																		
<b>Enf. Coordinator</b>	Danielle Porras																		
<b>Violation Number</b>	9																		
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. Q3966, GTC and STC No. 7, and Tex. Health & Safety Code § 382.085(b)																		
<b>Violation Description</b>	Failed to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 15.22 lbs/hr by a range from 0.11 lb/hr to 2.88 lbs/hr for a total of 12 hours on April 16, 2020 and April 19, 2020, exceeded the NOx MAER of 4.17 lbs/hr by a range from 0.01 lb/hr to 11.11 lbs/hr for a total of 226 hours on 32 days from January 6, 2020 to September 16, 2020, and exceeded the particulate matter ("PM") MAER of 1.95 lbs/hr by a range from 0.01 lb/hr to 0.47 lb/hr for a total of 19 hours from January 22, 2020 to March 24, 2020 for Boiler 3, EPN BLR3, resulting in the unauthorized release of 11.15 lbs of CO emissions, 340.17 lbs of NOx emissions, and 4.37 lbs of PM emissions.																		
		<b>Base Penalty</b>	\$25,000																
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																			
<b>OR</b>	<b>Release</b>	<table border="1"> <tr> <td></td> <td>Major</td> <td>Moderate</td> <td>Minor</td> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td>X</td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> </tr> </table>				Major	Moderate	Minor	Actual			X	Potential				<b>Percent</b>	30.0%	
		Major	Moderate	Minor															
	Actual			X															
	Potential																		
<b>&gt;&gt; Programmatic Matrix</b>																			
	<b>Falsification</b>	Major	Moderate	Minor	<b>Percent</b>	0.0%													
<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.																		
		<b>Adjustment</b>	\$17,500																
			\$7,500																
<b>Violation Events</b>																			
	Number of Violation Events	7	35	Number of violation days															
	<table border="1"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td>X</td></tr> <tr><td>quarterly</td><td></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly	X	quarterly		semiannual		annual		single event				<b>Violation Base Penalty</b>	\$52,500
daily																			
weekly																			
monthly	X																		
quarterly																			
semiannual																			
annual																			
single event																			
	Seven monthly events are recommended for the instances of non-compliance that occurred from January 6, 2020 to May 13, 2020, July 15, 2020 to July 16, 2020, and from September 15, to September 16, 2020.																		
<b>Good Faith Efforts to Comply</b>		0.0%	<b>Reduction</b>		\$0														
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer																	
	Extraordinary																		
	Ordinary																		
	N/A	X																	
	<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.																	
		<b>Violation Subtotal</b>	\$52,500																
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>																
	<b>Estimated EB Amount</b>	\$2,496	<b>Violation Final Penalty Total</b>	\$94,775															
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$94,775															

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 9

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	6-Jan-2020	1-Jan-2025	4.99	\$2,496	n/a	\$2,496
<b>Notes for DELAYED costs</b> Estimated cost to implement measures designed to comply with the CO, NOx, and PM hourly MAERs for Boiler 3, EPN BLR3. 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
<b>Notes for AVOIDED costs</b>							

Approx. Cost of Compliance \$10,000

**TOTAL** \$2,496

<b>Screening Date</b>	15-Sep-2021	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 4 of 4)			<i>Policy Revision 5 (January 28, 2021)</i>
<b>Case ID No.</b>	60882			<i>PCW Revision February 11, 2021</i>
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	10			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,805.61 lbs of CO and 1,348.23 lbs of NOx from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 352585) that began on March 12, 2021 and lasted 27 hours.			
		<b>Base Penalty</b>	\$25,000	

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	<b>Percent</b> 30.0%
	Potential				

### >> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

Matrix Notes: Human health or the environment has been exposed to insignificant amounts of pollutants that did 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 Number of violation days: 2

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

**Violation Base Penalty** \$7,500

One monthly event is recommended.

### Good Faith Efforts to Comply

10.0%

Reduction \$750

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

Notes: The Respondent complete the corrective measures by September 27, 2021, after the NOE dated June 24, 2021.

**Violation Subtotal** \$6,750

### Economic Benefit (EB) for this violation

### Statutory Limit Test

**Estimated EB Amount** \$273

**Violation Final Penalty Total** \$13,925

**This violation Final Assessed Penalty (adjusted for limits)** \$13,925

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 10

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
<b>Delayed Costs</b>							
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	12-Mar-2021	27-Sep-2021	0.55	\$273	n/a	\$273
Notes for DELAYED costs	Estimated cost to replace the capacitor bank breaker, test electrical equipment insulation for deterioration, conduct switching only on an as needed basis, and calculate and verify that capacitor charging time is less than 10 seconds in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 352585. The Date Required is the date the emissions event began and the Final Date is the date of compliance.						
<b>Avoided Costs</b>							
<b>ANNUALIZE avoided costs before entering item (except for one-time avoided costs)</b>							
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			<b>TOTAL</b>		\$273	

<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	11	<b>Rule Cite(s)</b>	
		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>		Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,996.98 lbs of CO, 391.84 lbs of NOx, and 2,823.11 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 285534) that occurred on June 2, 2018 and lasted two hours.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

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

  

**>> Programmatic Matrix**

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

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	<input type="text" value="\$17,500"/>
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	\$7,500
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**Violation Events**

Number of Violation Events	<input type="text" value="1"/>		<input type="text" value="1"/>	Number of violation days
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	daily	<input type="text"/>		
	weekly	<input type="text"/>		
	monthly	<input type="text" value="x"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		

  

<b>Violation Base Penalty</b>	<input type="text" value="\$7,500"/>
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One monthly event is recommended.

  

**Good Faith Efforts to Comply**

	<b>25.0%</b>			
	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 complete the corrective measures by February 1, 2019, prior to the NOE dated May 26, 2021.			

  

<b>Violation Subtotal</b>	<input type="text" value="\$5,625"/>
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<input type="text" value="\$334"/>	<b>Statutory Limit Test</b>	
		<b>Violation Final Penalty Total</b>	<input type="text" value="\$12,800"/>
		<b>This violation Final Assessed Penalty (adjusted for limits)</b>	<input type="text" value="\$12,800"/>

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 11

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
<b>Delayed Costs</b>							
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	2-Jun-2018	1-Feb-2019	0.67	\$334	n/a	\$334
Notes for DELAYED costs	Estimated cost to add a logic to the Triconex to prevent the furnace from going to offline decoke if the feed Hand Indicating Control valve is still open, create a gun drill procedure to detail response to incident and describe method to retest furnace logic to take furnace to safe state, and update Digital Control System ("DCS") display for clarity in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 285534. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.						
<b>Avoided Costs</b>							
<b>ANNUALIZE avoided costs before entering item (except for one-time avoided costs)</b>							
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			<b>TOTAL</b>		\$334	



<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	12	<b>Rule Cite(s)</b>	
		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>		Failed to prevent unauthorized emissions. Specifically, the Respondent released 66,227.61 lbs of CO, 13,065.88 lbs of NOx, and 39,464.64 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 354056) that began on April 12, 2021 and lasted 155 hours.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>	<b>Harm</b>					
	<b>Release</b>	Major	Moderate	Minor		
	Actual	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>		
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>		
					<b>Percent</b>	50.0%

  

**>> Programmatic Matrix**

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

  

Matrix Notes	Based on the Air Quality Analysis Audit performed on the air dispersion modeling that was provided by the Respondent, human health or the environment has been exposed to significant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$12,500
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	\$12,500
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**Violation Events**

Number of Violation Events	1		7	Number of violation days
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	daily	<input type="text"/>	
	weekly	<input checked="" type="text" value="x"/>	
	monthly	<input type="text"/>	
	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	<input type="text"/>	

  

<b>Violation Base Penalty</b>	\$12,500
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One weekly event is recommended.	
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**Good Faith Efforts to Comply**

	<b>25.0%</b>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="text" value="x"/>	<input type="text"/>
N/A	<input type="text"/>	<input type="text"/>
Notes	The Respondent complete the corrective measures by April 19, 2021, prior to the NOE dated November 15, 2021.	

  

<b>Violation Subtotal</b>	\$9,375
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<b>Statutory Limit Test</b>
\$10	

  

<b>Violation Final Penalty Total</b>	\$20,450
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$20,450
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 12

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	12-Apr-2021	19-Apr-2021	0.02	\$10	n/a	\$10

Notes for DELAYED costs

Estimated cost to perform maintenance on the compressor in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 354056. The Date Required is the date the emissions event began and the Final Date is the date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$10

<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																		
<b>Violation Number</b> <span style="border: 1px solid black; padding: 2px;">13</span>																				
<b>Rule Cite(s)</b> 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. Q2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)																				
<b>Violation Description</b> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         Failed to prevent unauthorized emissions. Specifically, the Respondent released 479.27 lbs of CO, 94.02 lbs of NOx, and 547.15 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 291225) that occurred on August 28, 2018 and lasted one hour.       </div>																				
<b>Base Penalty</b>		<span style="border: 1px solid black; padding: 2px;">\$25,000</span>																		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>																				
OR	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th></th> <th colspan="3" style="text-align: center;">Harm</th> </tr> <tr> <th style="text-align: left;">Release</th> <th style="text-align: center;">Major</th> <th style="text-align: center;">Moderate</th> <th style="text-align: center;">Minor</th> </tr> <tr> <td style="text-align: left;">Actual</td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> <td style="text-align: center;">x</td> </tr> <tr> <td style="text-align: left;">Potential</td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> </tr> </table>				Harm			Release	Major	Moderate	Minor	Actual	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	x	Potential	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">30.0%</span>
		Harm																		
	Release	Major	Moderate	Minor																
	Actual	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	x																
Potential	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>																	
<b>&gt;&gt; Programmatic Matrix</b>																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th></th> <th style="text-align: center;">Major</th> <th style="text-align: center;">Moderate</th> <th style="text-align: center;">Minor</th> </tr> <tr> <td style="text-align: left;">Falsification</td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> </tr> </table>				Major	Moderate	Minor	Falsification	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<b>Percent</b> <span style="border: 1px solid black; padding: 2px;">0.0%</span>									
	Major	Moderate	Minor																	
Falsification	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>																	
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.																			
<b>Adjustment</b>		<span style="border: 1px solid black; padding: 2px;">\$17,500</span>																		
		<span style="border: 1px solid black; padding: 2px;">\$7,500</span>																		
<b>Violation Events</b>																				
Number of Violation Events <span style="border: 1px solid black; padding: 2px;">1</span>		Number of violation days <span style="border: 1px solid black; padding: 2px;">1</span>																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30px;">daily</td> <td style="width: 60px;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> </tr> <tr> <td>weekly</td> <td><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> </tr> <tr> <td>monthly</td> <td style="text-align: center;">x</td> </tr> <tr> <td>quarterly</td> <td><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> </tr> <tr> <td>semiannual</td> <td><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> </tr> <tr> <td>annual</td> <td><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> </tr> <tr> <td>single event</td> <td><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> </tr> </table>		daily	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	weekly	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	monthly	x	quarterly	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	semiannual	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	annual	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	single event	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<b>Violation Base Penalty</b> <span style="border: 1px solid black; padding: 2px;">\$7,500</span>				
daily	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>																			
weekly	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>																			
monthly	x																			
quarterly	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>																			
semiannual	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>																			
annual	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>																			
single event	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>																			
One monthly event is recommended.																				
<b>Good Faith Efforts to Comply</b>																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th></th> <th style="text-align: center;">Before NOE/NOV</th> <th style="text-align: center;">NOE/NOV to EDPRP/Settlement Offer</th> </tr> <tr> <td style="text-align: left;">Extraordinary</td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> </tr> <tr> <td style="text-align: left;">Ordinary</td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> </tr> <tr> <td style="text-align: left;">N/A</td> <td style="text-align: center;">x</td> <td style="text-align: center;"><span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span></td> </tr> </table>			Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Extraordinary	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	Ordinary	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	N/A	x	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	Reduction <span style="border: 1px solid black; padding: 2px;">\$0</span>						
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer																		
Extraordinary	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>																		
Ordinary	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>																		
N/A	x	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>																		
Notes		The Respondent does not meet the good faith criteria for this violation.																		
<b>Violation Subtotal</b>		<span style="border: 1px solid black; padding: 2px;">\$7,500</span>																		
<b>Economic Benefit (EB) for this violation</b>																				
<b>Estimated EB Amount</b>		<span style="border: 1px solid black; padding: 2px;">\$2,962</span>																		
<b>Statutory Limit Test</b>		<b>Violation Final Penalty Total</b> <span style="border: 1px solid black; padding: 2px;">\$14,675</span>																		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		<span style="border: 1px solid black; padding: 2px;">\$14,675</span>																		

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 13

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	28-Aug-2018	29-Jul-2024	5.92	\$2,962	n/a	\$2,962

### Notes for DELAYED costs

Estimated cost to implement a 10 degree Fahrenheit maximum set point change limit on the reactor bed outlet temperature control in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 291225. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

## Avoided Costs

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

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

### Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$2,962

<b>Screening Date</b> 15-Sep-2021	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4)	<i>Policy Revision 5 (January 28, 2021)</i>	
<b>Case ID No.</b> 60882	<i>PCW Revision February 11, 2021</i>	
<b>Reg. Ent. Reference No.</b> RN100238708		
<b>Media</b> Air		
<b>Enf. Coordinator</b> Danielle Porras		
<b>Violation Number</b>	14	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>	Failed to prevent unauthorized emissions. Specifically, the Respondent released 563.86 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 293328) that began on September 29, 2018 and lasted 13 hours.	
<b>Base Penalty</b>		\$25,000

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	<b>Percent</b> <span style="border: 1px solid black; padding: 0 10px;">30.0%</span>
Potential					

**>> Programmatic Matrix**

		<b>Harm</b>			
	<b>Falsification</b>	Major	Moderate	Minor	
					<b>Percent</b> <span style="border: 1px solid black; padding: 0 10px;">0.0%</span>

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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**Adjustment** \$17,500

\$7,500

**Violation Events**

Number of Violation Events	1	Number of violation days	1
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daily						<b>Violation Base Penalty</b> <span style="border: 1px solid black; padding: 0 10px;">\$7,500</span>
weekly						
monthly	x					
quarterly						
semiannual						
annual						
single event						

One monthly event is recommended.

**Good Faith Efforts to Comply**

	<b>25.0%</b>		<b>Reduction</b>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	x			
N/A				

Notes	The Respondent complete the corrective measures by December 20, 2019, prior to the NOE dated June 30, 2021.
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**Violation Subtotal** \$5,625

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

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$612
<b>Violation Final Penalty Total</b>	\$12,800
<b>This violation Final Assessed Penalty (adjusted for limits)</b>	
\$12,800	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 14

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	29-Sep-2018	20-Dec-2019	1.22	\$612	n/a	\$612

### Notes for DELAYED costs

Estimated cost to add diethylhydroxylamine ("DEHA") lab specifications to help ensure adequate residual, add a low velocity operating envelope point to track and prevent low flow, and add DEHA alarms to both units to various towers to help ensure adequate residual in order to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 293328 and 297512. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

## Avoided Costs

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

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

### Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$612

<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	15	<b>Rule Cite(s)</b>	
		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>		Failed to prevent unauthorized emissions. Specifically, the Respondent released 353.30 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 297512) that occurred on November 19, 2018 and lasted nine hours.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

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

  

**>> Programmatic Matrix**

<b>Matrix Notes</b>	<b>Falsification</b>	Major	Moderate	Minor	<b>Percent</b>
		<input type="text"/>	<input type="text"/>	<input type="text"/>	
		<input type="text"/>	<input type="text"/>	<input type="text"/>	
		<input type="text"/>	<input type="text"/>	<input type="text"/>	

  

<b>Adjustment</b>	\$17,500
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	\$7,500
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**Violation Events**

Number of Violation Events	1		1	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"/>		

  

<b>Violation Base Penalty</b>	\$7,500
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One monthly event is recommended.	
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**Good Faith Efforts to Comply**

<b>25.0%</b>	
Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>
Ordinary	<input checked="" type="text" value="x"/>
N/A	<input type="text"/>
Notes	The Respondent complete the corrective measures by December 20, 2019, prior to the NOE dated June 30, 2021.

  

<b>Violation Subtotal</b>	\$5,625
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$0
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$12,800
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$12,800
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 15

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	See Economic Benefit in Violation No. 14 of PCW No. 4 of 4.						

## 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

**TOTAL**



<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	16	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to prevent unauthorized emissions. Specifically, the Respondent released 198.90 lbs of ethylene as fugitive emissions, during an emissions event (Incident No. 340661) that began on August 13, 2020 and lasted two hours and 33 minutes.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual			x	
	Potential				<b>Percent</b> <span style="border: 1px solid black; padding: 2px 20px;">30.0%</span>

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> <span style="border: 1px solid black; padding: 2px 20px;">0.0%</span>

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$17,500
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<b>Adjustment</b>	\$7,500
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**Violation Events**

Number of Violation Events <span style="border: 1px solid black; padding: 2px 20px;">1</span>		Number of violation days <span style="border: 1px solid black; padding: 2px 20px;">1</span>
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	daily	weekly	monthly	quarterly	semiannual	annual	single event	
			x					<b>Violation Base Penalty</b> <span style="border: 1px solid black; padding: 2px 20px;">\$7,500</span>

  

One monthly event is recommended.

  

**Good Faith Efforts to Comply**

	<b>10.0%</b>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		

  

	The Respondent complete the corrective measures by May 26, 2023, after the NOE dated October 4, 2021.
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<b>Violation Subtotal</b>	\$6,750
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**Economic Benefit (EB) for this violation**
**Statutory Limit Test**

<b>Estimated EB Amount</b>	<b>Violation Final Penalty Total</b>
\$1,392	\$13,925

  

<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$13,925
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 16

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	13-Aug-2020	26-May-2023	2.78	\$1,392	n/a	\$1,392

### Notes for DELAYED costs

Estimated cost to verify the contractor's quality control manual addresses non-conformance issues and develop an inspection and testing plan to identify and document any issues that need to be addressed on the package prior to final sign-off in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 340661. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

## Avoided Costs

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

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

### Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$1,392

<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <b>Base Penalty</b> \$25,000	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	17	<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>	Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,425.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 340681) that occurred on August 15, 2020 and lasted 30 minutes.		

  

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

<b>OR</b>	<b>Release</b>	<b>Harm</b>			
		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 that did 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	Number of violation days	1
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	daily				
	weekly	x			
	monthly				
	quarterly				
	semiannual				
	annual				
	single event				

  

One weekly event is recommended.

  

**Good Faith Efforts to Comply**

	10.0%				
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
Extraordinary					
Ordinary		x			
N/A					

  

**Notes** The Respondent complete the corrective measures by October 21, 2022, after the NOE dated October 4, 2021.

**Reduction** \$1,250

  

**Violation Subtotal**

\$11,250

  

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> \$1,092	<b>Violation Final Penalty Total</b> \$22,325
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$22,325	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 17

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	15-Aug-2020	21-Oct-2022	2.18	\$1,092	n/a	\$1,092
Notes for DELAYED costs	Estimated cost to develop a document that provides guidelines to evaluate acoustic and flow induced vibration, update Project Design Basis Template to capture a review of bypass scope control valves in critical applications, and update the Relief System Design Guide to include considerations around piping design and acoustic-induced vibration in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 340681. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$1,092

<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	18	<b>Rule Cite(s)</b>	
		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>		Failed to prevent unauthorized emissions. Specifically, the Respondent released 8,413.27 lbs of CO, 1,657.64 of NOx, and 4,115.85 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 332637) that began on March 23, 2020 and lasted 14 hours.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input checked="" type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
					<b>Percent</b> <input type="text" value="50.0%"/>

  

**>> Programmatic Matrix**

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

  

Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$12,500
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	\$12,500
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**Violation Events**

Number of Violation Events <input type="text" value="1"/>	<input type="text" value="1"/>	Number of violation days
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	daily	<input type="text"/>		
	weekly	<input checked="" type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		

  

<b>Violation Base Penalty</b>	\$12,500
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One weekly event is recommended.

  

**Good Faith Efforts to Comply**

	<b>25.0%</b>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="text"/>	<input type="text"/>
N/A	<input type="text"/>	<input type="text"/>
Notes	The Respondent complete the corrective measures by April 21, 2020, prior to the NOE dated Spetember 1, 2021.	

  

<b>Violation Subtotal</b>	\$9,375
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<input type="text" value="\$40"/>
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$20,450
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$20,450
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 18

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	23-Mar-2020	21-Apr-2020	0.08	\$40	n/a	\$40

Notes for DELAYED costs

Estimated cost to implement time delay undervoltage protection at each applicable variable frequency drive in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 332637. The Date Required is the date the emissions event began and the Final Date is the date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$40

<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	19	<b>Rule Cite(s)</b>	
		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>		Failed to prevent unauthorized emissions. Specifically, the Respondent released 11,713.24 lbs of CO, 2,302.91 lbs of NOx, and 12,270.70 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 333191) that occurred on April 1, 2020 and lasted nine hours.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>		
			Major      Moderate      Minor		
	Actual	<input type="text"/>	<input checked="" type="text"/>	<input type="text"/>	<b>Percent</b> <input style="width: 50px;" type="text" value="50.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input style="width: 50px;" type="text" value="0.0%"/>

  

Matrix Notes	Based on air dispersion modeling provided by the Respondent, human health or the environment has been exposed to significant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$12,500
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	\$12,500
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**Violation Events**

Number of Violation Events <input style="width: 50px;" type="text" value="1"/>	<input style="width: 50px;" type="text" value="1"/> Number of violation days
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	daily	<input type="text"/>		<b>Violation Base Penalty</b> <input style="width: 100px;" type="text" value="\$12,500"/>
	weekly	<input checked="" type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		

  

One weekly event is recommended.
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**Good Faith Efforts to Comply**

	<b>25.0%</b>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="text"/>	<input type="text"/>
N/A	<input type="text"/>	<input type="text"/>
Notes	The Respondent complete the corrective measures by March 31, 2021, prior to the NOE dated September 8, 2021.	

  

<b>Violation Subtotal</b>	\$9,375
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<input style="width: 100px;" type="text" value="\$499"/>
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	<input style="width: 100px;" type="text" value="\$20,450"/>
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	<input style="width: 100px;" type="text" value="\$20,450"/>
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 19

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	1-Apr-2020	31-Mar-2021	1.00	\$499	n/a	\$499

Notes for DELAYED costs

Estimated cost to develop communication protocols and training for operators on the proper radio etiquette in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 333191. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$499



<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	20	<b>Rule Cite(s)</b>	
		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>		Failed to prevent unauthorized emissions. Specifically, the Respondent released 825.00 lbs of ethylene as fugitive emissions, during an emissions event (Incident No. 324083) that occurred on November 4, 2019 and lasted 12 minutes.	

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	x	<b>Percent</b> <input style="width: 50px;" type="text" value="30.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input style="width: 50px;" type="text" value="0.0%"/>
<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.				

  

<b>Adjustment</b>	\$17,500
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	\$7,500
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**Violation Events**

Number of Violation Events	1		1	Number of violation days
	daily	<input type="text"/>		
	weekly	<input type="text"/>		
	monthly	x		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		

  

<b>Violation Base Penalty</b>	\$7,500
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One monthly event is recommended.

  

**Good Faith Efforts to Comply**

	<b>25.0%</b>		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	x	<input type="text"/>	
N/A	<input type="text"/>	<input type="text"/>	
<b>Notes</b>	The Respondent complete the corrective measures by February 10, 2020, prior to the NOE dated October 20, 2021.		

  

<b>Violation Subtotal</b>	\$5,625
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$134
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$12,800
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$12,800
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 20

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
<b>Delayed Costs</b>							
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	4-Nov-2019	10-Feb-2020	0.27	\$134	n/a	\$134
Notes for DELAYED costs	Estimated cost to revise Maintenance Preventative Maintenance Procedure to include detailed steps on disassembly and reassembly, including verification of complete lifting nut disengagement from the filter head, cleanliness requirements and maintenance witnessing nitrogen pressure test of re-assembled filter in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 324083. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.						
<b>Avoided Costs</b>							
<b>ANNUALIZE avoided costs before entering item (except for one-time avoided costs)</b>							
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			<b>TOTAL</b>		\$134	

<b>Screening Date</b>	15-Sep-2021	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 4 of 4)			
<b>Case ID No.</b>	60882	<i>Policy Revision 5 (January 28, 2021)</i>		
<b>Reg. Ent. Reference No.</b>	RN100238708	<i>PCW Revision February 11, 2021</i>		
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	21			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to prevent unauthorized emissions. Specifically, the Respondent released 602.11 lbs of CO, 118.10 lbs of NOx, and 945.82 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 339521) that occurred on July 24, 2020 and lasted 50 minutes.			
<b>Base Penalty</b>				\$25,000

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	
	Potential				
					<b>Percent</b> 30.0%

**>> Programmatic Matrix**

	<b>Falsification</b>	Major	Moderate	Minor	
					<b>Percent</b> 0.0%

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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**Adjustment** \$17,500

\$7,500

**Violation Events**

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

**Violation Base Penalty** \$7,500

One monthly event is recommended.

**Good Faith Efforts to Comply**

	<b>25.0%</b>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		
Notes	The Respondent complete the corrective measures by November 30 2020, prior to the NOE dated October 12, 2021.	

**Reduction** \$1,875

**Violation Subtotal** \$5,625

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

<b>Estimated EB Amount</b>	\$177	<b>Statutory Limit Test</b>	
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**Violation Final Penalty Total** \$12,800

**This violation Final Assessed Penalty (adjusted for limits)** \$12,800

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 21

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	24-Jul-2020	30-Nov-2020	0.35	\$177	n/a	\$177

### Notes for DELAYED costs

Estimated cost to label valves in the field to help ensure proper line-ups are made in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 339521. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

## Avoided Costs

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

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

### Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$177

<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <b>Base Penalty</b> \$25,000	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	22	<b>Rule Cite(s)</b>	
		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. Q2327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)	
<b>Violation Description</b>		Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,009.92 lbs of CO, 786.81 lbs of NOx, and 3,749.71 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 296381) that began on November 4, 2018 and lasted four hours.	

  

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

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

  

**>> Programmatic Matrix**

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

  

<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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**Adjustment**

  

**Violation Events**

Number of Violation Events	<input type="text" value="1"/>	<input type="text" value="1"/>	Number of violation days
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	daily	<input type="text"/>	<b>Violation Base Penalty</b> <input type="text" value="\$7,500"/>
	weekly	<input type="text"/>	
	monthly	x	
	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	<input type="text"/>	

  

One monthly event is recommended.

  

**Good Faith Efforts to Comply**

	<b>25.0%</b>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	x	<input type="text"/>
N/A	<input type="text"/>	<input type="text"/>
Notes	The Respondent complete the corrective measures by April 3, 2019, prior to the NOE dated August 13, 2021.	

  

**Violation Subtotal**

  

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

<b>Estimated EB Amount</b>	<input type="text" value="\$205"/>	<b>Statutory Limit Test</b>
		<b>Violation Final Penalty Total</b> <input type="text" value="\$12,800"/>
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$12,800"/>

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 22

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	4-Nov-2018	3-Apr-2019	0.41	\$205	n/a	\$205
Notes for DELAYED costs	Estimated cost to update the DDB-105 Start-Up Procedure for clarity on lighting burners while introducing feed to the furnace and develop training for operations to allow board operators to practice feeding Selective Cracking Optimum Recovery ("SCORE") furnace in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 296381. The Date Required is the date the emissions event began and the Final Date is the date of compliance.						

## Avoided Costs

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

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

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$205

<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	23	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 26, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,753.07 lbs of CO, 540.13 lbs of NOx, and 3,304.23 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, and released 1,055.68 lbs of CO, 207.08 lbs of NOx, and 1,152.79 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 291947) that occurred on September 11, 2018 and lasted six hours.

  

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

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

  

**>> Programmatic Matrix**

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

  

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$17,500
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	\$7,500
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**Violation Events**

Number of Violation Events <input type="text" value="1"/>	<input type="text" value="1"/>	Number of violation days
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	daily	<input type="text"/>	weekly	<input type="text"/>	monthly	<input type="text" value="x"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>
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<b>Violation Base Penalty</b>	\$7,500
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One monthly event is recommended.

  

**Good Faith Efforts to Comply**

	<b>10.0%</b>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text" value="x"/>
N/A	<input type="text"/>	<input type="text"/>
Notes	The Respondent complete the corrective measures by June 23, 2022, after the NOE dated August 13, 2021.	

  

<b>Violation Subtotal</b>	\$6,750
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<input type="text" value="\$1,892"/>
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	<input type="text" value="\$13,925"/>
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	<input type="text" value="\$13,925"/>
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# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 23

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
<b>Delayed Costs</b>							
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-Sep-2018	23-Jun-2022	3.78	\$1,892	n/a	\$1,892
Notes for DELAYED costs	Estimated cost to evaluate Abnormal Situation Management ("ASM") Control Language ("CL") programs for all trip scenarios on similar Kinetics Technology International ("KTI") furnaces to confirm proper actions if activated, update DCS control narratives, create a cause and effect matrix for KTI furnace trip scenarios, and create guidance for testing CL programs to ensure proper function in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 291947. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.						
<b>Avoided Costs</b>							
<b>ANNUALIZE avoided costs before entering item (except for one-time avoided costs)</b>							
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			<b>TOTAL</b>		\$1,892	



<b>Screening Date</b>	15-Sep-2021	<b>Docket No.</b>	2021-0818-AIR-E	<b>PCW</b>
<b>Respondent</b>	INEOS USA LLC (PCW No. 4 of 4)			
<b>Case ID No.</b>	60882			
<b>Reg. Ent. Reference No.</b>	RN100238708			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Danielle Porras			
<b>Violation Number</b>	24			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to prevent unauthorized emissions. Specifically, the Respondent released 250.05 lbs of CO, 641.20 lbs of NOx, 23.22 lbs of VOC, 22.09 lbs of NH3, 89.30 lbs of PM, and 0.89 lb of SO2 from Turbine 1, EPN Turbine 1, during an emissions event (Incident No. 333379) that began on April 4, 2020 and lasted 32 hours.			
<b>Base Penalty</b>				\$25,000

  

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

<b>OR</b>		<b>Release</b>	<b>Harm</b>	<b>Minor</b>	
		Major	Moderate	Minor	
	Actual			x	
	Potential				<b>Percent</b> <span style="border: 1px solid blue; padding: 0 10px;">30.0%</span>

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> <span style="border: 1px solid blue; padding: 0 10px;">0.0%</span>

Matrix Notes: Human health or the environment has been exposed to insignificant amounts of pollutants that did 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		2	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**

	<b>10.0%</b>				
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
Extraordinary					
Ordinary		x			
N/A					

Notes: The Respondent complete the corrective measures by December 20, 2021, after the NOE dated October 21, 2021.

**Violation Subtotal** \$6,750

  

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

<b>Estimated EB Amount</b>	\$856	<b>Statutory Limit Test</b>
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**Violation Final Penalty Total** \$13,925

**This violation Final Assessed Penalty (adjusted for limits)** \$13,925

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 24

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	4-Apr-2020	20-Dec-2021	1.71	\$856	n/a	\$856

### Notes for DELAYED costs

Estimated cost to install a sampling system upstream of the selective catalytic reduction catalyst bed and develop a mapping procedure to provide operations with a guideline for preparation of the turbines for mapping in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 333379. The Date Required is the date the emissions event began and the Final Date is the date of compliance.

## Avoided Costs

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

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

### Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$856

<b>Screening Date</b> 15-Sep-2021 <b>Respondent</b> INEOS USA LLC (PCW No. 4 of 4) <b>Case ID No.</b> 60882 <b>Reg. Ent. Reference No.</b> RN100238708 <b>Media</b> Air <b>Enf. Coordinator</b> Danielle Porras	<b>Docket No.</b> 2021-0818-AIR-E  <div style="border: 1px solid black; padding: 5px;">         30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. 02327, GTC and STC No. 26, and Tex. Health &amp; Safety Code § 382.085(b)       </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">         Failed to prevent unauthorized emissions. Specifically, the Respondent released 31.00 lbs of VOC as fugitive emissions and released 8,433.31 lbs of CO, 1,667.25 lbs of NOx, and 5,804.05 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 364479) that began on August 9, 2021 and lasted 26 hours and 10 minutes.       </div>	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
<b>Violation Number</b> 25 <b>Rule Cite(s)</b>		
<b>Violation Description</b>		
<b>Base Penalty</b>		\$25,000

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

<b>OR</b>	<b>Release</b>	<b>Major</b>	<b>Harm Moderate</b>	<b>Minor</b>	<b>Percent</b>
	Actual		x		
	Potential				

Percent 50.0%

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor	<b>Percent</b>

Percent 0.0%

**Matrix Notes**  
 Human health or the environment has been exposed to significant amounts of pollutants that did 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	2	Number of violation days
----------------------------	---	---	--------------------------

daily			<b>Violation Base Penalty</b>
weekly	x		
monthly			
quarterly			
semiannual			
annual			
single event			

One weekly event is recommended.

\$12,500

**Good Faith Efforts to Comply**

	<b>10.0%</b>	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		
Notes	The Respondent complete the corrective measures by July 2, 2022, after the NOE dated November 19, 2021.	

**Reduction** \$1,250

\$11,250

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> \$448	<b>Violation Final Penalty Total</b> \$22,325
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$22,325	

# Economic Benefit Worksheet

**Respondent** INEOS USA LLC (PCW No. 4 of 4)  
**Case ID No.** 60882  
**Reg. Ent. Reference No.** RN100238708  
**Media** Air  
**Violation No.** 25

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
<b>Delayed Costs</b>							
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	9-Aug-2021	2-Jul-2022	0.90	\$448	n/a	\$448
Notes for DELAYED costs	Estimated cost to conduct equipment preventative maintenance while equipment is down until the quadvoter upgrade project is complete and revise procedure H0302A08 to include steps related to re-introducing feed to T-305 and T-307 after acetylene run in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 364479. The Date Required is the date the emissions event began and the Final Date is the date of compliance.						
<b>Avoided Costs</b>							
<b>ANNUALIZE avoided costs before entering item (except for one-time avoided costs)</b>							
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			<b>TOTAL</b>		\$448	



# Compliance History Report

Compliance History Report for CN602817884, RN100238708, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

**Customer, Respondent, or Owner/Operator:** CN602817884, INEOS USA LLC

**Classification:** SATISFACTORY

**Rating:** 10.38

**Regulated Entity:** RN100238708, CHOCOLATE BAYOU PLANT

**Classification:** SATISFACTORY

**Rating:** 11.86

**Complexity Points:** 37

**Repeat Violator:** NO

**CH Group:** 05 - Chemical Manufacturing

**Location:** 15926 Farm-to-Market Road 2004, Alvin, Brazoria County, Texas

**TCEQ Region:** REGION 12 - HOUSTON

## ID Number(s):

**AIR OPERATING PERMITS** ACCOUNT NUMBER BL0002S

**AIR OPERATING PERMITS** PERMIT 2327

**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION 0200132

**AIR NEW SOURCE PERMITS** PERMIT 101

**AIR NEW SOURCE PERMITS** REGISTRATION 12953

**AIR NEW SOURCE PERMITS** REGISTRATION 10465

**AIR NEW SOURCE PERMITS** REGISTRATION 11060

**AIR NEW SOURCE PERMITS** REGISTRATION 12136

**AIR NEW SOURCE PERMITS** ACCOUNT NUMBER BL0002S

**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX854

**AIR NEW SOURCE PERMITS** PERMIT 491A

**AIR NEW SOURCE PERMITS** PERMIT 4882

**AIR NEW SOURCE PERMITS** PERMIT 19868

**AIR NEW SOURCE PERMITS** REGISTRATION 48637

**AIR NEW SOURCE PERMITS** REGISTRATION 74968

**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX793

**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX642

**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX854M2

**AIR NEW SOURCE PERMITS** REGISTRATION 94567

**AIR NEW SOURCE PERMITS** REGISTRATION 119368

**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX642M2

**AIR NEW SOURCE PERMITS** REGISTRATION 139465

**AIR NEW SOURCE PERMITS** REGISTRATION 118784

**AIR NEW SOURCE PERMITS** REGISTRATION 164204

**AIR NEW SOURCE PERMITS** REGISTRATION 169828

**AIR NEW SOURCE PERMITS** REGISTRATION 164642

**AIR NEW SOURCE PERMITS** REGISTRATION 164404

**AIR NEW SOURCE PERMITS** PERMIT 123117

**AIR NEW SOURCE PERMITS** REGISTRATION 146149

**AIR NEW SOURCE PERMITS** REGISTRATION 157335

**AIR NEW SOURCE PERMITS** REGISTRATION 156143

**AIR NEW SOURCE PERMITS** REGISTRATION 157279

**AIR NEW SOURCE PERMITS** REGISTRATION 175913

**PETROLEUM STORAGE TANK REGISTRATION**

REGISTRATION 12999

**UNDERGROUND INJECTION CONTROL** PERMIT

5D0400007

**WASTEWATER** PERMIT WQ0001333000

**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER BL0002S

**AIR OPERATING PERMITS** PERMIT 1353

**AIR OPERATING PERMITS** PERMIT 3966

**AIR NEW SOURCE PERMITS** PERMIT 95

**AIR NEW SOURCE PERMITS** REGISTRATION 75608

**AIR NEW SOURCE PERMITS** REGISTRATION 75399

**AIR NEW SOURCE PERMITS** REGISTRATION 10906

**AIR NEW SOURCE PERMITS** REGISTRATION 11539

**AIR NEW SOURCE PERMITS** REGISTRATION 12709

**AIR NEW SOURCE PERMITS** AFS NUM 4803900014

**AIR NEW SOURCE PERMITS** PERMIT 488A

**AIR NEW SOURCE PERMITS** REGISTRATION 1041

**AIR NEW SOURCE PERMITS** PERMIT 7196

**AIR NEW SOURCE PERMITS** PERMIT 35735

**AIR NEW SOURCE PERMITS** REGISTRATION 71820

**AIR NEW SOURCE PERMITS** REGISTRATION 76394

**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX983

**AIR NEW SOURCE PERMITS** REGISTRATION 78483

**AIR NEW SOURCE PERMITS** REGISTRATION 87813

**AIR NEW SOURCE PERMITS** PERMIT 97769

**AIR NEW SOURCE PERMITS** REGISTRATION 131449

**AIR NEW SOURCE PERMITS** REGISTRATION 109242

**AIR NEW SOURCE PERMITS** EPA PERMIT GHGPSDTX135

**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX1460

**AIR NEW SOURCE PERMITS** PERMIT AMOC195

**AIR NEW SOURCE PERMITS** REGISTRATION 168626

**AIR NEW SOURCE PERMITS** REGISTRATION 166365

**AIR NEW SOURCE PERMITS** REGISTRATION 149467

**AIR NEW SOURCE PERMITS** REGISTRATION 151128

**AIR NEW SOURCE PERMITS** REGISTRATION 155199

**AIR NEW SOURCE PERMITS** REGISTRATION 155412

**AIR NEW SOURCE PERMITS** REGISTRATION 160686

**AIR NEW SOURCE PERMITS** REGISTRATION 172362

**AIR NEW SOURCE PERMITS** REGISTRATION 174098

**IHW CORRECTIVE ACTION** SOLID WASTE

REGISTRATION # (SWR) 30042

**STORMWATER** PERMIT TXR05DG63

**WASTEWATER** EPA ID TX0004821

**POLLUTION PREVENTION PLANNING** ID NUMBER P00028

**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID  
TXD050309012  
**INDUSTRIAL AND HAZARDOUS WASTE** PERMIT 50121  
**TAX RELIEF** ID NUMBER 23641  
**TAX RELIEF** ID NUMBER 21037

**INDUSTRIAL AND HAZARDOUS WASTE** SOLID WASTE  
REGISTRATION # (SWR) 30042  
**TAX RELIEF** ID NUMBER 21034  
**TAX RELIEF** ID NUMBER 23910  
**TAX RELIEF** ID NUMBER 21032

**Compliance History Period:** September 01, 2018 to August 31, 2023      **Rating Year:** 2023      **Rating Date:** 09/01/2023

**Date Compliance History Report Prepared:** May 23, 2024

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** May 23, 2019 to May 23, 2024

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

**Name:** Danielle Porras

**Phone:** (512) 239-2923

### **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: 10/21/2019      ADMINORDER 2017-1540-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
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)  
Rqmt Prov: STC 1A OP  
Description: Failed to install totalizing fuel flow meters with an accuracy of  $\pm 5\%$  on all applicable combustion engines to individually and continuously measure the gas and liquid fuel usage in order to demonstrate continuous compliance with control requirements for NOx in the Houston-Galveston-Brazoria nonattainment area,  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: SC 37A PA  
STC 19 OP  
Description: Failed to conduct fugitive monitoring on 11,782 flanges and connectors in VOC service in accordance with monitoring requirements,  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: SC 1 PA  
STC 19 PA  
Description: Failed to maintain the emissions limit within the maximum allowable emission rate table ("MAERT"), as documented during an investigation conducted on August 1, 2008. Specifically, the Respondent exceeded the Other Source Routine NOx Emissions Cap of 86.91 tons with emissions from October 2006 through September 2007 averaging 170.04 tons.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition No. 1 PERMIT  
Special Terms and Conditions No. 18 OP  
Description: Failed to maintain the emissions limit within the MAERT, as documented during an investigation conducted on August 1, 2008. Specifically, the Maintenance, Start-up, and Shutdown ("MSS") ethylene emissions for the Olefins #1 and #2 Flares exceeded the rolling limit of 78.75 tpy from January 2007 through February 2007  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT  
Special Condition No. 18 OP

Description: Failed to maintain the emissions limit within the MAERT, as documented during an investigation conducted on August 1, 2008. Specifically, the MSS VOC emissions for the Olefins #1 and #2 Flares exceeded the rolling limit of 87.50 tpy from January 2007 through March 2007

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: FOP Special Term & Condition 20 OP  
NSR Special Condition 43H PERMIT

Description: Failure to operate predictive emissions monitoring systems (PEMS) at least 95 percent of the time for four furnaces (EPNs: DB-104, DDB-101C; DDB-104A, & DDB-104B). [Category C4]

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 2 PERMIT  
Special Terms and Conditions (ST&C) 20 OP

Description: Failure to comply with maximum allowable emission rate (MAER) for CO. (Category A8GC2)

2 Effective Date: 06/19/2023 ADMINORDER 2021-0473-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: FOP 2327, GTC OP  
FOP 2327, STC No. 26 OP  
NSR Permit No. 95, Special Condition 2 PERMIT

Description: Failure to prevent unauthorized emissions. The Respondent released 60,436.66 pounds ("lbs") of volatile organic compounds ("VOC"), 79,128.27 lbs of carbon monoxide ("CO"), and 15,554.09 lbs of nitrogen oxides ("NOx") from the No. 2 Olefins Flare, Emissions Point Number ("EPN") DDM-3101, during an emissions event (Incident No. 342047) that began on September 11, 2020 and lasted 57 hours. The emission event occurred due to a collapsed strainer on Ethylene Compressor C501, resulting in flaring.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 2327, GTC and STC No. 2.G OP

Description: Failed identify the required information on the final record for a scheduled maintenance, startup, or shutdown activity. The Respondent did not include the reason for the maintenance activity on the final record for Incident No. 342047.

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: FOP 2327, GTC OP  
FOP 2327, STC No. 26 OP  
NSR, Special Condition 2 PERMIT

Description: Failure to prevent unauthorized emissions. The Respondent released 30,131.42 lbs of VOC, 28,921.39 lbs of CO, and 5,682.88 lbs of NOx from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 346644) that began on November 25, 2020 and lasted 16 hours. The emissions event occurred when the level transmitter on the level controller on the drum did not read the level correctly that caused the incorrect level reading to not alarm on high level, resulting in the compressor

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: FOP 2327, GTC OP  
FOP 2327, STC No. 26 OP  
NSR Permit, Special Condition 2 PERMIT

Description: Failed to prevent unauthorized emissions. The Respondent released 12,107.34 lbs of VOC, 19,765.92 lbs of CO, and 3,891.90 lbs of NOx from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 346735) that began on November 30, 2020 and lasted 29 hours. The emissions event occurred due to a fuel gas compressor trip that caused the unexpected loss of two steam Cogeneration Units, resulting in flaring.

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: FOP 2327, GTC OP  
FOP 2327, STC No. 26 OP  
Special Condition 2 PERMIT

Description: Failed to prevent unauthorized emissions. The Respondent released 23,021.62 lbs of VOC, 32,042.74 lbs of CO, and 6,304.72 lbs of NOx from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 326641) that began on December 15, 2019 and lasted 35 hours. The emissions event occurred due to a temporary loss of power that caused the control valves to switch to their fail position and the Acetylene Reactor to trip, resulting in flaring.

3 Effective Date: 08/07/2023 ADMINORDER 2023-0064-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: FOP 2327, GTC OP  
FOP 2327, STC No. 26 OP  
NSR 95, SC No. 2 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 233.52 pounds of nitrogen oxides from Cogen, Emissions Point Number A-100, during an emissions event (Incident No. 321895) that began on September 29, 2019 and lasted nine hours. The emissions event occurred due to the misfiring of spark plugs and debris from the atmosphere or air inlet system being sucked into the air inlet and passing through the turbine compressor which caused the debris to be superheated after p

## B. Criminal convictions:

N/A

## C. Chronic excessive emissions events:

N/A

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

Item 1	July 08, 2019	(1593113)
Item 2	August 02, 2019	(1552294)
Item 3	September 11, 2019	(1606364)
Item 4	October 08, 2019	(1613210)
Item 5	December 02, 2019	(1612000)
Item 6	December 11, 2019	(1626376)
Item 7	January 13, 2020	(1634017)
Item 8	February 10, 2020	(1640636)
Item 9	April 09, 2020	(1653492)
Item 10	April 28, 2020	(1640257)
Item 11	May 04, 2020	(1597713)
Item 12	May 12, 2020	(1646363)
Item 13	May 18, 2020	(1660078)
Item 14	June 09, 2020	(1666583)
Item 15	July 14, 2020	(1640012)
Item 16	July 31, 2020	(1651359)
Item 17	August 07, 2020	(1680315)
Item 18	August 25, 2020	(1624754)
Item 19	October 12, 2020	(1693230)



Item 20	November 13, 2020	(1686496)
Item 21	November 30, 2020	(1692122)
Item 22	December 10, 2020	(1757144)
Item 23	January 08, 2021	(1686259)
Item 24	January 12, 2021	(1712385)
Item 25	February 05, 2021	(1725438)
Item 26	February 25, 2021	(1696929)
Item 27	March 11, 2021	(1699415)
Item 28	March 12, 2021	(1725439)
Item 29	April 13, 2021	(1725440)
Item 30	May 14, 2021	(1740030)
Item 31	May 28, 2021	(1711364)
Item 32	June 10, 2021	(1723572)
Item 33	June 11, 2021	(1740031)
Item 34	July 01, 2021	(1735657)
Item 35	July 19, 2021	(1751680)
Item 36	August 02, 2021	(1747394)
Item 37	August 20, 2021	(1745863)
Item 38	August 30, 2021	(1685590)
Item 39	September 01, 2021	(1702300)
Item 40	September 14, 2021	(1690450)
Item 41	September 17, 2021	(1766224)
Item 42	September 23, 2021	(1684041)
Item 43	September 27, 2021	(1692237)
Item 44	October 12, 2021	(1776627)
Item 45	October 31, 2021	(1763655)
Item 46	November 11, 2021	(1783596)
Item 47	December 07, 2021	(1848397)
Item 48	December 10, 2021	(1790620)
Item 49	December 14, 2021	(1771237)
Item 50	December 15, 2021	(1781391)
Item 51	January 20, 2022	(1798415)
Item 52	February 16, 2022	(1806290)
Item 53	March 17, 2022	(1813355)
Item 54	May 11, 2022	(1828767)
Item 55	June 20, 2022	(1835057)
Item 56	June 23, 2022	(1707999)
Item 57	July 12, 2022	(1842263)
Item 58	August 07, 2022	(1834230)
Item 59	August 22, 2022	(1772434)
Item 60	September 12, 2022	(1856193)
Item 61	October 18, 2022	(1862551)
Item 62	November 10, 2022	(1869466)
Item 63	December 12, 2022	(1882135)
Item 64	December 19, 2022	(1875313)
Item 65	December 23, 2022	(1861709)
Item 66	February 08, 2023	(1889952)
Item 67	February 22, 2023	(1874667)
Item 68	March 08, 2023	(1893861)
Item 69	March 21, 2023	(1874824)
Item 70	April 10, 2023	(1905298)
Item 71	May 10, 2023	(1855535)
Item 72	June 13, 2023	(1919083)
Item 73	July 11, 2023	(1926048)
Item 74	July 12, 2023	(1845934)
Item 75	July 21, 2023	(1912330)
Item 76	July 27, 2023	(1917276)
Item 77	August 10, 2023	(1933013)
Item 78	September 13, 2023	(1939147)
Item 79	October 10, 2023	(1945999)
Item 80	October 18, 2023	(1971789)

Item 81	October 25, 2023	(1931876)
Item 82	October 30, 2023	(1924210)
Item 83	December 12, 2023	(1961453)
Item 84	February 15, 2024	(1961240)
Item 85	February 19, 2024	(1977112)
Item 86	March 25, 2024	(1942881)

#### **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:	06/01/2023 (1881184)		
Self Report?	YES	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 3966 OP 5C THSC Chapter 382 382.085(b)		
Description:	Failure to report all instances of deviations in the October 1, 2021 through March 30, 2022 semi-annual deviation report. (Category B3)		
Self Report?	YES	Classification:	Minor
Citation:	123117 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 3966 OP 5C THSC Chapter 382 382.085(b)		
Description:	Failure to conduct daily audible, visible, olfactory (AVO) inspections for emission point number (EPN) Fugitives (Category B1)		
Self Report?	YES	Classification:	Moderate
Citation:	123117 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 3966 OP 5C THSC Chapter 382 382.085(b)		
Description:	Failure to conduct quarterly cylinder gas audits (CGA) at least two months apart at EPN BLR1 (Category C4)		
Self Report?	YES	Classification:	Minor
Citation:	123117 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 3966 OP 5C THSC Chapter 382 382.085(b)		
Description:	Failure to comply with maximum allowable emission rate (MAER) for NH3, NOx, and CO at EPN TURB1 (Category B13)		
  
- 2
 

Date:	08/18/2023 (1881183)		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Description:	Failure to prevent visible emissions from boiler unit DB901A; EPN DB-901A (Category B13 violation)		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 2327 PERMIT 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) 95 PERMIT		
Description:	Failure to comply with CO emissions rates (MAER); NH3 and NOx concentration limits, for furnace unit DB108; EPN DB-108 (Category B13 violation).		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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)		
Description:	Failure to perform manual flare header gas sampling at unit P-2OLEF; EPN DDM-3101 (Category B1).		

Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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) 95 PERMIT		
Description:	Failure to conduct weekly audible, visible, olfactory (AVO) inspections for Olefins 1 Unit (Category B1).		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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) 95 PERMIT		
Description:	Failure to conduct weekly audible, visible, olfactory (AVO) inspections for Olefins 2 Unit (Category B1).		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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) 95 PERMIT		
Description:	Failure to document volume of vacuum truck material during MSS activity (Category B3).		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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) 95 PERMIT		
Description:	Failure to document carbon breakthrough during MSS activities (Category B3).		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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) 95 PERMIT		
Description:	Failure to comply with CO maximum allowable emissions rates (MAER); and NH3 concentration limits for furnace unit DB-105; EPN DB-105 (Category B13 violation)		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 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 VV 60.482-6(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1) 5C THSC Chapter 382 382.085(b) 95 PERMIT		
Description:	Failure to prevent open ended lines; EPN Fugitives (Category C10).		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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) 95 PERMIT		
Description:	Failure to comply with VOC maximum allowable emissions rate (MAER) for unit DCWT; EPN AT-1210 (Category B13).		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4) 5C THSC Chapter 382 382.085(b) 95 PERMIT		
Description:	Failure to prevent visible emissions from flare unit P-1OLEF; EPN DM-1101 (Category B13)		

Self Report?	YES	Classification:	Minor
Citation:	2327 OP 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) 95 PERMIT		
Description:	Failure to record functionality testing results for LEL monitors during MSS activity (Category B3).		
Self Report?	YES	Classification:	Minor
Citation:	2327 OP 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) 95 PERMIT		
Description:	Failure to maintain LEL calibration test data during MSS activities (Category B3).		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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) 97769 PERMIT		
Description:	Failure to comply with total annual hours devoted to operations in hot standby mode at furnace unit HB105; EPN DDB-105 (Category B17).		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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) 97769 PERMIT		
Description:	Failure to comply with total annual hours devoted to decoking a cracking furnace at HB105; EPN DDB-105 (Category B13).		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6625 5C THSC Chapter 382 382.085(b)		
Description:	Failure to install continuous parameter monitoring system (CPMS) on Engine DCPCOMP1 (Category B15 violation).		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6625 5C THSC Chapter 382 382.085(b)		
Description:	Failure to install continuous parameter monitoring system (CPMS) on Engine DCPCOMP2 (Category B15 violation)		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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) 95 PERMIT		
Description:	Failure to comply with maximum allowable emission rates (MAER) for CO at EPN DDB-102D (Category B13 violation)		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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) 95 PERMIT		
Description:	Failure to comply with maximum allowable emission rates (MAER) for CO at EPN DDB-102A (Category B13 violation)		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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) 95 PERMIT		
Description:	Failure to comply with maximum allowable emission rates (MAER) for CO at EPN DDB-102B (Category B13 violation)		
Self Report?	YES	Classification:	Moderate
Citation:	2327 OP 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)		

Description: Failure to comply with NH3 one-hour concentration limit for Furnace DB-109; EPN DB-109 (Category B13 violation)

Self Report? YES Classification: Moderate

Citation: 2327 OP  
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)  
5C THSC Chapter 382 382.085(b)  
95 PERMIT

Description: Failure to prevent visible emissions from flare unit P-2OLEF; EPN DDM-3101 (Category B13)

Self Report? YES Classification: Minor

Citation: 2327 OP  
30 TAC Chapter 117, SubChapter B 117.310(f)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with engine operating restrictions at unit AN-101; EPN CBMISCENG (Category C4 violation)

Self Report? YES Classification: Moderate

Citation: 2327 OP  
30 TAC Chapter 115, SubChapter B 115.112(e)(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)  
95 PERMIT

Description: Failure to maintain minimum seal gap requirement for tank T3901PYGAS; EPN AF-3901 (Category B13 violation)

Self Report? YES Classification: Moderate

Citation: 2327 OP  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138(b)(1)(i)  
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain a concentration of total Hazardous Air Pollutants (HAPS) in wastewater (Category B13 violation)

Self Report? YES Classification: Moderate

Citation: 2327 OP  
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)  
95 PERMIT

Description: Failure to record pilot flame for flare unit OSDOCKFLR; EPN AM-1500 (Category B1 violation)

Self Report? YES Classification: Moderate

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

Description: Failure to maintain maximum firing rate for unit HB104A; EPN DDB-104A (Category B17 violation)

Self Report? YES Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6610(a)  
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct the initial performance test (formaldehyde testing) on stationary diesel fuel engine DCPCOMP1. (Category B1 violation)

Self Report? YES Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6610(a)  
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct the initial performance test (formaldehyde testing) on for diesel fuel engine DCPCOMP2. (Category B1 violation)

Self Report? YES Classification: Moderate

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

Description: Failure to properly represent DCPCOMP1 emissions unit within a Federal Operating Permit (Category B3)

Self Report? YES Classification: Moderate

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

Description: Failure to properly represent DCPCOMP2 emissions unit within a Federal Operating Permit (Category B3)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.335(a)(2)  
5C THSC Chapter 382 382.085(b)

Description: Failure to test engine DCPCOMP1 for NH3 emissions (Category B1 violation)  
Self Report? YES Classification: Moderate  
Citation: 30 TAC Chapter 117, SubChapter B 117.335(a)(2)  
5C THSC Chapter 382 382.085(b)

Description: Failure to test engine DCPCOMP2 for NH3 emissions (Category B1 violation)  
Self Report? YES Classification: Moderate  
Citation: 30 TAC Chapter 117, SubChapter B 117.340(c)(1)(D)  
5C THSC Chapter 382 382.085(b)

Description: Failure to install continuous or predictive monitoring system (CEMS/PEMS) on Engine DCPCOMP1 (Category B15 violation)  
Self Report? YES Classification: Moderate  
Citation: 30 TAC Chapter 117, SubChapter B 117.340(c)(1)(D)  
5C THSC Chapter 382 382.085(b)

Description: Failure to install continuous or predictive monitoring system (CEMS/PEMS) on Engine DCPCOMP2 (Category B15 violation)  
Self Report? YES Classification: Moderate  
Citation: 2327 OP  
30 TAC Chapter 106, SubChapter A 106.8(c)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 61, Subpart FF 61.356(f)(2)(i)(D)  
5C THSC Chapter 382 382.085(b)  
95 PERMIT

Description: Failure to maintain documentation for temporary flare (Category B3 violation)  
Self Report? YES Classification: Minor  
Citation: 2327 OP  
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)  
95 PERMIT

Description: Failure to comply with CO pounds per hour emissions rates, and NH3 and NOx concentration limits for furnace unit DB-106 (EPN DB-106) (Category B13 violation)  
Self Report? YES Classification: Moderate  
Citation: 30 TAC Chapter 117, SubChapter B 117.340(d)  
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with continuing demonstration of compliance for ammonia emissions for engine DCPCOMP1 (Category B1 violation)  
Self Report? YES Classification: Moderate  
Citation: 30 TAC Chapter 117, SubChapter B 117.340(d)  
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with continuing demonstration of compliance for ammonia emissions for engine DCPCOMP2 (Category B1 violation)  
Self Report? YES Classification: Moderate  
Citation: 2327 OP  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain minimum inlet gas flow rate (steam flow) at EPN GRP-VENT6 (Category B13 violation)

3 Date: 10/31/2023 (1951691)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

4 Date: 12/31/2023 (1968049)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

5 Date: 02/29/2024 (1983677)  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

Date: 05/20/2024 (1924903)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 5(C) PERMIT  
 Special Terms and Conditions 1A and 14 OP

Description: Failure to maintain a constant pilot flame for Flare P4 (EPN: P4-Flare) (Category 4).

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 10(C) PERMIT  
 Special Terms and Conditions 1A and 14 OP

Description: Failure to prevent visible emissions Flare P3 (EPN: P-3Poly) (Category B13).

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 5D PERMIT  
 Special Terms and Conditions 1A and 14 OP

Description: Failure to prevent visible emissions Flare (EPN: P4-Flare) (Category B13).

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 10 PERMIT  
 Special Terms and Conditions 12 and 14 OP

Description: Failure to prevent exceedance of the differential pressure for TM-508 fabric filter (EPN: P4-PELFLTR) (Category B17)

## F. Environmental audits:

Notice of Intent Date: 04/23/2021 (1711955)

Disclosure Date: 09/21/2021

Viol. Minor

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(a)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(b)

Description: Failed to maintain an up-to-date list of aqueous wastes containing benzene.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(e)(1)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(ii)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(c)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(g)

Description: Failed to meet inspection requirements for some containers containing non-aqueous benzene waste.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(e)(1)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(i)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(c)

Description: Failed to meet monitoring requirements for some containers containing non-aqueous benzene waste.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(a)

Description: Failed to monitor all components associated with Individual Drain System Waste Management Units for No Detectable Emissions.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(i)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(f)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(g)

Description: Failed to meet monitoring requirements for some components of the closed vent system routing organic vapors to a control device.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(c)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(1)

Description: Failed to maintain on file design documentation for boilers used as a control device for organic vapors.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(c)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(c)(5)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(2)  
40 CFR Part 61, Subpart FF 61.356(f)(3)

Description: Failed to establish an acceptable continuous operating parameter to demonstrate that the boiler achieves the appropriate conditions for proper operation for boilers used as a control device for organic vapors.

**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  
ENFORCEMENT ACTION  
CONCERNING  
INEOS USA LLC  
RN100238708

§ BEFORE THE  
§ TEXAS COMMISSION ON  
§ ENVIRONMENTAL QUALITY  
§

## AGREED ORDER DOCKET NO. 2021-0818-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 INEOS USA 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 15926 Farm-to-Market Road 2004 in Alvin, Brazoria 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 \$2,246,729 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$898,693 of the penalty and \$449,344 of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

Pursuant to TEX. WATER CODE § 7.067, \$898,692 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 October 21, 2014, adjusted the feed, fuel, and oxygen levels in order to comply with the carbon monoxide ("CO") hourly maximum allowable emissions rate ("MAER") for the Steam Cracking Furnace, Emissions Point Number ("EPN") DDB-102C;
  - b. On January 14, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DB-107;
  - c. On January 17, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DB-106;
  - d. On February 9, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102A;
  - e. On March 18, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the nitrogen oxides ("NOx") and CO hourly MAERs for the Steam Cracking Furnace, EPN DDB-102B;
  - f. On April 9, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the volatile organic compounds ("VOC") and CO hourly MAERs for the Steam Cracking Furnace, EPN DB-105;
  - g. On May 4, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the benzene and VOC hourly MAERs for the Olefins 1 American Petroleum Institute ("API") Separator, EPN FAM1704;
  - h. On June 2, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the CO emissions limit for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B;

- i. On August 20, 2015, adjusted the feed, fuel, and oxygen levels in order to comply with the CO hourly MAER for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B;
- j. On November 20, 2015, implemented measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-101B;
- k. On April 1, 2016, adjusted the process conditions in order to comply with the benzene outlet concentration limit for the Second Stage Hydrotreater Unit Treatment Process PRO-SSMON and Olefins 2 Aromatic Waste Minimization Project Treatment Process PRO-AWMP2;
- l. On September 9, 2016, implemented measures in order to comply with the ammonia ("NH<sub>3</sub>") concentration limit for the Steam Cracking Furnace, EPN DB-109;
- m. On September 20, 2016, implemented measures in order to comply with the NO<sub>x</sub> and CO hourly MAERs for Furnace No. 105, EPN DDB-105;
- n. By September 30, 2016, upgraded the data acquisition and data storage system for the maintenance, startup, or shutdown ("MSS") monitoring program and began maintaining the records for the calibration of the lower explosive limit ("LEL") detectors;
- o. By September 30, 2016, began maintaining the records for the functionality test for the LEL detectors;
- p. By September 30, 2016, began maintaining the records containing the information and data sufficient for the LEL readings during MSS activities in order to demonstrate compliance with New Source Review ("NSR") Permit Nos. 95 and PSDTX854M2;
- q. By November 29, 2016, maximized the hydrogen to fuel gas ratio in order to comply with the NO<sub>x</sub> and CO hourly MAERs for the No. 1 Olefins Flare, EPN DM-1101;
- r. On January 27, 2017, implemented measures in order to comply with the CO hourly MAER for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B;
- s. By April 15, 2017, began recording the operating time for Stationary Engines DDM-904N, DM-177, PP3 MN1601, PP4 TN1601, DM-904N, AN-101, AN-111, and AN-402;
- t. On April 26, 2017, submitted a revised deviation report for the April 1, 2016 through September 30, 2016 reporting period to report the deviation for failing to conduct a cylinder gas audit ("CGA") earlier than two months after the previous CGA;
- u. On July 27, 2017, implemented measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102B;
- v. By July 31, 2017, restored the steam in the furnace, restarted the NH<sub>3</sub> system heater, resumed NH<sub>3</sub> injection, and made adjustments to the furnace to limit the firing rate and NO<sub>x</sub> emissions in order to comply with the NO<sub>x</sub>, CO, and NH<sub>3</sub> hourly MAERs and NO<sub>x</sub> annual MAER for Furnace No. 105, EPN DDB-105;
- w. On August 17, 2017, implemented measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DB-108;

- x. On August 18, 2017, implemented measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102C;
- y. On August 23, 2017, implemented measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102A;
- z. On August 25, 2017, implemented measures in order to comply with the CO and NH3 hourly MAERs for the Steam Cracking Furnace, EPN DB-105;
- aa. On September 20, 2017, implemented measures in order to comply with the CO and NH3 hourly MAERs for the Steam Cracking Furnace, EPN DB-106;
- bb. On September 26, 2017, implemented measures in order to comply with the CO hourly MAER for the Steam Cracking Furnace, EPN DDB-102D;
- cc. By September 30, 2017, began maintaining the records for the number of vacuum truck transfers and the volume of material transferred during the liquid transfers supporting planned MSS activities;
- dd. On October 25, 2017, submitted the initial notification for Incident No. 270980;
- ee. On October 27, 2017, obtained a revision for Federal Operating Permit ("FOP") No. O2327 that included 40 CFR Part 60 Subpart VV as the applicable requirements for the No. 1 Olefins Unit Fugitives and No. 2 Olefins Unit Fugitives; included 30 TEX. ADMIN. CODE § 115.788(a) and 30 TEX. ADMIN. CODE ch. 117 Subchapter B as applicable requirements for Steam Cracking Furnaces DB-105 through DB-109; incorporated 30 TEX. ADMIN. CODE § 106.412 for the Gasoline Tank; added Emergency Generator DM-177 that was constructed on or about April 1, 2006; and added Engines OLE2COMP2, UTILCOMP4, UTILCOMP5, and UTILCOMP6 that were replaced in April 2013;
- ff. On November 30, 2017, re-established communication in the distributive control system historian so that the system can collect, communicate, and record process data in order to continuously monitor and record the Aromatic Waste Minimization Project stripper bottoms in the Benzene Treatment Process 2 Unit;
- gg. By January 15, 2018, updated the procedure for the Boiler Startup by adding steps to ensure that the valves are closed after a startup activity has been completed in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 270980;
- hh. By February 1, 2019, added logic to the Triconex to prevent the furnace from going to offline decoke if the feed Hand Indicating Control valve is still open, created a gun drill procedure to detail a response to the incident and describe a method to retest the furnace logic to take the furnace to safe state, and updated the Digital Control System ("DCS") display for clarity in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 285534;
- ii. By April 3, 2019, updated the DDB-105 Start-Up Procedure for clarity on lighting the burners while introducing feed to the furnace and developed training for Operations to allow the board operators to practice feeding the Selective Cracking Optimum Recovery ("SCORE") furnace in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 296381;
- jj. On September 19, 2019, stabilized the flare to reduce flaring, restored the steam pressure to increase the steam to the flare, restarted the boilers, and repaired

- the electrical system in order to operate the No. 2 Olefins Flare with no visible emissions;
- kk. On September 19, 2019, stabilized the flare to reduce flaring, restored the steam pressure to increase the steam to the flare, restarted the boilers, and repaired the electrical system in order to operate the No. 1 Olefins Flare with no visible emissions;
- ll. By December 20, 2019, added the diethylhydroxylamine ("DEHA") lab specifications to help ensure adequate residual, added a low velocity operating envelope point to track and prevent low flow, and added DEHA alarms to both units to various towers to help ensure adequate residual in order to prevent the recurrence of emissions events due to the same or similar causes as Incident Nos. 293328 and 297512;
- mm. On January 12, 2020, raised the oxygen level for the No. 1 Olefins Boiler in order to comply with the operating parameter limit of at least 2.6 percent oxygen ("% O<sub>2</sub>");
- nn. By February 10, 2020, revised the Maintenance Preventative Maintenance Procedure to include detailed steps on disassembly and reassembly, including verification of complete lifting nut disengagement from the filter head, cleanliness requirements, and maintenance witnessing nitrogen pressure test of re-assembled filter in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 324083;
- oo. On February 27, 2020, replaced the battery for the totalizing fuel flow meter in order to continuously measure the gas and liquid fuel usage for the Dew Point Heater;
- pp. On April 11, 2020, implemented measures in order to comply with the NH<sub>3</sub> concentration limit for Furnace No. 105;
- qq. On April 19, 2020, implemented measures in order to comply with the firing rate limit for the No. 2 Olefins Unit Steam Boiler;
- rr. By April 21, 2020, implemented time delay undervoltage protection at each applicable variable frequency drive in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 332637;
- ss. On April 28, 2020, submitted a copy of the performance test reports for Turbine 1, Turbine 2, Boiler 2, and the Dew Point Heater;
- tt. On May 15, 2020, conducted a stack test demonstrating compliance with the particulate matter ("PM") hourly MAER for Boiler 1, EPN BLR1;
- uu. On May 19, 2020, conducted a stack test demonstrating compliance with the PM hourly MAER for Boiler 2, EPN BLR2;
- vv. On May 20, 2020, conducted a stack test demonstrating compliance with the NH<sub>3</sub> concentration limit for Boiler 3, EPN BLR3;
- ww. On May 21, 2020, conducted a stack test demonstrating compliance with the VOC hourly MAER for Turbine 2, EPN Turbine 2;
- xx. On August 22, 2020, implemented measures in order to comply with the NH<sub>3</sub> slip concentration limit for Furnace No. 105;
- yy. On August 29, 2020, implemented measures in order to comply with the NH<sub>3</sub> concentration limit for the Steam Cracking Furnace;

- zz. On September 30, 2020, added natural gas to the No. 1 Olefins Facilities Flare in order to maintain the net heating value of the gas being combusted at 300 British thermal units per standard cubic foot ("Btu/scf") or greater;
- aaa. By September 30, 2020, implemented a reasonable inquiry process for the deviation report process by reviewing data on a more frequent basis and expanding the review process to include operators, engineers, and others in order to ensure that all instances of deviations are reported in a timely manner;
- bbb. By October 1, 2020, removed the local stop switch from the current enclosure and installed a new switch rated for the area electrical classifications in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 275491;
- ccc. By November 2, 2020, ceased operations of the Dew Point Heater;
- ddd. By November 30, 2020, labeled valves in the field to help ensure proper line-ups are made in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 339521;
- eee. On December 14, 2020, created and maintained the final records for the non-reportable emissions events that occurred from December 10, 2017 to March 8, 2018, from April 16, 2018 to April 20, 2018, and from November 14, 2018 to November 28, 2018;
- fff. On February 4, 2021, submitted revised deviation reports for the October 1, 2017 through March 31, 2018, April 1, 2018 through September 30, 2018, and October 1, 2018 through March 31, 2019 reporting periods to report the deviations for failing to create the final records for the non-reportable emissions events no later than two weeks after the end of each emissions event;
- ggg. By February 28, 2021, implemented an improved maintenance management plan by having the Operations personnel review the emission points where the emissions originated from every month and demonstrated compliance with the VOC annual MAER for the Olefins 1 and 2 Flare, EPN FLAREMSSCAP;
- hhh. By March 31, 2021, developed communication protocols and training for the operators on the proper radio etiquette in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 333191;
- iii. By April 6, 2021, implemented a low output alarm at 10 percent to alert the operators if the valve fails inadvertently in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 341971;
- jjj. By April 19, 2021, performed maintenance on the compressor in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 354056;
- kkk. By May 31, 2021, implemented measures to comply with the ethylene, CO, and NOx annual MAERs for the Olefins 2 Flare Routine, Startup, Shutdown, and Maintenance Emissions, EPN DDM-3101MSS;
- lll. By August 31, 2021, added inspection of the rack and servo linkage pins to the Maintenance Preventative Maintenance Procedure in order to prevent recurrence to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 344750;
- mmm. By September 27, 2021, replaced the capacitor bank breaker, tested the electrical equipment insulation for deterioration, conducted switching only on an as

- needed basis, and calculated and verified that the capacitor charging time is less than 10 seconds in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 352585;
- nnn. By December 20, 2021, installed a sampling system upstream of the selective catalytic reduction catalyst bed and developed a mapping procedure to provide operations with a guideline for preparation of the turbines for mapping in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 333379;
- ooo. By April 14, 2022, obtained Permit by Rule ("PBR") Registration No. 168626 that increased the natural gas flow to the No. 1 Olefins Flare in order to maintain the net heating value of the gas being combusted at 300 Btu/scf or greater;
- ppp. By June 23, 2022, evaluated the Abnormal Situation Management ("ASM") Control Language ("CL") programs for all trip scenarios on similar Kinetics Technology International ("KTI") furnaces to confirm the proper actions if activated, updated the DCS control narratives, created a cause and effect matrix for KTI furnace trip scenarios, and created guidance for testing the CL programs to ensure proper function in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 291947;
- qqq. By June 28, 2022, implemented a new DEHA injection in the feed to the unit, installed new vent tubing for continuous purge and removal of potential oxygen from the system, and added operator rounds to check the insulation bands for expansion in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 342492;
- rrr. By July 2, 2022, conducted equipment preventative maintenance while equipment is down until the quadvoter upgrade project is complete and revised procedure H0302A08 to include steps related to re-introducing feed to T-305 and T-307 after acetylene run in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 364479;
- sss. On September 26, 2022, permanently shut down the No. 1 Olefins Unit Steam Boiler, EPN DB-901A;
- ttt. By September 27, 2022, installed sample points and began routine sampling for 2301 and 3301 Lube Oil and cleaned the lube oil reservoirs for Turbine 1 and Turbine 2 in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 334381;
- uuu. By October 21, 2022, developed a document that provides guidelines to evaluate acoustic and flow induced vibration, updated the Project Design Basis Template to capture a review of the bypass scope control valves in critical applications, and updated the Relief System Design Guide to include considerations around piping design and acoustic-induced vibration in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 340681;
- vvv. By May 26, 2023, verified the contractor's quality control manual addresses non-conformance issues and developed an inspection and testing plan to identify and document any issues that need to be addressed on the package prior to final sign-off in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 340661;

- www. By July 14, 2023, established a review process to allow two levels of review for any reportable emissions event in order to ensure that all of the required information is identified on the final records for reportable emissions events;
- xxx. By November 1, 2023, removed Stationary Reciprocating Internal Combustion Engines UTILCMP3, UTILCMP4, UTILCMP6, OLE2COMP2 from the Plant;
- yyy. By July 29, 2024, implemented a 10 degree Fahrenheit maximum set point change limit on the reactor bed outlet temperature control in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 291225; and
- zzz. On August 23, 2024, obtained PBR No. 177025 to downsize Stationary Reciprocating Internal Combustion Engine DCPCOMP2 and updated FOP No. 0237 through the use of the off-permit change process, in accordance with 30 TEX. ADMIN CODE § 122.222(k).
- aaaa. December 18, 2024, submitted a permit amendment application for NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135 to address the exceedances for the SO<sub>2</sub>, CO, and NO<sub>x</sub> hourly MAER and the NH<sub>3</sub>, CO, and NO<sub>x</sub> concentration limits for Turbines 1 and 2, the NH<sub>3</sub> hourly MAER for Turbine 2, the CO and NO<sub>x</sub> concentration limits for Boilers 1 and 3, the NO<sub>x</sub> concentration limit for Boiler 2, the SO<sub>2</sub> hourly MAER for Boilers 1, 2, and 3, the CO and NO<sub>x</sub> hourly MAER for Boilers 1 and 3, the NH<sub>3</sub> hourly MAER for Boiler 1, and the hourly PM MAER for Boiler 3.

## II. ALLEGATIONS

1. During a record review for the Plant conducted from January 21, 2016 through August 9, 2016, an investigator documented that the Respondent:
  - a. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, Special Conditions ("SC") No. 1, FOP No. 02327, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the benzene MAER of 1.01 pounds per hour ("lbs/hr") by a range from 0.01 lb/hr to 0.41 lb/hr and exceeded the VOC MAER of 5.96 lbs/hr by a range from 0.09 lb/hr to 2.51 lbs/hr for a total of seven hours on four days from January 8, 2015 to May 4, 2015 for the Olefins 1 API Separator, EPN FAM1704, resulting in the unauthorized release of 1.34 pounds ("lbs") of benzene emissions and 8.45 lbs of VOC emissions.
  - b. Failed to submit an application for a revision to an FOP for those activities at a site which change, add, or remove one or more permit terms or conditions, in violation of 30 TEX. ADMIN. CODE § 122.210(a) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, after FOP No. 02327 was revised on June 4, 2013, the Respondent did not submit an application to revise FOP No. 02327 to include 40 CODE OF FEDERAL REGULATIONS ("CFR") Part 60 Subpart VV as the applicable requirements for the No. 1 Olefins Unit Fugitives and No. 2 Olefins Unit Fugitives.



- 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. O2327, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation reports for the October 1, 2014 through March 31, 2015 and April 1, 2015 through September 30, 2015 reporting periods did not include the deviation for failing to submit an application to revise FOP No. O2327 to include 40 CFR Part 60 Subpart VV as the applicable requirements for the No. 1 Olefins Unit Fugitives and No. 2 Olefins Unit Fugitives.
- d. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by 12.92 lbs/hr for one hour on January 17, 2015 for the Steam Cracking Furnace, EPN DB-106, resulting in 12.92 lbs of unauthorized CO emissions.
- e. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by a range from 1.16 lbs/hr to 98.10 lbs/hr for a total of four hours on three days from October 2, 2014 to January 14, 2015 for the Steam Cracking Furnace, EPN DB-107, resulting in 163.18 lbs of unauthorized CO emissions.
- f. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the VOC MAER of 2.05 lbs/hr by 0.01 lb/hr for a total of two hours on October 19, 2014 and December 18, 2014 and exceeded the CO MAER of 18.32 lbs/hr by 26.73 lbs/hr for one hour on April 9, 2015 for the Steam Cracking Furnace, EPN DB-105, resulting in the unauthorized release of 0.02 lb of VOC emissions and 26.73 lbs of CO emissions.
- g. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 0.16 lb/hr to 1.87 lbs/hr for a total of four hours on four days from November 21, 2014 to February 9, 2015 for the Steam Cracking Furnace, EPN DDB-102A, resulting in 3.75 lbs of unauthorized CO emissions.
- h. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NOx MAER of 26.60 lbs/hr by a range from 0.01 lb/hr to 1.87 lbs/hr for a total of 52 hours on 11 days from December 2, 2014 to January 8, 2015 and exceeded the CO MAER of 7.03 lbs/hr by a range from 0.41 lb/hr to 7.66 lbs/hr for a total of three hours on three days from February 8, 2015 to March 18, 2015 for the Steam Cracking Furnace, EPN DDB-102B, resulting in the unauthorized release of 29.66 lbs of NOx emissions and 10.72 lbs of CO emissions.

- i. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by 23.24 lbs/hr for one hour on October 21, 2014 for the Steam Cracking Furnace, EPN DDB-102C, resulting in 23.24 lbs of unauthorized CO emissions.
  - j. 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. 101, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 14.40 lbs/hr by a range from 6.94 lbs/hr to 64.51 lbs/hr for a total of 169 hours on nine days from May 26, 2015 to June 2, 2015 and on August 20, 2015 for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B, resulting in 9,806.82 lbs of unauthorized CO emissions.
  - k. Failed to comply with the emissions limit, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.B.(2), FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO emissions limit of 0.037 pound per one million British thermal units ("lb/MMBtu") based on the higher heating value of the fuel on a 24-hour average by a range from 0.011 lb/MMBtu to 0.299 lb/MMBtu for a total of 172 hours on nine days from May 11, 2015 to June 2, 2015 for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B.
2. During a record review for the Plant conducted from November 15, 2016 through November 17, 2016, an investigator documented that the Respondent:
- a. Failed to submit an application for a revision to an FOP for those activities at a site which change, add, or remove one or more permit terms or conditions, in violation of 30 TEX. ADMIN. CODE § 122.210(a) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, after FOP No. O2327 was revised on June 4, 2013, the Respondent did not submit an application to revise FOP No. O2327 to include 30 TEX. ADMIN. CODE § 115.788(a) and 30 TEX. ADMIN. CODE ch. 117 Subchapter B as the applicable requirements for Steam Cracking Furnaces DB-105 through DB-109 and incorporate 30 TEX. ADMIN. CODE § 106.412 for the Gasoline Tank.
  - b. Failed to record the operating time for stationary internal combustion engines with a non-resettable elapsed run-time meter, in violation of 30 TEX. ADMIN. CODE §§ 117.340(j) and 122.143(4), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not equip Stationary Engines DDM-904N, DM-177, PP3 MN1601, PP4 TN1601, DM-904N, AN-101, AN-111, and AN-402 with non-resettable elapsed run time meters to record the operating time.
  - c. Failed to obtain a revision for an FOP prior to operating emission units at the site, 30 TEX. ADMIN. CODE §§ 122.121 and 122.210(a) and TEX. HEALTH & SAFETY CODE §§ 382.054 and 382.085(b). Specifically, after FOP No. O2327 was revised on July 29, 2005, the Respondent did not submit an application to revise FOP No. O2327 to add Emergency Generator DM-177 that was constructed on or about April 1, 2006 and to add Engines OLE2COMP2, UTILCOMP4, UTILCOMP5, and

UTILCOMP6 that were replaced in April 2013, resulting in the operation of these emission units prior to obtaining authorization.

- d. Failed to submit the 40 CFR Part 63 Subpart ZZZZ compliance reports no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2), 113.1090, and 122.143(4), 40 CFR § 63.6650(b)(3), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not submit the 40 CFR Part 63 Subpart ZZZZ compliance reports for the January 1, 2013 through June 30, 2013, July 1, 2013 through December 31, 2013, January 1, 2014 through June 30, 2014, July 1, 2014 through December 31, 2014, January 1, 2015 through June 30, 2015, July 1, 2015 through December 31, 2015, January 1, 2016 through June 30, 2016 reporting periods for Firewater Pump AG-203B and Level Control Pump AG-2705D by July 31, 2013, January 31, 2014, July 31, 2014, January 31, 2015, July 31, 2015, January 31, 2016, and July 31, 2016, respectively.
- e. Failed to maintain records for the calibration of the LEL detector, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 61.C.(1), FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not maintain the records for the calibration of the LEL detectors for Unit Nos. D5, D10, M2, M4, M5, M8, M9, T5, and Z14 on 13 occasions during MSS activities that occurred from October 1, 2015 to September 30, 2016 and did not record the calibration of the LEL detector for the No. 1 Olefins Unit MSS activities that occurred on nine occasions from May 29, 2016 to June 21, 2016.
- f. Failed to maintain records for the functionality test of the LEL detector, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 61.C.(2), FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not maintain the records for the functionality test of the LEL detectors Unit Nos. A9, D10, D12, D20, H12, H18, H20, J3, J6, M1, M2, M3, M7, M8, M9, and T5 on 33 occasions during MSS activities that occurred from October 1, 2015 to September 30, 2016 and did not record the functionality test data of the LEL detector for the No. 1 Olefins Unit MSS activities that occurred on nine occasions from May 29, 2016 through June 21, 2016.
- g. Failed to maintain records containing the information and data sufficient to demonstrate compliance with the permit, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(E)(i), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, General Conditions No. 7, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not maintain the records for the LEL readings during the MSS activities that occurred on November 5, 2015 and April 4, 2016 to demonstrate compliance with SC No. 61.C. of NSR Permit Nos. 95 and PSDTX854M2.
- h. Failed to comply with the concentration limit, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2), 113.120, 113.890, and 122.143(4), 40 CFR §§ 63.138(b)(1)(i) and 63.2450(a), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the benzene outlet concentration limit of 50 parts per million by weight ("ppmw") by a range from

2.8 ppmw to 410.0 ppmw for a total of 16 hours on three days from February 4, 2016 to March 31, 2016 for the Second Stage Hydrotreater Unit Treatment Process PRO-SSMON and by a range from 17.1 ppmw to 87.0 ppmw for a total of two hours on April 1, 2016 for the Olefins 2 Aromatic Waste Minimization Project Treatment Process PRO-AWMP2.

- i. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 9.25 lbs/hr by a range from 0.01 lb/hr to 0.33 lb/hr for a total of 39 hours from November 9, 2015 through November 20, 2015 for the Steam Cracking Furnace, EPN DDB-101B, resulting in 4.27 lbs of unauthorized CO emissions.
- j. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 97769, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NOx MAER of 14.85 lbs/hr by a range from 0.23 lb/hr to 7.97 lbs/hr for a total of four hours on three days from February 24, 2016 to September 20, 2016 and exceeded the CO MAER of 21.78 lbs/hr by a range from 7.89 lbs/hr to 67.52 lbs/hr for a total of three hours on July 26, 2016 and July 28, 2016 for Furnace No. 105, EPN DDB-105, resulting in the unauthorized release of 9.34 lbs of NOx emissions and 88.02 lbs of CO emissions.
- k. Failed to comply with the concentration limit, in violation of 30 TEX. ADMIN. CODE §§ 117.310(c)(2)(B) and 122.143(4), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NH3 concentration limit of 10 parts per million by volume dry ("ppmvd") at 3.0 percent oxygen ("% O2") based on a 24-hour averaging period by a range from 0.02 ppmvd to 7.94 ppmvd for a total of 503 hours on 38 days from November 7, 2015 to September 9, 2016 for the Steam Cracking Furnace, EPN DB-109.
- l. Failed to provide records upon request and maintain records containing sufficient information to demonstrate compliance with all applicable Permits by Rules ("PBRs"), in violation of 30 TEX. ADMIN. CODE §§ 106.8(c)(2) and (4) and 122.143(4), FOP No. O2327, GTC and STC No. 22, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent was requested to provide the records containing sufficient information to demonstrate compliance for each PBR and standard exemption listed in the NSR Authorization Table of FOP No. O2327 by February 23, 2017, but 40% of the requested records were not provided.
- m. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O2327, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation reports for the October 1, 2015 through March 31, 2016 and April 1, 2016 through September 30, 2016 reporting periods did not include the deviations for failing to obtain a revision for FOP No. O2327 prior to operating emission units at the site; failing to submit an application for a revision to FOP No. O2327 for those activities at a site which change, add, or remove one or more permit terms or conditions; and failing to submit the 40 CFR Part 63 Subpart ZZZZ compliance reports.

3. During a record review for the Plant conducted from January 10, 2018 through February 15, 2019, an investigator documented that the Respondent:
- a. Failed to maintain records to support planned MSS activities, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC Nos. 65.A. and 65.C., FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not record the number of vacuum truck transfers and the volume of material transferred during five liquid transfers that occurred from April 1, 2017 to September 30, 2017.
  - b. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NO<sub>x</sub> MAER of 45.01 lbs/hr by a range from 0.23 lb/hr to 4.59 lbs/hr for a total of 12 hours and exceeded the CO MAER of 231.90 lbs/hr by a range from 5.24 lbs/hr to 20.82 lbs/hr for a total of 11 hours on November 21, 2016 and November 22, 2016 for the No. 1 Olefins Flare, EPN DM-1101, resulting in the unauthorized release of 34.04 lbs of NO<sub>x</sub> emissions and 144.22 lbs of CO emissions.
  - c. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 97769, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NO<sub>x</sub> MAER of 14.85 lbs/hr by a range from 0.01 lb/hr to 38.20 lbs/hr for a total of 11 hours on three days from December 29, 2016 to February 5, 2017, exceeded the CO MAER of 21.78 lbs/hr by 17.93 lbs/hr and 55.51 lbs/hr for a total of two hours on April 3, 2017, exceeded the NH<sub>3</sub> MAER of 4.77 lbs/hr by 0.64 lb/hr on January 21, 2017 and 2.25 lbs/hr on April 3, 2017, and exceeded the NO<sub>x</sub> annual MAER of 21.68 tons per year ("tpy") based on a 12-month rolling period for the 12-month periods ending from October 2016 through June 2017 for Furnace No. 105, EPN DDB-105, resulting in the unauthorized release of 0.90 ton of NO<sub>x</sub> emissions, 73.44 lbs of CO emissions, and 2.89 lbs of NH<sub>3</sub> emissions.
  - d. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by a range from 0.59 lb/hr to 12.86 lbs/hr for a total of four hours on four days from October 18, 2016 to August 9, 2017 and exceeded the NH<sub>3</sub> MAER of 4.36 lbs/hr by 5.47 lbs/hr for one hour on August 25, 2017 for the Steam Cracking Furnace, EPN DB-105, resulting in the unauthorized release of 22.88 lbs of CO emissions and 5.47 lbs of NH<sub>3</sub> emissions.
  - e. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 0.14 lb/hr to 55.97 lbs/hr for a total of 22 hours on eight days from October 21, 2016 to July 27, 2017 for the Steam Cracking Furnace, EPN DDB-102B, resulting in 172.79 lbs of unauthorized CO emissions.

- f. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by a range from 1.33 lbs/hr to 55.55 lbs/hr for a total of eight hours on eight days from November 24, 2016 to September 20, 2017 and exceeded the NH3 MAER of 4.36 lbs/hr by 3.54 lbs/hr and 7.17 lbs/hr for a total of two hours on August 25, 2017 for the Steam Cracking Furnace, EPN DB-106, resulting in unauthorized release of 163.88 lbs of CO emissions and 10.71 lbs of NH3 emissions.
- g. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 0.21 lb/hr to 12.55 lbs/hr for a total of seven hours on four days from November 28, 2016 to September 26, 2017 for the Steam Cracking Furnace, EPN DDB-102D, resulting in 40.26 lbs of unauthorized CO emissions.
- h. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 18.32 lbs/hr by a range from 0.14 lb/hr to 20.28 lbs/hr for a total of 10 hours on nine days from November 30, 2016 to August 17, 2017 for the Steam Cracking Furnace, EPN DB-108, resulting in 60.78 lbs of unauthorized CO emissions.
- i. 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. 101, SC No. 1, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 14.40 lbs/hr by a range from 0.08 lb/hr to 27.36 lbs/hr for a total of 106 hours on 13 days from November 6, 2016 to January 27, 2017 for the No. 2 Olefins Unit Steam Boiler, EPN DDB901B, resulting in 460.29 lbs of unauthorized CO emissions.
- j. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 0.73 lb/hr to 7.70 lbs/hr for a total of six hours on three days from February 23, 2017 to August 23, 2017 for the Steam Cracking Furnace, EPN DDB-102A, resulting in 26.96 lbs of unauthorized CO emissions.
- k. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 7.03 lbs/hr by a range from 2.02 lbs/hr to 32.69 lbs/hr for a total of six hours on four days from March 19, 2017 to August 18, 2017 for the Steam Cracking Furnace, EPN DDB-102C, resulting in 81.21 lbs of unauthorized CO emissions.

1. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O2327, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the April 1, 2016 through September 30, 2016 reporting period did not include the deviation for conducting a CGA earlier than two months after the previous CGA.
4. During a record review for the Plant conducted from February 14, 2018 through February 27, 2018, an investigator documented that the Respondent:
  - a. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O2327, GTC and STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, although Incident No. 270980 began on September 4, 2017 at 9:55 a.m., Incident No. 270980 was not discovered until October 24, 2017 at 9:55 a.m. so the initial notification for Incident No. 270980 was due by October 25, 2017 at 9:55 a.m., but was not submitted until October 25, 2017 at 2:47 p.m.
  - b. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 8,617.16 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 270980) that began on September 4, 2017 and lasted 1,201 hours.
5. During a record review for the Plant conducted from September 18, 2018 through November 9, 2018, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 32,724.77 lbs of CO, 6,422.18 lbs of NO<sub>x</sub>, and 36,234.14 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 275491) that occurred on January 2, 2018 and lasted 18 hours and 15 minutes.
6. During a record review for the Plant conducted from March 31, 2020 through August 26, 2020, an investigator documented that the Respondent:
  - a. Failed to maintain the net heating value of the gas being combusted at 300 Btu/scf or greater if the flare is steam-assisted or air-assisted, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1), (2), and (3), 113.100, 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(3)(ii) and 63.11(b)(6)(ii), NSR Permit Nos. 95 and PSDTX854M2 (effective December 21, 2015, SC No. 12.A., NSR Permit Nos. 95 and PSDTX854M2 (effective August 8, 2018), SC No. 7.A., FOP No. O2327, GTC and STC Nos. 1.A. and 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the net heating value of the gas being combusted by the No. 1 Olefins Flare was less than 300 Btu/scf when the net heating value ranged from 0.00 Btu/scf to 299.47 Btu/scf for 668 hours on 178 days from August 1, 2018 to September 24, 2019.
  - b. Failed to operate a flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1), (2), and (3), 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(1) and 63.11(b)(4), NSR Permit Nos. 95 and PSDTX854M2 (effective

December 21, 2015), SC No. 12.C., NSR Permit Nos. 95 and PSDTX854M2 (effective August 8, 2018), SC No. 7.C., FOP No. O2327, GTC and STC Nos. 1.A., 3.A.(i), and 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent documented that visible emissions were observed for a total of 63 hours and 34 minutes on 12 days from June 2, 2018 to September 19, 2019 for the No. 2 Olefins Flare.

- c. Failed to operate a flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1), (2) and (3), 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(1) and 63.11(b)(4), NSR Permit Nos. 95 and PSDTX854M2 (effective December 21, 2015), SC No. 12.C., NSR Permit Nos. 95 and PSDTX854M2 (effective August 8, 2018), SC No. 7.C., FOP No. O2327, GTC and STC Nos. 1.A., 3.A.(i), and 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent documented that visible emissions were observed for a total of six hours and 18 minutes on four days from September 29, 2018 to September 19, 2019 for the No. 1 Olefins Flare.
- d. Failed to continuously monitor and record a process parameter for the treatment process or wastewater treatment system unit, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2) and 122.143(4), 40 CFR § 61.354(a)(2), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the benzene analyzers did not continuously monitor the Aromatic Waste Minimization Project stripper bottoms in the Benzene Treatment Process 2 Unit for a total of 95 hours and 37 minutes on seven days from October 11, 2017 to November 30, 2017.
- e. Failed to comply with the emissions limit, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.A.(1), FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NO<sub>x</sub> emissions limit of 0.2 lb/MMBtu by a range from 0.01 lb/MMBtu to 0.07 lb/MMBtu for a total of 220 hours on 13 days from October 5, 2018 to March 25, 2019 for the No. 1 Olefins Unit Steam Boiler, EPN DB-901A.
- f. Failed to create a final record for a non-reportable emissions event no later than two weeks after the end of an emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b) and 122.143(4), FOP No. O2327, GTC and STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the final record for the non-reportable emissions event that occurred from December 10, 2017 to March 8, 2018 was not created by March 22, 2018, the final record for the non-reportable emissions event that occurred from April 16, 2018 to April 20, 2018 was not created by May 4, 2018, and the final record for the non-reportable emissions event that occurred from November 14, 2018 to November 28, 2018 was not created by December 12, 2018.
- g. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O2327, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the October 1, 2017 through March 31, 2018 reporting period did not include the deviation for failing to create the final record for a non-reportable emissions event no later than two weeks after the end of the emissions event.



- h. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O2327, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the April 1, 2018 through September 30, 2018 reporting period did not include the deviation for failing to create the final record for a non-reportable emissions event no later than two weeks after the end of an emissions event.
  - i. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O2327, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the October 1, 2018 through March 31, 2019 reporting period did not include the deviation for failing to create the final record for a non-reportable emissions event no later than two weeks after the end of the emissions event.
- 7. During a record review for the Plant conducted from June 4, 2020 through June 18, 2020, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 7,575.10 lbs of CO, 1,486.37 lbs of NO<sub>x</sub>, and 6,622.43 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 334381) that occurred on April 22, 2020 and lasted seven hours.
- 8. During a record review for the Plant conducted from October 16, 2020 through October 30, 2020, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 2,070.60 lbs of CO, 406.19 lbs of NO<sub>x</sub>, and 2,916.80 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, and released 880.50 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 341971) that occurred on September 9, 2020 and lasted five hours and 20 minutes.
- 9. During a record review for the Plant conducted from October 23, 2020 through November 17, 2020, an investigator documented that the Respondent:
  - a. Failed to submit a copy of the testing and sampling reports within 60 days after the completion of the testing and sampling, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.345(c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 20.H., FOP No. O3966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the copy of the performance test for Turbine 1 was required to be submitted by April 14, 2020, but was not submitted until April 28, 2020; the copy of the performance test for Turbine 2 was required to be submitted by April 16, 2020, but was not submitted until April 28, 2020; the copy of the performance test for Boiler 2 was required to be submitted by April 20, 2020, but was not submitted until April 28, 2020; and the copy of the performance test for the Dew Point Heater was required to be submitted by April 27, 2020, but was not submitted until April 28, 2020.
  - b. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460,

and GHGPSDTX135, SC No. 1, FOP No. 03966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, during a stack test completed on February 14, 2020, the Respondent exceeded the sulfur dioxide ("SO<sub>2</sub>") MAER of 0.07 lb/hr by 0.052 lb/hr for Turbine 1, EPN Turbine 1, resulting in approximately 686.40 lbs of unauthorized SO<sub>2</sub> emissions.

- c. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. 03966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, during a stack test completed on February 16, 2020, the Respondent exceeded the SO<sub>2</sub> MAER of 0.07 lb/hr by 0.038 lb/hr for Turbine 2, EPN Turbine 2, resulting in approximately 499.78 lbs of unauthorized SO<sub>2</sub> emissions.
- d. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. 03966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, during a stack test completed on February 20, 2020, the Respondent exceeded the SO<sub>2</sub> MAER of 0.05 lb/hr by 0.003 lb/hr for Boiler 2, EPN BLR2, resulting in approximately 39.17 lbs of unauthorized SO<sub>2</sub> emissions.
- e. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. 03966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, during a stack test completed on February 29, 2020, the Respondent exceeded the PM MAER of 1.95 lbs/hr by 0.46 lb/hr for Boiler 1, EPN BLR1, resulting in approximately 839.04 lbs of unauthorized PM emissions.
- f. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. 03966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, during a stack test completed on February 20, 2020, the Respondent exceeded the PM MAER of 1.95 lbs/hr by 8.26 lbs/hr for Boiler 2, EPN BLR2, resulting in approximately 17,643.36 lbs of unauthorized PM emissions.
- g. Failed to comply with the concentration limit, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.310(c)(2), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 7, FOP No. 03966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, during a stack test completed on February 29, 2020, the Respondent exceeded the NH<sub>3</sub> concentration limit of 10 ppmvd corrected to 3.0% O<sub>2</sub> by 2.25 ppmvd for Boiler 3, EPN BLR3.
- h. Failed to maintain and operate a totalizing fuel flow meter to individually and continuously measure the gas and liquid fuel usage, in violation of 30 TEX. ADMIN. CODE §§ 117.340(a) and 122.143(4), FOP No. 03966, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, during the stack test conducted from February 26, 2020 to February 27, 2020, the fuel flow meter for the Dew Point Heater was not operational.

- i. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, during a stack test completed on February 20, 2020, the Respondent exceeded the SO<sub>2</sub> MAER of 0.05 lb/hr by 0.0027 lb/hr for Boiler 3, EPN BLR3, resulting in approximately 34.67 lbs of unauthorized SO<sub>2</sub> emissions.
10. During a record review for the Plant conducted on November 2, 2020, an investigator documented that the Respondent:
  - a. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 110.37 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 342492) that occurred on September 18, 2020 and lasted eight hours.
  - b. Failed to identify all required information on the final record for a reportable emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b)(1)(G) and 122.143(4), FOP No. O2327, GTC and STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not identify all of the compounds released from the EPNs involved during the shutdown of the Butadiene Unit on the final record for Incident No. 342492.
11. During a record review for the Plant conducted from November 5, 2020 through November 19, 2020, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 77,184.97 lbs of CO, 15,145.54 lbs of NO<sub>x</sub>, and 78,003.59 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 344750) that began on October 24, 2020 and lasted 59 hours.
12. During a record review for the Plant conducted from November 30, 2020 through December 1, 2020, an investigator documented that the Respondent failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the ethylene MAER of 78.75 tpy based on a 12-month rolling period, exceeded the CO MAER of 156.36 tpy based on a 12-month rolling period, and exceeded the NO<sub>x</sub> MAER of 30.68 tpy based on a 12-month rolling period for the 12-month period ending on September 2020 for the Olefins 2 Flare Routine Startup, Shutdown and Maintenance Emissions, EPN DDM-3101MSS, resulting in 11.21 tons of unauthorized ethylene emissions, 27.42 tons of unauthorized CO emissions, and 5.38 tons of unauthorized NO<sub>x</sub> emissions.
13. During a record review for the Plant conducted from December 21, 2020 through April 16, 2021, an investigator documented that the Respondent:
  - a. Failed to maintain the net heating value of the gas being combusted at 300 Btu/scf or greater if the flare is steam-assisted or air-assisted, in violation of 30

TEX. ADMIN. CODE §§ 101.20(1), (2), and (3), 113.100, 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(3)(ii) and 63.11(b)(6)(ii), NSR Permit Nos. 95 and PSDTX854M2, SC No. 7.A., FOP No. O2327, GTC and STC Nos. 1.A and 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the net heating value of the gas being combusted by the No. 1 Olefins Facilities Flare was less than 300 Btu/scf when the net heating value ranged from 0.00 Btu/scf to 299.77 Btu/scf for a total of 3,357 hours on 301 days from October 1, 2019 to September 30, 2020.

- b. Failed to comply with the operating parameter limit, in violation of 30 TEX. ADMIN. CODE §§ 115.725(a)(2)(D) and 122.143(4), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not maintain the established operating parameter limit of at least 2.6% O<sub>2</sub> level when the oxygen level ranged from 0.00% to 2.598% for a total of 677 hours on 49 days from October 1, 2019 to January 12, 2020 for the No. 1 Olefins Boiler.
- c. Failed to comply with the concentration limit, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit No. 97769, SC No. 5.F., FOP No. O2327, GTC and STC Nos. 1.A. and 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NH<sub>3</sub> concentration limit of 10 ppmvd corrected to 3.0% O<sub>2</sub> based on a rolling 24-hour averaging period by a range from 0.75 ppmvd to 144.99 ppmvd for a total of 14 hours on October 16, 2019 and April 11, 2020 for Furnace No. 105.
- d. Failed to comply with the concentration limit, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 97769, SC No. 5.F., FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NH<sub>3</sub> slip concentration limit of 20 ppmvd corrected to 3% O<sub>2</sub> on an hourly basis by a range from 3.18 ppmvd to 1,206.66 ppmvd for a total of 15 hours on five days from October 15, 2019 to August 22, 2020 for Furnace No. 105.
- e. Failed to comply with the firing rate limit, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 101, SC No. 3.B.(3), FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the firing rate limit of 388 million British thermal units per hour ("MMBtu/hr") by a range from 0.06 MMBtu/hr to 28.35 MMBtu/hr for a total of 227 hours on 13 days from October 1, 2019 to April 19, 2020 for the No. 2 Olefins Unit Steam Boiler.
- f. Failed to comply with the concentration limit, in violation of 30 TEX. ADMIN. CODE §§ 117.310(c)(2) and 122.143(4), FOP No. O2327, GTC and STC No. 1.A., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NH<sub>3</sub> concentration limit of 10 ppmvd corrected at 3.0% O<sub>2</sub> by a range from 5.23 ppmvd to 262.37 ppmvd for a total of seven hours on August 27, 2020 and August 29, 2020 for the Steam Cracking Furnace.
- g. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the VOC MAER of 87.50 tpy based on a 12-month rolling period for the 12-month periods ending from

August 2020 through September 2020 for the Olefins 1 and 2 Flare, EPN FLAREMSSCAP, resulting in 50.94 tons of unauthorized VOC emissions.

- h. Failed to submit an application for a revision to an FOP at a site to change, add, or remove one or more permit terms and conditions, in violation of 30 TEX. ADMIN. CODE § 122.210(a) and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not submit an application to revise FOP No. O2327 to incorporate the applicable regulatory requirements for Stationary Reciprocating Internal Combustion Engines UTILCMP3, UTILCMP4, UTILCMP6, OLE2COMP2, and DCPCOMP2.
- 14. During a record review for the Plant conducted from March 31, 2021 through August 17, 2021, an investigator documented that the Respondent:
  - a. Failed to comply with the concentration limits, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.310(c)(2)(A), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 5, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO concentration limit of 4.0 ppmvd corrected to 15% O<sub>2</sub> by a range from 0.001 ppmvd to 72.25 ppmvd for a total of 1,178 hours on 99 days from January 15, 2020 to September 30, 2020, exceeded the NO<sub>x</sub> concentration limit of 2.0 ppmvd at 15% O<sub>2</sub> by a range from 0.0003 ppmvd to 556.78 ppmvd for a total of 412 hours on 40 days from January 15, 2020 to July 8, 2020, exceeded the NH<sub>3</sub> concentration limit of 7.0 ppmvd at 15% O<sub>2</sub> by a range from 0.001 ppmvd to 3.18 ppmvd for a total of 23 hours on seven days from January 29, 2020 to August 18, 2020, and exceeded the NH<sub>3</sub> concentration limit of 10.0 ppmvd at 15% O<sub>2</sub> by 0.18 ppmvd for one hour on January 9, 2020 for Turbine 1.
  - b. Failed to comply with the concentration limits, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.310(c)(2)(A), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 5, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO concentration limit of 4.0 ppmvd at 15% O<sub>2</sub> by a range from 0.001 ppmvd to 37.44 ppmvd for a total of 2,760 hours on 153 days from January 15, 2020 to September 30, 2020, exceeded the NO<sub>x</sub> concentration limit of 2.0 ppmvd at 15% O<sub>2</sub> by a range from 0.0001 ppmvd to 83.68 ppmvd for a total of 144 hours on 26 days from January 14, 2020 to August 27, 2020, exceeded the NH<sub>3</sub> concentration limit of 7.0 ppmvd at 15% O<sub>2</sub> by a range from 0.56 ppmvd to 14.23 ppmvd for a total of 25 hours on seven days from March 21, 2020 to June 27, 2020, and exceeded the NH<sub>3</sub> concentration limit of 10.0 ppmvd at 15% O<sub>2</sub> by a range from 2.66 ppmvd to 11.23 ppmvd for a total of 19 hours on five days from March 27, 2020 to June 27, 2020 for Turbine 2.
  - c. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 6.60 lbs/hr by a range from 0.03 lb/hr to 36.75 lbs/hr for a total of 220 hours on 35 days from February 1, 2020 to September 30, 2020 and exceeded the NO<sub>x</sub> MAER of 5.42 lbs/hr by a range from 0.09 lb/hr to 29.42 lbs/hr for a total of 85 hours on 23 days from from January 29, 2020 to

September 3, 2020 for Turbine 1, EPN Turbine 1, resulting in the unauthorized release of 850.73 lbs of CO emissions and 600.11 lbs of NOx emissions.

- d. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 6.60 lbs/hr by a range from 2.60 lbs/hr to 205.17 lbs/hr for a total of 1,558 hours on 93 days from January 30, 2020 to September 30, 2020, exceeded the NOx MAER of 5.42 lbs/hr by a range from 0.06 lb/hr to 111.53 lbs/hr for a total of 58 hours on 11 days from January 30, 2020 to July 7, 2020, exceeded the NH3 MAER of 7.01 lbs/hr by a range from 0.76 lb/hr to 14.09 lbs/hr for a total of three hours on three days from April 18, 2020 to May 25, 2020, and exceeded the VOC MAER of 0.68 lb/hr by a range from 0.0001 lb/hr to 0.05 lb/hr for a total of 50 hours from February 15, 2020 to March 29, 2020 for Turbine 2, EPN Turbine 2, resulting in the unauthorized release of 9,819.14 lbs of CO emissions, 1,695.43 lbs of NOx emissions, 16.47 lbs of NH3 emissions, and 1.50 lbs of VOC emissions.
- e. Failed to comply with the emissions and concentration limits, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 7, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO concentration limit of 50 ppmvd at 3% O2 by a range from 1.99 ppmvd to 139.43 ppmvd for a total of 15 hours on four days from February 24, 2020 to March 29, 2020, exceeded the NOx emissions limit of 0.01 lb/MMBtu by a range from 0.005 lb/MMBtu to 0.08 lb/MMBtu for a total of 171 hours on 19 days from February 20, 2020 to September 11, 2020, and exceeded the NH3 concentration limit of 10.0 ppmvd at 3% O2 based on a rolling 24-hour averaging period by a range from 0.05 ppmvd to 64.57 ppmvd for a total of 558 hours on 29 days from February 23, 2020 to September 16, 2020 for Boiler 1.
- f. Failed to comply with the emissions and concentration limits, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 4, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NOx emissions limit of 0.01 lb/MMBtu by a range from 0.01 lb/MMBtu to 0.09 lb/MMBtu for a total of 391 hours on 34 days from February 4, 2020 to September 22, 2020 and exceeded the NH3 concentration limit of 10.0 ppmvd at 3% O2 based on a rolling 24-hour averaging period by a range from 0.05 ppmvd to 0.42 ppmvd for a total on 21 hours on July 3, 2020 and July 4, 2020 for Boiler 2.
- g. Failed to comply with the emissions and concentration limits, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), 117.310(c)(2)(B), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 7, FOP No. O3966, GTC and STC Nos. 1.A. and 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO concentration limit of 50 ppmvd at 3% O2 by a range from 0.23 ppmvd to 299.04 ppmvd for a total of 115 hours on 13 days from January 6, 2020 to April 19, 2020, exceeded the NOx emissions limit of 0.01 lb/MMBtu by a range from 0.005 lb/MMBtu to 0.19 lb/MMBtu for a total of 616 hours on 36 days from January 6, 2020 to September 16, 2020, and

exceeded the NH<sub>3</sub> concentration limit of 10.0 ppmvd at 3% O<sub>2</sub> based on a rolling 24-hour averaging period by a range from 0.05 ppmvd to 28.67 ppmvd for a total of 741 hours on 48 days from January 20, 2020 to September 30, 2020 for Boiler 3.

- h. Failed to comply with MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 15.22 lbs/hr by a range from 1.49 lb/hr to 15.39 lbs/hr for a total of five hours on February 24, 2020 and March 3, 2020, exceeded the NO<sub>x</sub> MAER of 4.17 lbs/hr by a range from 0.01 lb/hr to 10.00 lbs/hr for a total of 87 hours on 16 days from February 25, 2020 to September 11, 2020, exceeded the NH<sub>3</sub> MAER of 1.85 lbs/hr by a range from 0.01 lb/hr to 29.00 lbs/hr for a total of 206 hours on 16 days from February 23, 2020 to April 19, 2020, and exceeded the SO<sub>2</sub> MAER of 0.05 lb/hr by a range from 0.00001 lb/hr to 0.01 lb/hr for a total of six hours on February 23, 2020 and February 24, 2020 for Boiler 1, EPN BLR1, resulting in the unauthorized release of 34.01 lbs of CO emissions, 407.69 lbs of NO<sub>x</sub> emissions, 533.00 lbs of NH<sub>3</sub>, and 0.06 lb of SO<sub>2</sub> emissions.
  - i. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 15.22 lbs/hr by a range from 0.11 lb/hr to 2.88 lbs/hr for a total of 12 hours on April 16, 2020 and April 19, 2020, exceeded the NO<sub>x</sub> MAER of 4.17 lbs/hr by a range from 0.01 lb/hr to 11.11 lbs/hr for a total of 226 hours on 32 days from January 6, 2020 to September 16, 2020, and exceeded the PM MAER of 1.95 lbs/hr by a range from 0.01 lb/hr to 0.47 lb/hr for a total of 19 hours from January 22, 2020 to March 24, 2020 for Boiler 3, EPN BLR3, resulting in the unauthorized release of 11.15 lbs of CO emissions, 340.17 lbs of NO<sub>x</sub> emissions, and 4.37 lbs of PM emissions.
- 15. During a record review for the Plant conducted from April 5, 2021 through June 23, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 6,805.61 lbs of CO and 1,348.23 lbs of NO<sub>x</sub> from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 352585) that began on March 12, 2021 and lasted 27 hours.
- 16. During a record review for the Plant conducted from April 27, 2021 through May 4, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 1,996.98 lbs of CO, 391.84 lbs of NO<sub>x</sub>, and 2,823.11 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 285534) that occurred on June 2, 2018 and lasted two hours.

17. During a record review for the Plant conducted from April 30, 2021 through May 14, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 66,227.61 lbs of CO, 13,065.88 lbs of NO<sub>x</sub>, and 39,464.64 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 354056) that began on April 12, 2021 and lasted 155 hours.
18. During a record review for the Plant conducted on May 13, 2021, an investigator documented that the Respondent:
  - a. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 479.27 lbs of CO, 94.02 lbs of NO<sub>x</sub>, and 547.15 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 291225) that occurred on August 28, 2018 and lasted one hour.
  - b. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 563.86 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 293328) that began on September 29, 2018 and lasted 13 hours.
  - c. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 353.30 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 297512) that occurred on November 19, 2018 and lasted nine hours.
19. During a record review for the Plant conducted from June 30, 2021 through July 12, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 198.90 lbs of ethylene as fugitive emissions, during an emissions event (Incident No. 340661) that began on August 13, 2020 and lasted two hours and 33 minutes.
20. During a record review for the Plant conducted from June 30, 2021 through July 12, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 12,425.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 340681) that occurred on August 15, 2020 and lasted 30 minutes.
21. During a record review for the Plant conducted from June 30, 2021 through July 14, 2021, an investigator documented that the Respondent failed to prevent unauthorized



- emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 8,413.27 lbs of CO, 1,657.64 of NO<sub>x</sub>, and 4,115.85 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 332637) that began on March 23, 2020 and lasted 14 hours.
22. During a record review for the Plant conducted from June 30, 2021 through July 14, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 11,713.24 lbs of CO, 2,302.91 lbs of NO<sub>x</sub>, and 12,270.70 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 333191) that occurred on April 1, 2020 and lasted nine hours.
23. During a record review for the Plant conducted from June 30, 2021 through July 14, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 825.00 lbs of ethylene as fugitive emissions, during an emissions event (Incident No. 324083) that occurred on November 4, 2019 and lasted 12 minutes.
24. During a record review for the Plant conducted from June 30, 2021 through July 14, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 602.11 lbs of CO, 118.10 lbs of NO<sub>x</sub>, and 945.82 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 339521) that occurred on July 24, 2020 and lasted 50 minutes.
25. During a record review for the Plant conducted on July 20, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 4,009.92 lbs of CO, 786.81 lbs of NO<sub>x</sub>, and 3,749.71 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 296381) that began on November 4, 2018 and lasted four hours.
26. During a record review for the Plant conducted on July 21, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 2,753.07 lbs of CO, 540.13 lbs of NO<sub>x</sub>, and 3,304.23 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, and released 1,055.68 lbs of CO, 207.08 lbs of NO<sub>x</sub>, and 1,152.79 lbs of VOC from the No. 1 Olefins Flare, EPN DM-1101, during an emissions event (Incident No. 291947) that occurred on September 11, 2018 and lasted six hours.

27. During a record review for the Plant conducted from August 12, 2021 through September 29, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 123117, PSDTX1460, and GHGPSDTX135, SC No. 1, FOP No. O3966, GTC and STC No. 7, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 250.05 lbs of CO, 641.20 lbs of NO<sub>x</sub>, 23.22 lbs of VOC, 22.09 lbs of NH<sub>3</sub>, 89.30 lbs of PM, and 0.89 lb of SO<sub>2</sub> from Turbine 1, EPN Turbine 1, during an emissions event (Incident No. 333379) that began on April 4, 2020 and lasted 32 hours.
28. During a record review for the Plant conducted from August 23, 2021 through September 7, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 95 and PSDTX854M2, SC No. 2, FOP No. O2327, GTC and STC No. 26, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 31.00 lbs of VOC as fugitive emissions and released 8,433.31 lbs of CO, 1,667.25 lbs of NO<sub>x</sub>, and 5,804.05 lbs of VOC from the No. 2 Olefins Flare, EPN DDM-3101, during an emissions event (Incident No. 364479) that began on August 9, 2021 and lasted 26 hours and 10 minutes.

### **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: INEOS USA LLC, Docket No. 2021-0818-AIR-E" to:  
  
Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
12100 Park 35 Circle  
Austin, Texas 78753
2. The Respondent shall implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of \$898,692 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 revised deviation reports for the October 1, 2014 through March 31, 2015 and April 1, 2015 through September 30, 2015 reporting periods to report the deviation for failing to submit an application to revise FOP No. O2327 to include 40 CFR Part 60 Subpart VV as the applicable requirements for the No. 1 Olefins Unit Fugitives and No. 2 Olefins Unit Fugitives;
  - ii. Submit the 40 CFR Part 63 Subpart ZZZZ compliance reports for the January 1, 2013 through June 30, 2013, July 1, 2013 through December 31, 2013, January 1, 2014 through June 30, 2014, July 1, 2014 through December 31, 2014, January 1, 2015 through June 30, 2015, July 1, 2015 through December 31, 2015, January 1, 2016 through June 30, 2016 reporting periods for Firewater Pump AG-203B and Level Control Pump AG-2705D;
  - iii. Begin maintaining the records containing sufficient information to demonstrate compliance for each PBR and standard exemption listed in the NSR Authorization Table of FOP No. O2327 and make the records available in a reviewable format at the request of personnel from the Commission; and
  - iv. Submit revised deviation reports for the October 1, 2015 through March 31, 2016 and April 1, 2016 through September 30, 2016 reporting periods to report the deviations for failing to obtain a revision for FOP No. O2327 prior to operating emission units at the site; failing to submit an application for a revision to FOP No. O2327 for those activities at a site which change, add, or remove one or more permit terms or conditions; and failing to submit the 40 CFR Part 63 Subpart ZZZZ compliance reports.
- b. Within 45 days after the effective date of this Order, submit written certification demonstrating compliance with Ordering Provision No. 3.a., as described in Ordering Provision No. 3.f.
  - c. Within 180 days after the effective date of this Order, develop a boiler selective catalytic reduction ("SCR") catalyst demonstration project designed to control NOx and NH3 emissions and install a new SCR catalyst on either Boiler 1, 2 or 3.
  - d. Within 180 days after installation of the SCR system on the boiler selected in Ordering Provision 3.c, determine the effectiveness of the new SCR catalyst based on the NH3 concentration. If the SCR catalyst demonstration project is achieving NOx and NH3 emissions control, purchase two additional SCR systems for installation on the remaining two boilers. If the SCR catalyst demonstration project does not achieve NOx and NH3 emissions control on the selected boiler, submit written certification of the results within 120 operation days, as described in Ordering Provision No. 3.f.
  - e. Within 180 days after receiving the SCR systems, install the new SCR system on the remaining two boilers.
  - f. Within 120 operation days after installation of the new SCR system on the two remaining boilers, submit written certification demonstrating that the control of NOx and NH3 emissions for Boilers 1, 2 or 3 has been achieved, and include

detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. 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



07/30/2025

For the Executive Director

Date

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

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

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

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



Signature

7-17-25

Date

Greg Blanchard

Name (Printed or typed)

Authorized Representative of  
INEOS USA LLC

Site Director

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: 2021-0818-AIR-E**  
**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>INEOS USA LLC</b>
<b>Payable Penalty Amount:</b>	<b>\$1,797,385</b>
<b>SEP Offset Amount:</b>	<b>\$898,692</b>
<b>Type of SEP:</b>	<b>Contribution to a Third-Party Pre-Approved SEP</b>
<b>Third-Party Administrator:</b>	<b>Texas City Independent School District</b>
<b>Project Name:</b>	<b><i>TCISD Alternative Fuel School Bus Program</i></b>
<b>Location of SEP:</b>	<b>Texas Air Quality Control Region 216: Houston-Galveston</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 offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

**a. Project**

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Texas City Independent School District** for the *TCISD Alternative Fuel School Bus Program* project. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the SEP Offset Amount will be used to purchase lower-emission propane fueled school buses that are model year 2010 or newer (“Replacement Bus(es)”) to replace buses currently in the fleet that are model year 2006 or older (“Older Bus(es)”). The Older Buses will then be decommissioned, thus permanently removing them from the roads. The SEP Offset Amount shall only be used for the purchase of a base model propane fueled Replacement Bus. The Third-Party Administrator shall own and operate each Replacement Bus for at least five years following the date of purchase.

The Third-Party Administrator shall give preference to replacing the oldest, most polluting buses within its fleet. Only Older Buses that are currently in regular use, driven on a regular route on a weekly basis for at least the past two years are eligible for replacement.

The Third-Party Administrator shall ensure that each Replacement Bus purchased has an engine that meets the Environmental Protection Agency’s 2010 emissions standards. Additionally, all Older Buses that are replaced shall be fully decommissioned as required in the SEP Vehicle Disposition Form. All funds received for the scrap value of the Older Bus shall be deposited into the SEP Account and become part of the SEP. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

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

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

b. Environmental Benefit

The Project will directly benefit air quality in Third-Party Administrator's region by reducing harmful exhaust emissions from older school buses by replacing them with lower-emission propane buses. Older school bus engines emit greater amounts of harmful pollutants such as nitrous oxides, particulate matter, volatile organic compounds, and carbon monoxide than newer, lower-emission buses. These pollutants contribute to the formation of ground level ozone which damages vegetation and ecosystems and may cause or exacerbate a number of respiratory diseases, including asthma, especially in children.

c. Minimum Expenditure

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

**2. Performance Schedule**

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

Texas City Independent School District SEP  
Attention: Megan Gallien, Chief Financial Officer  
Griffith, Moseley, Johnson & Associates, Inc.  
2901 Turtle Creek Drive, Suite 445  
Port Arthur, Texas 77642

**3. Records and Reporting**

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

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



#### 4. Failure to Fully Perform

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

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

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

#### 5. Publicity

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

#### 6. Recognition

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

#### 7. Other SEPs by TCEQ or Other Agencies

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