

**Executive Summary – Enforcement Matter – Case No. 61131
Eastman Chemical Company
RN100219815
Docket No. 2021-1017-AIR-E**

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Eastman Chemical Company, 300 Kodak Boulevard, Longview, Harrison County

Type of Operation:

Industrial organic chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: March 18, 2022

Comments Received: No

Penalty Information

Total Penalty Assessed: \$33,750

Amount Deferred for Expedited Settlement: \$6,750

Total Paid to General Revenue: \$13,500

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$13,500

Name of SEP: Texas Congress of Parents and Teachers dba Texas PTA (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: June 24, 2021 and May 25, 2021

Date(s) of NOE(s): July 28, 2021

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Eastman Chemical Company
RN100219815
Docket No. 2021-1017-AIR-E

Violation Information

1. Failed to comply with the maximum allowable emissions rate ("MAER"). Specifically, the Respondent exceeded the volatile organic compounds ("VOC") MAER of 0.03 ton per year based on a 12-month rolling period for the 12-month periods ending from October 2016 through December 2017 for the Tank, Emissions Point Number ("EPN") 016T60, resulting in 1.20 tons of unauthorized VOC emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review ("NSR") Permit No. 78809, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1977, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 15, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 659.00 pounds of acetaldehyde as fugitive emissions, during a non-reportable emissions event that occurred on June 27, 2020 and lasted two hours and 25 minutes. The emissions event occurred due to the misalignment of a vent valve during start-up activities of Acetaldehyde Plant No. 2, resulting in the release to the atmosphere. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(2), 113.100, 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS § 63.6(e)(i) and (ii), NSR Permit No. 48626, SC No. 1, FOP No. O1971, GTC and STC Nos. 6 and 14, 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 December 20, 2019, obtained Permit by Rule Registration No. 159233 that authorized the increased VOC annual MAER for the Tank, EPN 016T60; and
- b. In order to prevent the recurrence of emissions events due to the same or similar causes as the non-reportable emissions event that occurred on June 27, 2020:
 - i. By July 15, 2020, modified the startup checklist for the Distribution System to reduce confusion during startup;
 - ii. On August 1, 2020, reviewed the corrective actions with potentially affected personnel; and

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iii. On May 1, 2021, conducted training to reemphasize expectations for using the checklists, providing oversight of checklist usage, and communicating progress across shifts.

Technical Requirements:

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

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Kate Dacy, Enforcement Division, Enforcement Team 4, MC 219, (512) 239-4593; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

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

SEP Third-Party Administrator: Texas PTA, 408 West 11th Street, Austin, Texas 78701

Respondent: Andrew M. Coggins, Vice-President and General Manager of Texas Operations, Eastman Chemical Company, P.O. Box 7444, Longview, Texas 75607-7444

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	2-Aug-2021	Screening	3-Aug-2021	EPA Due	24-Jan-2022
	PCW	24-Nov-2021				

RESPONDENT/FACILITY INFORMATION	
Respondent	Eastman Chemical Company
Reg. Ent. Ref. No.	RN100219815
Facility/Site Region	5-Tyler
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	61131	No. of Violations	2
Docket No.	2021-1017-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kate Dacy
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$45,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	0.0%	Adjustment	Subtotals 2, 3, & 7	\$0
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Notes: Since the enhancement for nine NOVs with the same or similar violations, five NOVs with dissimilar violations, and one agreed order containing denial of liability and the reduction for 34 notices of intent to conduct an audit and 21 disclosures of violations is below zero, the Adjustment Percentage (Subtotal 2) defaults to zero.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$11,250
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$146
 Estimated Cost of Compliance: \$4,950
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$33,750
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$33,750
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$33,750
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DEFERRAL	20.0%	Reduction	Adjustment	-\$6,750
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$27,000
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Screening Date 3-Aug-2021

Docket No. 2021-1017-AIR-E

PCW

Respondent Eastman Chemical Company

Policy Revision 5 (January 28, 2021)

Case ID No. 61131

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN100219815

Media Air

Enf. Coordinator Kate Dacy

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>)	9	45%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	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>)	34	-34%
	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>)	21	-42%
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) 0%

>> 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

Since the enhancement for nine NOVs with the same or similar violations, five NOVs with dissimilar violations, and one agreed order containing denial of liability and the reduction for 34 notices of intent to conduct an audit and 21 disclosures of violations is below zero, the Adjustment Percentage (Subtotal 2) defaults to zero.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 0%

Screening Date 3-Aug-2021 **Docket No.** 2021-1017-AIR-E **PCW**
Respondent Eastman Chemical Company *Policy Revision 5 (January 28, 2021)*
Case ID No. 61131 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN100219815
Media Air
Enf. Coordinator Kate Dacy

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review ("NSR") Permit No. 78809, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1977, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 15, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with the maximum allowable emissions rate ("MAER"). Specifically, the Respondent exceeded the volatile organic compounds ("VOC") MAER of 0.03 ton per year based on a 12-month rolling period for the 12-month periods ending from October 2016 through December 2017 for the Tank, Emissions Point Number ("EPN") 016T60, resulting in 1.20 tons of unauthorized VOC emissions.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release		Harm		Percent
	Major	Moderate	Minor		
	Actual			x	
Potential					

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes

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

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 5 456 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$37,500

Five quarterly events are recommended for the period of non-compliance from October 1, 2016 through December 31, 2017.

Good Faith Efforts to Comply 25.0% Reduction \$9,375

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

Notes: The Respondent achieved compliance on December 20, 2019, prior to the Notice of Enforcement ("NOE") dated July 28, 2021.

Violation Subtotal \$28,125

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

Estimated EB Amount \$72 **Violation Final Penalty Total** \$28,125

This violation Final Assessed Penalty (adjusted for limits) \$28,125

Economic Benefit Worksheet

Respondent Eastman Chemical Company
Case ID No. 61131
Reg. Ent. Reference No. RN100219815
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	\$450	1-Oct-2016	20-Dec-2019	3.22	\$72	n/a	\$72
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Actual cost to obtain Permit by Rule Registration No. 159233 that authorized the increased VOC annual MAER for the Tank, EPN 016T60. 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 \$450

TOTAL \$72

Screening Date 3-Aug-2021 **Docket No.** 2021-1017-AIR-E **PCW**
Respondent Eastman Chemical Company *Policy Revision 5 (January 28, 2021)*
Case ID No. 61131 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN100219815
Media Air
Enf. Coordinator Kate Dacy

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(2), 113.100, 116.115(c), and 122.143(4), 40 Code of Federal Regulations § 63.6(e)(i) and (ii), NSR Permit No. 48626, SC No. 1, FOP No. O1971, GTC and STC Nos. 6 and 14, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 659.00 pounds of acetaldehyde as fugitive emissions, during a non-reportable emissions event that occurred on June 27, 2020 and lasted two hours and 25 minutes. The emissions event occurred due to the misalignment of a vent valve during start-up activities of Acetaldehyde Plant No. 2, resulting in the release to the atmosphere. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual			x	30.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

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

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1 Number of violation days 1

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%

Reduction \$1,875

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

Notes The Respondent completed the corrective actions by May 1, 2021, prior to the NOE dated July 28, 2021.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$74

Violation Final Penalty Total \$5,625

This violation Final Assessed Penalty (adjusted for limits) \$5,625

Economic Benefit Worksheet

Respondent Eastman Chemical Company
Case ID No. 61131
Reg. Ent. Reference No. RN100219815
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	\$1,500	27-Jun-2020	15-Jul-2020	0.05	\$4	n/a	\$4
Training/Sampling	\$1,500	27-Jun-2020	1-May-2021	0.84	\$63	n/a	\$63
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	27-Jun-2020	1-Aug-2020	0.10	\$7	n/a	\$7

Notes for DELAYED costs

Estimated costs to modify the startup checklist for the Distribution System to reduce confusion during startup (\$1,500); conduct training to reemphasize expectations for using the checklists, providing oversight of checklist usage, and communicating progress across shifts (\$1,500); and review the corrective actions with potentially affected personnel (\$1,500) in order to prevent the recurrence of emissions events due to the same or similar causes as the non-reportable emissions event that occurred on June 27, 2020. The Dates Required is the date the non-reportable emissions event occurred 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 \$4,500

TOTAL \$74

The TCEQ is committed to accessibility.

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



Compliance History Report

Compliance History Report for CN601214406, RN100219815, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Respondent, or Owner/Operator:	CN601214406, Eastman Chemical Company	Classification:	SATISFACTORY	Rating:	1.61
Regulated Entity:	RN100219815, EASTMAN CHEMICAL TEXAS OPERATIONS	Classification:	SATISFACTORY	Rating:	1.61
Complexity Points:	53	Repeat Violator:	NO		
CH Group:	05 - Chemical Manufacturing				
Location:	300 KODAK BLVD IN LONGVIEW, HARRISON COUNTY, TEXAS				
TCEQ Region:	REGION 05 - TYLER				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HH0042M
AIR OPERATING PERMITS PERMIT 1968
AIR OPERATING PERMITS PERMIT 1971
AIR OPERATING PERMITS PERMIT 1973
AIR OPERATING PERMITS PERMIT 1975
AIR OPERATING PERMITS PERMIT 1977
AIR OPERATING PERMITS PERMIT 1979
AIR OPERATING PERMITS PERMIT 1982

AIR NEW SOURCE PERMITS PERMIT 681
AIR NEW SOURCE PERMITS PERMIT 1105
AIR NEW SOURCE PERMITS REGISTRATION 2102
AIR NEW SOURCE PERMITS PERMIT 6419
AIR NEW SOURCE PERMITS PERMIT 6777
AIR NEW SOURCE PERMITS REGISTRATION 7023
AIR NEW SOURCE PERMITS REGISTRATION 7752
AIR NEW SOURCE PERMITS PERMIT 9167
AIR NEW SOURCE PERMITS PERMIT 9552
AIR NEW SOURCE PERMITS REGISTRATION 11243
AIR NEW SOURCE PERMITS REGISTRATION 13510
AIR NEW SOURCE PERMITS REGISTRATION 14137
AIR NEW SOURCE PERMITS REGISTRATION 15392
AIR NEW SOURCE PERMITS REGISTRATION 15691
AIR NEW SOURCE PERMITS REGISTRATION 16022
AIR NEW SOURCE PERMITS PERMIT 17578
AIR NEW SOURCE PERMITS PERMIT 17833
AIR NEW SOURCE PERMITS PERMIT 20489
AIR NEW SOURCE PERMITS PERMIT 21832
AIR NEW SOURCE PERMITS PERMIT 27941
AIR NEW SOURCE PERMITS REGISTRATION 27086
AIR NEW SOURCE PERMITS REGISTRATION 28548
AIR NEW SOURCE PERMITS REGISTRATION 29676
AIR NEW SOURCE PERMITS REGISTRATION 33574
AIR NEW SOURCE PERMITS REGISTRATION 35597
AIR NEW SOURCE PERMITS REGISTRATION 37878
AIR NEW SOURCE PERMITS REGISTRATION 39472
AIR NEW SOURCE PERMITS REGISTRATION 40744
AIR NEW SOURCE PERMITS REGISTRATION 42273
AIR NEW SOURCE PERMITS PERMIT 48588
AIR NEW SOURCE PERMITS PERMIT 48590

AIR OPERATING PERMITS PERMIT 1436
AIR OPERATING PERMITS PERMIT 1970
AIR OPERATING PERMITS PERMIT 1972
AIR OPERATING PERMITS PERMIT 1974
AIR OPERATING PERMITS PERMIT 1976
AIR OPERATING PERMITS PERMIT 1978
AIR OPERATING PERMITS PERMIT 1981
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1020092
AIR NEW SOURCE PERMITS PERMIT 908
AIR NEW SOURCE PERMITS PERMIT 1329
AIR NEW SOURCE PERMITS PERMIT 5283
AIR NEW SOURCE PERMITS REGISTRATION 6772
AIR NEW SOURCE PERMITS REGISTRATION 7022
AIR NEW SOURCE PERMITS REGISTRATION 7416
AIR NEW SOURCE PERMITS PERMIT 8539
AIR NEW SOURCE PERMITS PERMIT 9301
AIR NEW SOURCE PERMITS PERMIT 9631
AIR NEW SOURCE PERMITS REGISTRATION 12367
AIR NEW SOURCE PERMITS REGISTRATION 13743
AIR NEW SOURCE PERMITS REGISTRATION 14953
AIR NEW SOURCE PERMITS REGISTRATION 15535
AIR NEW SOURCE PERMITS REGISTRATION 15724
AIR NEW SOURCE PERMITS REGISTRATION 16485
AIR NEW SOURCE PERMITS PERMIT 17579
AIR NEW SOURCE PERMITS PERMIT 18528
AIR NEW SOURCE PERMITS PERMIT 20567
AIR NEW SOURCE PERMITS REGISTRATION 24461
AIR NEW SOURCE PERMITS REGISTRATION 26307
AIR NEW SOURCE PERMITS REGISTRATION 26973
AIR NEW SOURCE PERMITS PERMIT 30130
AIR NEW SOURCE PERMITS REGISTRATION 30643
AIR NEW SOURCE PERMITS REGISTRATION 35254
AIR NEW SOURCE PERMITS REGISTRATION 37813
AIR NEW SOURCE PERMITS REGISTRATION 38305
AIR NEW SOURCE PERMITS REGISTRATION 39774
AIR NEW SOURCE PERMITS REGISTRATION 41365
AIR NEW SOURCE PERMITS REGISTRATION 45164
AIR NEW SOURCE PERMITS PERMIT 48589
AIR NEW SOURCE PERMITS PERMIT 48591

AIR NEW SOURCE PERMITS PERMIT 48615
AIR NEW SOURCE PERMITS PERMIT 48758
AIR NEW SOURCE PERMITS PERMIT 49363
AIR NEW SOURCE PERMITS REGISTRATION 50167
AIR NEW SOURCE PERMITS REGISTRATION 50321
AIR NEW SOURCE PERMITS REGISTRATION 93166
AIR NEW SOURCE PERMITS REGISTRATION 55267
AIR NEW SOURCE PERMITS REGISTRATION 70117
AIR NEW SOURCE PERMITS REGISTRATION 70477
AIR NEW SOURCE PERMITS PERMIT 48761
AIR NEW SOURCE PERMITS REGISTRATION 70379
AIR NEW SOURCE PERMITS REGISTRATION 71012
AIR NEW SOURCE PERMITS REGISTRATION 71332
AIR NEW SOURCE PERMITS REGISTRATION 72364
AIR NEW SOURCE PERMITS REGISTRATION 56589
AIR NEW SOURCE PERMITS REGISTRATION 56558
AIR NEW SOURCE PERMITS REGISTRATION 56540
AIR NEW SOURCE PERMITS REGISTRATION 72295
AIR NEW SOURCE PERMITS REGISTRATION 74118
AIR NEW SOURCE PERMITS REGISTRATION 74685
AIR NEW SOURCE PERMITS REGISTRATION 75102
AIR NEW SOURCE PERMITS REGISTRATION 77203
AIR NEW SOURCE PERMITS REGISTRATION 78495
AIR NEW SOURCE PERMITS REGISTRATION 78568
AIR NEW SOURCE PERMITS REGISTRATION 78576
AIR NEW SOURCE PERMITS REGISTRATION 78487
AIR NEW SOURCE PERMITS REGISTRATION 78880
AIR NEW SOURCE PERMITS REGISTRATION 79788
AIR NEW SOURCE PERMITS REGISTRATION 81824
AIR NEW SOURCE PERMITS REGISTRATION 82127
AIR NEW SOURCE PERMITS REGISTRATION 82646
AIR NEW SOURCE PERMITS REGISTRATION 82471
AIR NEW SOURCE PERMITS REGISTRATION 84072
AIR NEW SOURCE PERMITS REGISTRATION 87404
AIR NEW SOURCE PERMITS REGISTRATION 87673
AIR NEW SOURCE PERMITS PERMIT 92682
AIR NEW SOURCE PERMITS REGISTRATION 93983
AIR NEW SOURCE PERMITS REGISTRATION 94362
AIR NEW SOURCE PERMITS REGISTRATION 95974
AIR NEW SOURCE PERMITS REGISTRATION 104465
AIR NEW SOURCE PERMITS REGISTRATION 102041
AIR NEW SOURCE PERMITS REGISTRATION 105045
AIR NEW SOURCE PERMITS REGISTRATION 104911
AIR NEW SOURCE PERMITS REGISTRATION 108149
AIR NEW SOURCE PERMITS REGISTRATION 145039
AIR NEW SOURCE PERMITS REGISTRATION 140089
AIR NEW SOURCE PERMITS REGISTRATION 139471
AIR NEW SOURCE PERMITS REGISTRATION 139184
AIR NEW SOURCE PERMITS REGISTRATION 139577
AIR NEW SOURCE PERMITS REGISTRATION 139785
AIR NEW SOURCE PERMITS REGISTRATION 134670
AIR NEW SOURCE PERMITS REGISTRATION 141191
AIR NEW SOURCE PERMITS REGISTRATION 124730
AIR NEW SOURCE PERMITS REGISTRATION 131402
AIR NEW SOURCE PERMITS REGISTRATION 139285
AIR NEW SOURCE PERMITS REGISTRATION 131511
AIR NEW SOURCE PERMITS REGISTRATION 125571
AIR NEW SOURCE PERMITS REGISTRATION 137771
AIR NEW SOURCE PERMITS REGISTRATION 125598
AIR NEW SOURCE PERMITS REGISTRATION 121905

AIR NEW SOURCE PERMITS PERMIT 48617
AIR NEW SOURCE PERMITS PERMIT 48655
AIR NEW SOURCE PERMITS REGISTRATION 49793
AIR NEW SOURCE PERMITS REGISTRATION 50110
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HH0042M
AIR NEW SOURCE PERMITS REGISTRATION 55268
AIR NEW SOURCE PERMITS REGISTRATION 75700
AIR NEW SOURCE PERMITS AFS NUM 4820300019
AIR NEW SOURCE PERMITS PERMIT 48626
AIR NEW SOURCE PERMITS PERMIT 52985
AIR NEW SOURCE PERMITS REGISTRATION 56590
AIR NEW SOURCE PERMITS REGISTRATION 71013
AIR NEW SOURCE PERMITS REGISTRATION 53918
AIR NEW SOURCE PERMITS REGISTRATION 56239
AIR NEW SOURCE PERMITS REGISTRATION 56575
AIR NEW SOURCE PERMITS REGISTRATION 56555
AIR NEW SOURCE PERMITS REGISTRATION 72608
AIR NEW SOURCE PERMITS REGISTRATION 50374
AIR NEW SOURCE PERMITS REGISTRATION 74094
AIR NEW SOURCE PERMITS REGISTRATION 74643
AIR NEW SOURCE PERMITS REGISTRATION 74812
AIR NEW SOURCE PERMITS REGISTRATION 88579
AIR NEW SOURCE PERMITS REGISTRATION 78603
AIR NEW SOURCE PERMITS REGISTRATION 78517
AIR NEW SOURCE PERMITS PERMIT 78809
AIR NEW SOURCE PERMITS REGISTRATION 78938
AIR NEW SOURCE PERMITS REGISTRATION 79775
AIR NEW SOURCE PERMITS REGISTRATION 80984
AIR NEW SOURCE PERMITS REGISTRATION 82080
AIR NEW SOURCE PERMITS REGISTRATION 83225
AIR NEW SOURCE PERMITS REGISTRATION 83679
AIR NEW SOURCE PERMITS PERMIT 84724
AIR NEW SOURCE PERMITS REGISTRATION 88035
AIR NEW SOURCE PERMITS REGISTRATION 90729
AIR NEW SOURCE PERMITS REGISTRATION 91851
AIR NEW SOURCE PERMITS REGISTRATION 91850
AIR NEW SOURCE PERMITS REGISTRATION 93933
AIR NEW SOURCE PERMITS REGISTRATION 94602
AIR NEW SOURCE PERMITS REGISTRATION 95513
AIR NEW SOURCE PERMITS REGISTRATION 103070
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX332M3
AIR NEW SOURCE PERMITS REGISTRATION 105356
AIR NEW SOURCE PERMITS REGISTRATION 105091
AIR NEW SOURCE PERMITS REGISTRATION 142433
AIR NEW SOURCE PERMITS REGISTRATION 114614
AIR NEW SOURCE PERMITS REGISTRATION 129973
AIR NEW SOURCE PERMITS REGISTRATION 139792
AIR NEW SOURCE PERMITS REGISTRATION 140734
AIR NEW SOURCE PERMITS REGISTRATION 118375
AIR NEW SOURCE PERMITS REGISTRATION 111193
AIR NEW SOURCE PERMITS REGISTRATION 139279
AIR NEW SOURCE PERMITS REGISTRATION 111190
AIR NEW SOURCE PERMITS REGISTRATION 134661
AIR NEW SOURCE PERMITS REGISTRATION 120631
AIR NEW SOURCE PERMITS REGISTRATION 139257
AIR NEW SOURCE PERMITS REGISTRATION 119769
AIR NEW SOURCE PERMITS REGISTRATION 123685
AIR NEW SOURCE PERMITS REGISTRATION 118623
AIR NEW SOURCE PERMITS REGISTRATION 122762
AIR NEW SOURCE PERMITS REGISTRATION 131356

AIR NEW SOURCE PERMITS REGISTRATION 120553
AIR NEW SOURCE PERMITS REGISTRATION 151922
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX476
AIR NEW SOURCE PERMITS REGISTRATION 163366
AIR NEW SOURCE PERMITS REGISTRATION 162216
AIR NEW SOURCE PERMITS REGISTRATION 164631
AIR NEW SOURCE PERMITS REGISTRATION 164620
AIR NEW SOURCE PERMITS REGISTRATION 165894
AIR NEW SOURCE PERMITS REGISTRATION 163600
AIR NEW SOURCE PERMITS REGISTRATION 165902
AIR NEW SOURCE PERMITS REGISTRATION 142049
AIR NEW SOURCE PERMITS REGISTRATION 146707
AIR NEW SOURCE PERMITS REGISTRATION 148716
AIR NEW SOURCE PERMITS PERMIT AMOC29
AIR NEW SOURCE PERMITS REGISTRATION 142739
AIR NEW SOURCE PERMITS REGISTRATION 148833
AIR NEW SOURCE PERMITS REGISTRATION 144345
AIR NEW SOURCE PERMITS REGISTRATION 158320
AIR NEW SOURCE PERMITS REGISTRATION 155128
AIR NEW SOURCE PERMITS REGISTRATION 160674
AIR NEW SOURCE PERMITS REGISTRATION 160455
AIR NEW SOURCE PERMITS REGISTRATION 161121
AIR NEW SOURCE PERMITS REGISTRATION 153596
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX185M1
AIR NEW SOURCE PERMITS REGISTRATION 161900
AIR NEW SOURCE PERMITS REGISTRATION 157759
AIR NEW SOURCE PERMITS REGISTRATION 162405
AIR NEW SOURCE PERMITS REGISTRATION 154698
AIR NEW SOURCE PERMITS REGISTRATION 157444
AIR NEW SOURCE PERMITS REGISTRATION 157315
USED OIL EPA ID TXD007330202

STORMWATER PERMIT TXR05W961
WASTEWATER EPA ID TX0000949

POLLUTION PREVENTION PLANNING ID NUMBER P00684

INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD007330202

TAX RELIEF ID NUMBER 20145
TAX RELIEF ID NUMBER 16741
TAX RELIEF ID NUMBER 19576
TAX RELIEF ID NUMBER 20783
TAX RELIEF ID NUMBER 20787
TAX RELIEF ID NUMBER 22505

AIR NEW SOURCE PERMITS REGISTRATION 134213
AIR NEW SOURCE PERMITS REGISTRATION 152156
AIR NEW SOURCE PERMITS REGISTRATION 165319
AIR NEW SOURCE PERMITS REGISTRATION 163575
AIR NEW SOURCE PERMITS REGISTRATION 162417
AIR NEW SOURCE PERMITS REGISTRATION 164108
AIR NEW SOURCE PERMITS REGISTRATION 166544
AIR NEW SOURCE PERMITS REGISTRATION 163169
AIR NEW SOURCE PERMITS REGISTRATION 165028
AIR NEW SOURCE PERMITS REGISTRATION 146695
AIR NEW SOURCE PERMITS REGISTRATION 143645
AIR NEW SOURCE PERMITS REGISTRATION 147495
AIR NEW SOURCE PERMITS REGISTRATION 148153
AIR NEW SOURCE PERMITS REGISTRATION 146917
AIR NEW SOURCE PERMITS REGISTRATION 147116
AIR NEW SOURCE PERMITS REGISTRATION 143081
AIR NEW SOURCE PERMITS REGISTRATION 150563
AIR NEW SOURCE PERMITS REGISTRATION 157215
AIR NEW SOURCE PERMITS REGISTRATION 158546
AIR NEW SOURCE PERMITS REGISTRATION 159233
AIR NEW SOURCE PERMITS REGISTRATION 156700
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX332M2
AIR NEW SOURCE PERMITS REGISTRATION 161111
AIR NEW SOURCE PERMITS REGISTRATION 156128
AIR NEW SOURCE PERMITS REGISTRATION 161886
AIR NEW SOURCE PERMITS REGISTRATION 152239
AIR NEW SOURCE PERMITS REGISTRATION 156599
AIR NEW SOURCE PERMITS REGISTRATION 152418
AIR NEW SOURCE PERMITS REGISTRATION 158350
USED OIL REGISTRATION A85413

IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION # (SWR) 30137

WASTEWATER PERMIT WQ0000471000

AIR EMISSIONS INVENTORY ACCOUNT NUMBER HH0042M

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50043

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 30137

TAX RELIEF ID NUMBER 20148
TAX RELIEF ID NUMBER 18158
TAX RELIEF ID NUMBER 20761
TAX RELIEF ID NUMBER 20768
TAX RELIEF ID NUMBER 22506

Compliance History Period: September 01, 2016 to August 31, 2021 **Rating Year:** 2021 **Rating Date:** 09/01/2021

Date Compliance History Report Prepared: October 25, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: October 25, 2016 to October 25, 2021

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

Name: Kate Dacy

Phone: (512) 239-4593

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:

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 8D PERMIT
Special Terms and Conditions 14 OP

Description: Failed to maintain the ratio of volume of natural gas to volume of waste gas for the flare. Specifically, the ratio of the volume of natural gas to the volume of waste gas was not maintained at 1 to 3.65 for the B-43 Tank Farm Flare, EPN 027FL1, for three hours on August 21, 2018 and two hours on October 24, 2018.

Classification: Major

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

Rqmt Prov: Special Condition 1 1/14/16 PERMIT
Special Condition 1 2/5/16 PERMIT
Special Condition 1 3/10/14 PERMIT
Special Condition 1 9/6/11 PERMIT
Special Terms and Conditions 14 3/14/13 OP
Special Terms and Conditions 14 6/23/15 OP

Description: Failed to comply with the MAERs. The Respondent exceeded the NOx MAER of 0.01 ton per year ("tpy") based on a 12-month rolling period, the CO MAER of 0.12 tpy based on a 12-month rolling period, and the SO2 MAER of 0.01 tpy based on a 12-month rolling period for the 12-month periods ending from May 2013 through June of 2018 for the B-43 Tank Farm Flare, EPN 027FL1, resulting in the unauthorized release of 1.51 tons of NOx, 12.53 tons of CO, and 0.06 ton of SO2.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Terms and Conditions 15 OP

Description: Failed to submit a Form PI-7 by March 31 of the following year summarizing all uses of this permit by rule in the previous calendar year.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	November 03, 2016	(1369078)
Item 2	November 09, 2016	(1370810)
Item 3	November 17, 2016	(1384302)
Item 4	November 22, 2016	(1371193)
Item 5	November 30, 2016	(1343396)
Item 6	December 13, 2016	(1390439)
Item 7	January 02, 2017	(1383178)
Item 8	January 03, 2017	(1383197)
Item 9	January 04, 2017	(1383349)
Item 10	January 05, 2017	(1383151)
Item 11	February 03, 2017	(1383858)
Item 12	February 07, 2017	(1390112)
Item 13	February 27, 2017	(1395707)
Item 14	March 17, 2017	(1411041)
Item 15	March 23, 2017	(1400939)
Item 16	March 30, 2017	(1400841)
Item 17	April 10, 2017	(1057147)
Item 18	April 13, 2017	(1403817)
Item 19	April 21, 2017	(1407755)

Item 20	May 12, 2017	(1425136)
Item 21	June 07, 2017	(1417373)
Item 22	June 13, 2017	(1431124)
Item 23	June 27, 2017	(1422024)
Item 24	July 18, 2017	(1439741)
Item 25	August 18, 2017	(1443426)
Item 26	August 22, 2017	(1430354)
Item 27	August 28, 2017	(1429863)
Item 28	August 30, 2017	(1436393)
Item 29	September 25, 2017	(1438663)
Item 30	September 27, 2017	(1438617)
Item 31	October 16, 2017	(1455876)
Item 32	November 14, 2017	(1461360)
Item 33	November 15, 2017	(1447989)
Item 34	December 12, 2017	(1467739)
Item 35	January 12, 2018	(1464538)
Item 36	January 17, 2018	(1474444)
Item 37	February 02, 2018	(1464621)
Item 38	February 06, 2018	(1466166)
Item 39	February 09, 2018	(1466954)
Item 40	February 14, 2018	(1467422)
Item 41	February 16, 2018	(1486670)
Item 42	February 21, 2018	(1471338)
Item 43	February 27, 2018	(1473030)
Item 44	February 28, 2018	(1472847)
Item 45	March 16, 2018	(1490348)
Item 46	March 20, 2018	(1473893)
Item 47	April 12, 2018	(1480244)
Item 48	April 20, 2018	(1493584)
Item 49	May 16, 2018	(1513935)
Item 50	May 24, 2018	(1485524)
Item 51	June 15, 2018	(1507618)
Item 52	June 20, 2018	(1496772)
Item 53	July 12, 2018	(1499675)
Item 54	July 30, 2018	(1505268)
Item 55	August 13, 2018	(1484883)
Item 56	August 17, 2018	(1519996)
Item 57	August 21, 2018	(1507332)
Item 58	August 29, 2018	(1512686)
Item 59	August 30, 2018	(1512702)
Item 60	August 31, 2018	(1512986)
Item 61	September 17, 2018	(1527163)
Item 62	September 18, 2018	(1513575)
Item 63	September 25, 2018	(1517516)
Item 64	October 10, 2018	(1533521)
Item 65	October 23, 2018	(1524206)
Item 66	October 30, 2018	(1519438)
Item 67	October 31, 2018	(1525157)
Item 68	November 08, 2018	(1525983)
Item 69	November 16, 2018	(1541356)
Item 70	November 20, 2018	(1526772)
Item 71	November 29, 2018	(1531586)
Item 72	December 19, 2018	(1545140)
Item 73	January 15, 2019	(1559394)
Item 74	January 17, 2019	(1538277)
Item 75	January 24, 2019	(1524209)
Item 76	January 30, 2019	(1540658)
Item 77	January 31, 2019	(1541016)
Item 78	February 04, 2019	(1540755)
Item 79	February 15, 2019	(1548415)

Item 80	February 19, 2019	(1559392)
Item 81	February 21, 2019	(1408351)
Item 82	March 11, 2019	(1551611)
Item 83	March 14, 2019	(1559393)
Item 84	March 19, 2019	(1549804)
Item 85	April 10, 2019	(1554773)
Item 86	April 15, 2019	(1571737)
Item 87	May 13, 2019	(1558222)
Item 88	May 17, 2019	(1583073)
Item 89	June 07, 2019	(1558860)
Item 90	June 17, 2019	(1571641)
Item 91	July 02, 2019	(1577909)
Item 92	July 17, 2019	(1593048)
Item 93	August 20, 2019	(1599392)
Item 94	August 27, 2019	(1591143)
Item 95	September 10, 2019	(1592312)
Item 96	September 11, 2019	(1592862)
Item 97	September 13, 2019	(1606300)
Item 98	September 17, 2019	(1592526)
Item 99	October 07, 2019	(1597981)
Item 100	October 14, 2019	(1602867)
Item 101	October 16, 2019	(1613147)
Item 102	October 30, 2019	(1598496)
Item 103	October 31, 2019	(1605009)
Item 104	November 15, 2019	(1618959)
Item 105	November 19, 2019	(1610177)
Item 106	November 22, 2019	(1611093)
Item 107	December 17, 2019	(1626312)
Item 108	January 08, 2020	(1617078)
Item 109	January 16, 2020	(1633953)
Item 110	January 21, 2020	(1623427)
Item 111	February 06, 2020	(1622503)
Item 112	February 18, 2020	(1640572)
Item 113	February 28, 2020	(1630028)
Item 114	March 16, 2020	(1647092)
Item 115	March 24, 2020	(1638762)
Item 116	March 31, 2020	(1638120)
Item 117	April 15, 2020	(1633234)
Item 118	April 17, 2020	(1644797)
Item 119	April 30, 2020	(1645672)
Item 120	May 13, 2020	(1646911)
Item 121	May 18, 2020	(1650610)
Item 122	May 19, 2020	(1660014)
Item 123	June 05, 2020	(1652367)
Item 124	June 12, 2020	(1651579)
Item 125	June 18, 2020	(1666517)
Item 126	June 25, 2020	(1652026)
Item 127	July 15, 2020	(1673475)
Item 128	July 22, 2020	(1664304)
Item 129	August 13, 2020	(1664124)
Item 130	August 18, 2020	(1680249)
Item 131	August 25, 2020	(1610202)
Item 132	September 04, 2020	(1672631)
Item 133	September 16, 2020	(1686820)
Item 134	October 12, 2020	(1679741)
Item 135	October 16, 2020	(1739939)
Item 136	October 28, 2020	(1684667)
Item 137	November 30, 2020	(1691827)
Item 138	December 08, 2020	(1693138)
Item 139	December 17, 2020	(1712192)

Item 140	January 15, 2021	(1699381)
Item 141	January 29, 2021	(1700585)
Item 142	February 16, 2021	(1725246)
Item 143	February 25, 2021	(1703269)
Item 144	February 26, 2021	(1703758)
Item 145	March 18, 2021	(1725247)
Item 146	April 05, 2021	(1707744)
Item 147	April 21, 2021	(1709921)
Item 148	May 07, 2021	(1709460)
Item 149	May 12, 2021	(1707436)
Item 150	May 20, 2021	(1706771)
Item 151	June 09, 2021	(1723662)
Item 152	June 17, 2021	(1747524)
Item 153	July 16, 2021	(1751616)
Item 154	July 19, 2021	(1738750)
Item 155	July 20, 2021	(1737131)
Item 156	July 30, 2021	(1722166)
Item 157	August 05, 2021	(1739201)
Item 158	August 19, 2021	(1757088)
Item 159	September 01, 2021	(1709130)
Item 160	September 13, 2021	(1745726)
Item 161	September 18, 2021	(1766037)
Item 162	September 27, 2021	(1763574)

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: 10/31/2020 (1712191)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 2 Date: 03/02/2021 (1700861)
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193
Description: Failure to properly maintain secondary containment for hazardous waste tank systems ancillary equipment.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter A 335.4
Description: Failure to properly dispose of waste pallets and railroad ties.

- 3 Date: 03/31/2021 (1725248)
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: 07/14/2021 (1722217)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
STC 1(A) PERMIT
STC 15 PERMIT
Description: Failure to equip nine (9) open-ended lines with a cap, blind flange, plug, or second valve.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
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)

Description: STC 1(A) PERMIT
Failure to limit visible emissions from the HCC- 3 plant flare for less than five minutes in a two-hour period.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(1)(C)
5C THSC Chapter 382 382.085(b)
STC 1(A) PERMIT
STC 15 PERMIT

Description: Failure to submit the semiannual NSPS NNN report within 30 days after the end of the reporting period.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
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)
STC 1(A) PERMIT
STC 15 PERMIT
STC 6C PERMIT

Description: Failure to limit visible emissions from the B-25 flare for less than five minutes in a two-hour period.

5 Date: 07/21/2021 (1722159)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 3A PERMIT

Description: Failure to maintain visible emissions under 20% opacity during catalyst change out of HR-403.

6 Date: 07/21/2021 (1698061)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 8 OP

Description: Failure to perform monthly NOx monitoring on the Boiler 11 stack.

7 Date: 07/21/2021 (1738780)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 4E PERMIT
Special Condition 9F PERMIT
Special Terms and Conditions 13 OP
Special Terms and Conditions 1E OP

Description: Failure to cap all open-ended lines in VOC service.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
5C THSC Chapter 382 382.085(b)

Description: Failure to submit a PBR application within 10-days of construction for PBRs 106.261 and 106.262.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(1)(C)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failure to submit a semiannual report within 30 days of the end of the reporting period.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 2(F) OP

Description: Failure to create a final report within 14 days from the end of an emissions event.

8 Date: 07/28/2021 (1746689)
 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 VV 60.482-6(a)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 15E PERMIT
 Special Condition 3E PERMIT
 Special Terms and Conditions 14 OP
 Description: Failure to equip open ended lines with a cap, blind flange plug, or second valve on one line in VOC service.
 Self Report? NO Classification: Minor
 Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to monitor a repair attempt within 15 days of start-up.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to make notification for 30 TAC 106.26(a)(7)(B) in a timely manner.

9 Date: 07/28/2021 (1703029)
 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 7C PERMIT
 Special Terms and Conditions 14 OP
 Description: Failure to meet the 12 month rolling limit for rail car washing.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 10E PERMIT
 Special Condition 3E PERMIT
 Special Condition 4E PERMIT
 Special Terms and Conditions 14 OP
 Description: Failure to cap all open-ended lines in VOC service.

10 Date: 07/28/2021 (1722168)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 113, SubChapter C 113.520
 30 TAC Chapter 113, SubChapter C 113.890
 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 FFFF 63.2480(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
 5C THSC Chapter 382 382.085(b)
 STC 1(A) PERMIT
 STC 10 PERMIT
 STC 24E PERMIT
 STC 5F PERMIT
 STC 9E PERMIT
 Description: Failure to equip Seven (7) open-ended lines with a cap, blind flange, plug, or second valve.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(1)(C)
 5C THSC Chapter 382 382.085(b)
 STC 1(A) PERMIT
 Description: Failure to submit the semiannual NSPS NNN report within 30 days after the end of the reporting period.

11 Date: 07/28/2021 (1722163)
 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 DDD 60.562-2(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

5C THSC Chapter 382 382.085(b)
STC 1(A) PERMIT
STC 10 PERMIT
STC 5E PERMIT

Description: Failure to equip one (1) open-ended line with a cap, blind flange, plug, or second valve.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-1(a)(1)(i)(C)
5C THSC Chapter 382 382.085(b)
STC 1 PERMIT
STC 1(A) PERMIT
STC 10 PERMIT

Description: Failure to combust the emissions in a flare.

12

Date: 07/28/2021 (1722167)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
STC 1(A) PERMIT
STC 11E PERMIT
STC 14 PERMIT

Description: Failure to equip two (2) open-ended line with a cap, blind flange, plug, or second valve.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(1)
5C THSC Chapter 382 382.085(b)
STC 1(A) PERMIT

Description: Failure to sample the steam stripper at least monthly as required by 40 CFR 61.354(a)(1).

13

Date: 08/05/2021 (1722169)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 113, SubChapter C 113.560
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 UU 63.1033(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
STC 1(A) PERMIT
STC 14 PERMIT
STC 29E PERMIT

Description: Failure to equip nine (9) open-ended lines and valves with a cap, blind flange, plug, or second valve.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
STC 1(A) PERMIT
STC 13 PERMIT
STC 14 PERMIT
STC 9 PERMIT

Description: Failure to conduct monthly monitoring on BF-901A and BF-901B.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
STC 1(A) PERMIT
STC 14 PERMIT

Description: Failure to report all deviations in the reporting period for which they occurred.

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)

STC 1(A) PERMIT
 STC 14 PERMIT
 STC 9 PERMIT

Description: Failure to meet all stack testing requirements.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(1)(C)
 5C THSC Chapter 382 382.085(b)
 STC 1(A) PERMIT
 STC 14 PERMIT

Description: Failure to submit the semiannual NSPS NNN report within 30 days after the end of the reporting period.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 113, SubChapter C 113.100
 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)
 STC 1(A) PERMIT

Description: Failure to limit visible emissions from EPN 225FL1 for less than five minutes in a two-hour period.

14 Date: 08/16/2021 (1751499)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 STC 1(F) PERMIT

Description: Failure to create a final record for one recordable emission event.

F. Environmental audits:

Notice of Intent Date: 06/01/2016 (1337558)
 Disclosure Date: 11/21/2016
 Viol. Classification: Moderate
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)

Description: Failed to update the Notification of Compliance Status in the semi-annual HONG G report to include the two additional Part 63, Subpart G (HON) Group 2 wastewater streams, OX005WW1 and OX005WW2, in the Propionaldehyde CMU.

Notice of Intent Date: 12/13/2016 (1382425)
 Disclosure Date: 02/23/2017
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT Special Condition No. 4
 PERMIT Special Condition No. 6

Description: Failed to ensure that the apparatus used to monitor cooling tower VOC emissions fully meets the requirements of TCEQ test protocol Appendix P.
 Disclosure Date: 07/11/2017
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.10
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT Special Condition No. 1

Description: Failed to correctly report emissions in the 2011 Air Emissions Inventory. Specifically, emissions were reported under EPN 037T504, but the authorization is under 105T504 in the permit's MAERT.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT Special Condition No. 1

Description: Failed to properly permit carbon monoxide emissions (CO) on NSR Permit No. 1329. Specifically, CO was inadvertently omitted from the MAERT for EPNs 037T621, 037T621A, and 037T621B. CO was represented in the 2006 renewal and PBR Registration No. 87018 and was also listed in the 2016 permit renewal application submitted on November 18, 2016.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT Special Condition 1

Description: Failed to limit CO, NOx, SO2, and VOC emissions from EPNs 141FL1 and 104FL1 to the amounts established

in the permit due to a malfunction in the natural gas flow meter. The malfunction resulted in the natural gas flow meter incorrectly indicating the flow rate of natural gas to the EPNs and the excess emissions.

Notice of Intent Date: 02/27/2017 (1396899)
No DOV Associated

Notice of Intent Date: 04/05/2017 (1407199)
Disclosure Date: 05/25/2017
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT SC 13.D.
OP STC 15

Description: Failed to maintain records of the results of monthly audio, visual, and/or olfactory inspections of the capture system for the Bldg. 42 flare (EPN 217FL1) used for maintenance on pipelines on the west side of the plant site, in order to verify there are no leaking components.

Disclosure Date: 08/07/2017

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(4)
Rqmt Prov: PERMIT Special Condition 6.D.
OP Special Terms and Conditions 15

Description: Failed to determine and record the actual exit velocity for flares EPNs 116FL1H and 116FL2H every 15 minutes, as required by 40 CFR § 60.18(f)(4).

Notice of Intent Date: 06/20/2017 (1422673)
Disclosure Date: 05/25/2018
Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(a)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(c)(1)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1064(b)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(c)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(e)(1)
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 63, SubChapter C, PT 63, SubPT G 63.148(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(b)(1)(ii)
Rqmt Prov: OP Special Terms and Conditions No. 1.A.
OP Special Terms and Conditions No. 5.A.

Description: Failed to identify, document, and monitor two valves and 26 closed vent system components (10 valves and 16 connectors), as discovered during the reconciliation process following the retagging of Railcar Waste Collection Facility.

Notice of Intent Date: 06/22/2017 (1422748)
Disclosure Date: 11/01/2017
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Conditions No. 10.D.2.

Description: Failed to use hard-piped or bolted connections, and/or dry lock design hard piping loading arms for all pressurized loading operations.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition No. 8.B.

Description: Failed to ensure that uninsulated tank exterior surfaces exposed to the sun shall be white, unpainted stainless steel, or unpainted aluminum (Listed Tank Nos. 034T504, 034T505A, 034T505B, 034T506, 034T520, 035T504, 115T604, 115T606, 115T608, and 115T609). Specifically, these tanks are painted gray.

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition No. 17.C.

Description: Failed to sample and analyze in-stack concentration of acetaldehyde from the off-gas absorbers (EPNs 034D202 and 035D202) at least twice during each 12-hour shift. Specifically, Eastman was monitoring once per day.

Notice of Intent Date: 03/12/2018 (1478872)

Disclosure Date: 10/18/2018

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.483-2(b)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(f)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.487a(c)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(b)(1)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(i)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(7)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182

Rqmt Prov: PERMIT SC 6.D.
PERMIT SC 6.F.
PERMIT SC 6.K.
PERMIT SC 7
OP STC 1.A.
OP STC 15

Description: During the reconciliation process following a retag of the Propionic Acid Process Unit, Eastman discovered that 23 valves, five difficult to monitor valves, and 77 connectors were not previously identified, documented, and monitored as part of a required State or Federal LDAR program, and have not previously been identified or monitored as required by the Special Conditions in NSR Permit No. 27941.

Notice of Intent Date: 10/25/2018 (1525197)

Disclosure Date: 02/22/2019

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 1

Description: Failed to limit hourly volatile organic compounds ("VOC") emissions for Emissions Point Number 016D17RW to the limits outlined in the Maximum Allowable Emissions Rate Table ("MAERT"). Specifically, a review of operating data flows and wastewater VOC analysis indicated a higher than normal discharge of VOCs in the wastewater to the process sewer from the D-17 salts concentrator column overflow, resulting in VOC exceedances. on six occasions.

Notice of Intent Date: 01/11/2019 (1539083)

No DOV Associated

Notice of Intent Date: 03/25/2019 (1553939)

Disclosure Date: 07/17/2019

Viol. Classification: Minor

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

Rqmt Prov: PERMIT Special Condition Nos. 24.H and 24.I

Description: Failed to repair a leaking component as soon as practicable, but no later than 15 days after the leak is found and failed to maintain complete records of repairs. Specifically, a leaking valve in NPG process unit was discovered on 11/16/18 and the initial repair attempt did not eliminate the leak and a second repair attempt was successfully performed, but the date of the repair is unknown. It was entered as 12/10/18 when the valve was confirmed to no longer be leaking.

Disclosure Date: 09/25/2019

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT Special Condition No. 12.E
OP STC No. 10

Description: Failed to have submerged fill pipes for storage tanks TK-23, TK-51, TK-141, TK-306, and TK-319 as required by a new Special Condition 12.E on the NPG permit that was renewed on 11/14/2018.

Notice of Intent Date: 04/11/2019 (1555695)

Disclosure Date: 11/19/2019

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(7)(i)

Rqmt Prov: PERMIT Special Conditions No. 9.B

Description: Failed to design and operate steam-assisted and nonassisted flares with an exit velocity less than 18.3 m/sec (60 ft/sec). Specifically, one of the two burners on the B-43 Tank Farm Flare (EPN 027FL, FOP O1982, Oxo Aledhydes Area) was plugged, therefore all waste and assist gas flow was going through the one unplugged burner resulting in velocities exceeding the 60 ft/sec requirement on July 10 (8-10am), July 17 (8-9am), July 19 (8-9am), July 21 (7-8am), and July 27 (8-9am).

Notice of Intent Date: 04/15/2019 (1556285)

Disclosure Date: 05/08/2019

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition No. 1
OP Special Terms and Conditions No. 13

Description: Failed to limit NOx, CO, PM, VOC, and SO2 emissions to the rates outlined in the Maximum Allowable Emissions Rates Table for a total of 54 hours on various dates between the second quarter of 2015 and the second quarter of 2017.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP Special Terms and Conditions 3.A.iv.3

Description: Failed to maintain records for the quarterly emission observations for stationary vents on a total of 34 occasions in the Eastotac Operating Area between the third quarter of 2016 and the first quarter of 2019.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP Special Terms and Conditions 3.B.iii.2.

Description: Failed to maintain records of quarterly visible emission observations for buildings or other structures on 193 occasions in the Eastotac Operating Area between the third quarter of 2016 and the first quarter of 2019.

Disclosure Date: 09/25/2019

Viol. Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP STC 3.C(iii)(2)

Description: Failed to maintain records for the quarterly visual emission observations for other sources (for 13 total instances) in the Eastotac Operating Area from Q3 2016 to Q1 2019.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 8.H
PERMIT Special Conditions No. 8.I

Description: Failed to correctly identify a visible leak on a heavy liquid pump seal and failed to make a first repair attempt within five days. Additionally, failed to make a final repair within 15 days.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition No. 8.I
OP STC No. 1.A
OP STC No. 13

Description: Failed to continually isolate one component on delay of repair (DOR) status after several unsuccessful repair attempts causing a deviation of the requirement to repair a leaking component within 15 days.

Disclosure Date: 03/26/2020

Viol. Classification: Minor

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

Rqmt Prov: PERMIT Special Condition No. 8.E

Description: Failed to prevent open-ended lines on six closed-loop sample points.

Notice of Intent Date: 04/16/2019 (1556287)

Disclosure Date: 11/20/2019

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(e)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

Rqmt Prov: PERMIT SC No. 11.D
PERMIT SC No. 11.F
PERMIT SC No. 11.K
OP STC No. 1.A
OP STC No. 15

Description: Failed to identify, document, and monitor 291 valves (218, 40, and 51 subject to 40 CFR, Part 63, Subpart UU, 40 CFR Part 63, Subpart SS, and NSR special conditions, respectively), 80 difficult to monitor valves (39, 18, and 38 40 CFR, Part 63, Subpart UU, 40 CFR Part 63, Subpart SS, and NSR special conditions, respectively), and 1,239 connectors (908 and 331 subject to 40 CFR Part 63, Subpart UU and 40 CFR Part 63, Subpart SS, respectively) as part of a required State or Federal LDAR program.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

Rqmt Prov: PERMIT SC No. 11.F
OP STC No. 1.A
OP STC No. 15

Description: Failed to monitor or monitor in all required monitoring periods seven valves and seven connectors subject to 40 CFR, Part 63, Subpart UU; one instrument and one relief device associated with HCC-3 closed vent system subject to 40 CFR Part 63, Subpart SS, and eight valves subject to NSR permit special conditions from 2014 through 2019 primarily from incorrect component regulatory information in the fugitive software database.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(e)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

Rqmt Prov: PERMIT SC No. 11.D
PERMIT SC No. 11.F

PERMIT SC No. 11.K
OP STC No. 1.A
OP STC No. 15

Description: Failed to identify, document, and monitor 829 valves (337, 233, and 307 as part of 40 CFR Part 63, Subpart UU, Subpart SS, and NSR special conditions, respectively), 92 difficult to monitor valves (29, 30, and 44 as part of 40 CFR Part 63, Subpart UU, Subpart SS, and NSR special conditions, respectively), 2,138 connectors (1,062 and 1,076 as part of 40 CFR Part 63, Subpart UU and Subpart SS, respectively), and three instruments as part of a required State or Federal LDAR program.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

Rqmt Prov: PERMIT SC No. 11.D
PERMIT SC No. 11.F
PERMIT SC No. 11.K
OP STC No. 1.A
OP STC No. 15

Description: Failed to monitor or monitor in all required monitoring periods 62 valves and 47 connectors subject to 40 CFR, Part 63, Subpart UU; one relief device associated with HCC-3 closed vent system subject to 40 CFR Part 63, Subpart SS, and seven valves and 14 difficult to monitor valves subject to NSR permit special conditions from 2014 through 2019 primarily from incorrect component regulatory information in the fugitive software database.

Notice of Intent Date: 05/07/2019 (1558763)

Disclosure Date: 09/25/2019

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)

Rqmt Prov: OP STC No. 1.A

Description: Failed to include identification of the locations of all sampling connections systems subject to Subpart UU in the HCC-4 Plant record, as required in 40 CFR 63.1022(a).

Notice of Intent Date: 06/13/2019 (1575966)

No DOV Associated

Notice of Intent Date: 06/17/2019 (1576849)

Disclosure Date: 02/27/2020

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT General Conditions No. 7
PERMIT Special Conditions No. 3

Description: Failed to maintain records of the condition of vessels loaded.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 7.B
PERMIT SC 7.D

Description: Failed to maintain a minimum of 95% of the liquid temperature data for condenser vents E-102 and E-107 from 8/10/18 16:45 until 8/21/18 09:00, 10/11/18 21:00 until 10/12/18 03:30, and 10/21/18 21:45 until 10/22/18 21:00.

Viol. Classification: Minor

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

Rqmt Prov: PERMIT SC 5.C

Description: Failed to maintain records for the required weekly conductivity/Total Dissolved Solids (TDS) measurements for the EOEG-1 cooling tower.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 1

Description: Failed to adequately represent all emissions. Specifically, ethylene emissions were not fully permitted for one process vent and the associated fugitive sources in EOEG-2 and fugitive sources in EOEG-1 resulting in MAER exceedances in EOEG-2 for EPNs 03T595 and F037FG1 and in EOEG-1 for EPN F036FG1 resulting in emissions exceedances from 2014-2018 of 6.05 tons for EPN 037T595, 8.08 tons for EPN F037FG1, and 2.16 tons for EPN F036FG1.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 1

Description: Failed to maintain the analyzer flow rate below the permitted rate resulting in an exceedance of the MAER for EPN 036GA1 from 2014-2018 of 27.56 tons.

Notice of Intent Date: 07/08/2019 (1579151)

Disclosure Date: 02/12/2020

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Conditions No. 1

Description: Failed to maintain documentation of a previously authorized unregistered PBR. Specifically, CO emissions associated with the Partial Oxidation Unit "blowdown" vents were previously authorized by an unregistered PBR, were requested to be incorporated by consolidation into NSR Permit No. 1105 on a permit renewal submitted August 13, 2015, however, the vents were mistakenly not included in the authorized MAERT issued April 5, 2016.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

Rqmt Prov: PERMIT Special Conditions No. 3

Description: Failed to submit notifications of 40 CFR Part 60, Subpart NNN applicability for several distillation columns that were modified since the rules were promulgated: 13D-4, 13D-15, 13D-22, 13D-11, 13D-12, 14D-58, 14D-57, and 13D-31.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 14.G

Description: Failed to maintain records of throughput in 40TK-113 and 43TK-421 with the permit as required.

Viol. Classification: Major

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(A)

Description: Failed to appropriately authorize H2S emissions. Specifically, PBR No. 157215 to authorize DMS addition to tenant company natural gas did not appropriately authorize H2S emissions associated with the Eastman Partial Oxidation Unit (EPOU) "blowdown" vents as recycled streams between the two sites allow for increased concentrations of H2S in the in the EPOU as well as H2S which is emitted through the "blowdown" vents.

Viol. Classification: Minor

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

Rqmt Prov: PERMIT Special Conditions No. 1

Description: Failed to have accurate tank hourly emissions calculations. Specifically, mistakes were found in the following tank hourly emission calculations: 43TK-33, 43TK-35, 43TK-153, 43TK-154, and 43TK-421 which were last changed during a permit renewal submitted on August 13, 2015 (43TK-421 was changed in a more recent amendment project).

Notice of Intent Date: 07/18/2019 (1580534)

Disclosure Date: 01/28/2020

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 1

Description: Failed to limit acetaldehyde emissions at Acetaldehyde Plant 1 (9/17/19, 08:00-09:00; 0.57 lbs/hr and 10/28/19, 13:00-14:00; 0.80 lbs/hr) and at Plant 2 (2/19/19, 22:00-23:00; 0.58 lbs/hr; 2/21/19, 06:00-10:00; 1.21 lbs/hr; 3/10/19, 16:00-17:00; 0.49 lbs/hr and 5/9/19, 01:00-02:00; 0.52 lbs/hr).

Notice of Intent Date: 10/25/2019 (1605389)

Disclosure Date: 02/27/2020
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
Rqmt Prov: PERMIT General Conditions No. 7

Description: Failed to maintain continuous monitoring records of the temporary flare pilot light on 18 instances. Specifically, a temporary flare was used in the Oxo Aldehydes area to complete maintenance work on the permanent flares in the area and continuous monitoring records were not maintained to document a pilot light: 7:15-7:45 on 9/9, 9/16, 9/17; 7:30-7:45 on 9/7 and 9/22; 17:30-17:45 on 9/28; 19:15-19:45 on 9/28, 10/1, 10/2; 19:30-19:45 on 9/19, 10/4, and 10/5; and 13:00-13:15 on 10/6.

Notice of Intent Date: 10/15/2020 (1684232)

Disclosure Date: 05/24/2021

Viol. Classification: Moderate
Citation: 5C THSC Chapter 382 382.023
5C THSC Chapter 382 382.023(a)
5C THSC Chapter 382 382.023(b)

Description: Failed to maintain the acetaldehyde concentration less than 50 ppm in the off-air stream on a rolling 365-day average from the end of each month for December 2018 (57.12 ppm); January 2019 (53.06 ppm); June 2019 (75.76 ppm); September 2019 (57.32 ppm); October 2019 (113.41 ppm); and November 2019 (52.57 ppm) resulting in parameter exceedances, pursuant to Order 2000-0033-SIP, Stipulations Nos. 21 and 25. As there were no excess hourly or annual emissions this is not an emissions exceedance.

Notice of Intent Date: 10/22/2020 (1684758)

Disclosure Date: 09/28/2021

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Conditions No. 5.D

Description: Failed to perform annual calibrations of the temperature monitor for the 2-EH flare flow monitor as required. Specifically, the routine calibration was specified to be performed every three years instead of annually. Therefore, three annual calibrations (in 2016, 2017, and 2019) were not performed.

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Conditions No. 5.B

Description: Failed to perform annual calibrations of the pilot indicator for the 2-EH flare as required. Specifically, the routine calibration was specified to be performed every 30 months instead of annually. Therefore, two annual calibrations (in 2016 and 2018) were not performed.

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Conditions No. 9.B

Description: Failed to perform the 2019 annual calibration of the pilot indicator for the NPG flare as required.

Notice of Intent Date: 11/23/2020 (1692091)

No DOV Associated

Notice of Intent Date: 12/10/2020 (1696911)

No DOV Associated

Notice of Intent Date: 12/14/2020 (1697010)

Disclosure Date: 08/26/2021

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182
Rqmt Prov: PERMIT SC No. 9.G
OP STC No. 1.A
OP STC No. 12

Description: Failed to identify, document, and monitor seven valves and 62 connectors, as documented during the reconciliation process following a retag of the ES1 Process Unit. Specifically, seven valves are subject to the monitoring and recordkeeping requirements of the NSR Permit No. 52985 and 62 connectors and one valve are subject to the monitoring, recordkeeping, and reporting requirements of 40 CFR Part 63, Subpart H,

but were not identified and monitored.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182

Rqmt Prov: OP SC No. 1.A
PERMIT SC No. 12
PERMIT SC No. 2.F
PERMIT SC No. 2.G
PERMIT SC No. 4
PERMIT SC No. 7

Description: Failed to identify, document, and monitor eight valves, 56 connectors, and one pump as discovered during the reconciliation process following a retag of the ES2 Process Unit. Specifically, four valves, 57 connectors, and one pump were subject to the monitoring and recordkeeping requirements of the NSR permit No. 6419 and 57 connectors and four valves are subject to the monitoring, recordkeeping, and reporting requirements of 40 CFR Part 63, Subpart H, but were not identified and monitored.

Notice of Intent Date: 12/15/2020 (1697013)
No DOV Associated

Notice of Intent Date: 04/12/2021 (1708723)
Disclosure Date: 08/26/2021

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182

Rqmt Prov: PERMIT SC No. 8.F
PERMIT SC No. 9.F
OP STC No. 1.A
OP STC No. 12

Description: Failed to identify, document, and monitor 142 valves and 334 connectors discovered during the reconciliation process following a retag of the EO2 and EG2 Process Units. Specifically, 13 valves were subject to the monitoring and recordkeeping requirements of the NSR Permit No. 1329 and 334 connectors and 141 valves are subject to the monitoring, recordkeeping, and reporting requirements of 40 CFR Part 63, Subpart H, but were not identified and monitored.

Notice of Intent Date: 05/06/2021 (1711583)
No DOV Associated

Notice of Intent Date: 06/03/2021 (1724912)
Disclosure Date: 07/26/2021

Viol. Classification: Minor

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

Rqmt Prov: PERMIT SC No. 1

Description: Failed to prevent a leaking gasket on an external level gauge on a tank in methyl isopropyl ketone (MIPK) service discovered on June 15, 2021 when a potential leak source on the tank was identified with an optical gas imaging camera.

Notice of Intent Date: 07/02/2021 (1738530)
No DOV Associated

Notice of Intent Date: 08/10/2021 (1750973)
No DOV Associated

Notice of Intent Date: 08/12/2021 (1751476)
No DOV Associated

Notice of Intent Date: 08/27/2021 (1760221)

No DOV Associated

Notice of Intent Date: 09/28/2021 (1763883)

No DOV Associated

Notice of Intent Date: 09/30/2021 (1764142)

No DOV Associated

Notice of Intent Date: 10/18/2021 (1765836)

No DOV Associated

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EASTMAN CHEMICAL COMPANY
RN100219815**

§
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§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2021-1017-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 Eastman Chemical Company (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 an industrial organic chemical manufacturing plant located at 300 Kodak Boulevard in Longview, Harrison 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 \$33,750 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$13,500 of the penalty and \$6,750 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, \$13,500 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 December 20, 2019, obtained Permit by Rule Registration No. 159233 that authorized the increased volatile organic compounds ("VOC") annual maximum allowable emissions rate ("MAER") for the Tank, Emissions Point Number ("EPN") 016T60; and
 - b. In order to prevent the recurrence of emissions events due to the same or similar causes as the non-reportable emissions event that occurred on June 27, 2020:
 - i. By July 15, 2020, modified the startup checklist for the Distribution System to reduce confusion during startup;
 - ii. On August 1, 2020, reviewed the corrective actions with potentially affected personnel; and
 - iii. On May 1, 2021, conducted training to reemphasize expectations for using the checklists, providing oversight of checklist usage, and communicating progress across shifts.

II. ALLEGATIONS

1. During a record review conducted on June 24, 2021, an investigator documented that the Respondent failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review ("NSR") Permit No. 78809, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1977, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 15, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the VOC MAER of 0.03 ton per year based on a 12-month rolling period for the 12-month periods ending from October 2016 through December 2017 for the Tank, EPN 016T60, resulting in 1.20 tons of unauthorized VOC emissions.
2. During a record review conducted on May 25, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2), 113.100, 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS § 63.6(e)(i) and (ii), NSR Permit No. 48626, SC No. 1, FOP No. O1971, GTC and STC Nos. 6 and 14, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 659.00 pounds of acetaldehyde as fugitive emissions, during a non-reportable emissions event that occurred on June 27, 2020 and lasted two hours and 25 minutes. The emissions event occurred due to the misalignment of a vent valve during start-up activities of Acetaldehyde Plant No. 2, resulting in the release to the atmosphere. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

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: Eastman Chemical Company, Docket No. 2021-1017-AIR-E" to:

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

2. The Respondent shall implement and complete an SEP as set forth in Section I, Paragraph No. 4. The amount of \$13,500 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or

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

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



6/27/2022

For the Executive Director

Date

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

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

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

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

Signature

February 10, 2022

Date

Andrew M. Coggins

VP, CI Manufacturing &
TXO Site Leader

Name (Printed or typed)

Title

Authorized Representative of
Eastman Chemical Company

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

Attachment A
Docket Number: 2021-1017-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Eastman Chemical Company
Payable Penalty Amount:	\$27,000
SEP Offset Amount:	\$13,500
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Texas Congress of Parents and Teachers dba Texas PTA
Project Name:	<i>Texas PTA Clean School Bus Replacement Program</i>
Location of SEP:	Texas Air Quality Control Region 022: Shreveport-Texarkana-Tyler Preference for Harrison County

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

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Texas Congress of Parents and Teachers dba Texas PTA** for the *Texas PTA Clean School Bus Replacement Program*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the contribution will be used to reduce nitrogen oxides, volatile organic compounds, carbon monoxide, and particulate matter emissions by replacing older diesel buses with newer buses that meet more stringent emission standards. The Third-Party Administrator shall use the SEP Offset Amount for up to 100% of the purchase price of a model year 2010 or newer bus to replace a diesel school bus that is model year 2002 or older. 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 the Project, including but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director (“ED”), be applied to another pre-approved SEP.

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

b. Environmental Benefit

This SEP will directly benefit air quality by reducing harmful exhaust emissions which contribute to the formation of ozone and may cause or exacerbate many respiratory diseases, including asthma. In addition, by encouraging less school bus idling, this SEP contributes to public awareness of environmental matters.

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 Congress of Parents and Teachers SEP** and shall mail the contribution with a copy of the Agreed Order to:

Texas PTA
408 West 11th Street
Austin, Texas 78701

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

5. Publicity

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

6. Recognition

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

7. Other SEPs by TCEQ or Other Agencies

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