Executive Summary - Enforcement Matter - Case No. 61371 INEOS OLIGOMERS USA LLC RN108783614 Docket No. 2021-1267-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A **Media:** AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Ineos Oligomers Chocolate Bayou, 15916 Farm-to-Market Road 2004, Alvin, Brazoria County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket Nos. 2024-0499-AIR-E,

2024-0445-AIR-E, and 2022-0103-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 14, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$54,426

Amount Deferred for Expedited Settlement: \$10,885

Total Paid to General Revenue: \$43,541 Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - High Site/RN - High **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 30, 2021 through July 15, 2021, July 14, 2021 through August 26, 2021, September 9, 2021 through September 22, 2021, September 3, 2021 through September 10, 2021, August 9, 2021 through August 23, 2021, September 8, 2021 through September 22, 2021, and October 4, 2021 through October 15, 2021 **Date(s) of NOE(s):** August 26, 2021, August 31, 2021, October 5, 2021, October 6,

2021, October 20, 2021, and November 3, 2021

Executive Summary – Enforcement Matter – Case No. 61371 INEOS OLIGOMERS USA LLC RN108783614 Docket No. 2021-1267-AIR-E

Violation Information

- 1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,723.46 pounds ("lbs") of volatile organic compounds ("VOC"), 879.03 lbs of carbon monoxide ("CO"), and 206.01 lbs of nitrogen oxides ("NOx") from the Elevated Flare, Emissions Point Number ("EPN") FLR-1, during an emissions event (Incident No. 360425) that began on June 16, 2021 and lasted 22 hours [30 Tex. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit Nos. 136130 and N250, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. 04123, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 13, and Tex. Health & Safety Code § 382.085(b)].
- 2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,137.30 lbs of VOC, 815.09 lbs of CO, and 196.20 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 361181) that began on June 24, 2021 and lasted 25 hours [30 Tex. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. HEALTH & SAFETY CODE § 382.085(b)].
- 3. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 361181 was due by June 25, 2021 at 6:00 p.m., but was not submitted until June 30, 2021 at 4:36 p.m. [30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. 04123, GTC and STC No. 2.F, and Tex. Health & Safety Code § 382.085(b)].
- 4. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 361181 was due by July 9, 2021, but was not submitted until July 14, 2021 [30 Tex. Admin. Code §§ 101.201(c) and 122.143(4), FOP No. O4123, GTC and STC No. 2.F, and Tex. Health & Safety Code § 382.085(b)].
- 5. Failed to prevent unauthorized emissions. Specifically, the Respondent released 909.26 lbs of VOC, 775.27 lbs of CO, and 198.88 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 365712) that began on August 27, 2021 and lasted 80 hours [30 Tex. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. HEALTH & SAFETY CODE § 382.085(b)].
- 6. Failed to prevent unauthorized emissions. Specifically, the Respondent released 530.39 lbs of VOC from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 365326) that occurred on August 20, 2021 and lasted 11 hours and 44 minutes [30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b)].

Executive Summary - Enforcement Matter - Case No. 61371 INEOS OLIGOMERS USA LLC RN108783614 Docket No. 2021-1267-AIR-E

- 7. Failed to prevent unauthorized emissions. Specifically, the Respondent released 726.47 lbs of VOC, 429.18 lbs of CO, and 102.21 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 363600) that began on July 26, 2021 and lasted 11 hours and five minutes [30 Tex. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b)].
- 8. Failed to prevent unauthorized emissions. Specifically, the Respondent released 228.24 lbs of VOC, 208.67 lbs of CO, and 51.20 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 365574) that occurred on August 24, 2021 and lasted 12 hours [30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b)].
- 9. Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,767.33 lbs of VOC, 529.66 lbs of CO, and 131.79 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 366833) that began on September 19, 2021 and lasted 27 hours [30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, 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 June 30, 2021, submitted the initial notification for Incident No. 361181;
- b. On July 14, 2021, submitted the final record for Incident No. 361181;
- c. By July 15, 2021, installed a filter screen to prevent solids from clogging the C7126 bottoms level control valve in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 360425; and
- d. By September 22, 2021, installed a cover over the emergency shutdown button on the Hot Oil Heater in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 365574.

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

Executive Summary – Enforcement Matter – Case No. 61371 INEOS OLIGOMERS USA LLC RN108783614 Docket No. 2021-1267-AIR-E

- i. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 361181;
- ii. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 365712;
- iii. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 365326;
- iv. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 363600; and
- v. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 366833.
- b. Within 45 days, submit written certification to demonstrate compliance with a.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Mackenzie Mehlmann, Enforcement Division,

Enforcement Team 2, MC 219, (512) 239-2572; Michael Parrish, Enforcement Division,

MC 219, (512) 239-2548

Respondent: Jeffrey Wolf, Asset Manager, INEOS OLIGOMERS USA LLC, P.O. Box 2450,

Alvin, Texas 77512-2450 **Respondent's Attorney:** N/A



OTHER FACTORS AS JUSTICE MAY REQUIRE
Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Notes

PAYABLE PENALTY

DEFERRAL

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage.

SHOOMMISSION OF THE PROPERTY O	Policy Revi	Pe sion 5 (January 28, 2	,	lculatio	n Workshee	•	vision February 11, 2021
DATES	Assigned PCW	30-Aug-2021 6-Apr-2024	Screening	31-Aug-2021	EPA Due		
PESDOI	NDENT/FACTIT	TY INFORMATION	n N				
KLSFOI		INEOS OLIGOME					
	j. Ent. Ref. No.	RN108783614					
Facilit	ty/Site Region	12-Houston			Major/Minor	Source Major	
CASE TI	NFORMATION						
	f./Case ID No.	61371			No. of Vio	lations 9	
		2021-1267-AIR-	 E			er Type 1660	
Med	lia Program(s)	Air			Government/Nor		
	Multi-Media					dinator Mackenzie Mel	
۸dn	nin. Penalty \$ I	imit Minimum	\$0 N	Maximum	\$25,000	s Team Enforcement T	eam 2
Aui	iiiii. Feliaity \$ 1	-mile Milimani	φO ji	-laxiiiluiii	\$23,000		
			Penalty	y Calcula	tion Section		
TOTAL	BASE PENA	LTY (Sum of	violation b	ase penalt	ies)	Subtotal 1	\$53,000
4 D 3116	STAFAITO / :	/	. TAI 2				
		/-) TO SUBTO		analty (Subtotal 1) by the indicated percenta	nge.	
	Compliance His		the rotal base re	10.0%	Adjustment	Subtotals 2, 3, & 7	\$5,300
	P		or one NOV wi		ar violations and one		7-7
	Notos	containing a de	enial of liability	. Reduction fo	or three notices of inte	ent to	
	Notes	conduct an a	udit, one discl	osure of violat	ions, and High Perfor	<mark>mer </mark>	
			C	lassification.			
	Culpability	No		0.0%	Enhancement	Subtotal 4	\$0
	our publicy						Ψ.5.
	Notes	The Re	spondent does	not meet the	culpability criteria.		
	l						
	Good Faith Effe	ort to Comply T	otal Adiustme	ents		Subtotal 5	-\$3,874
		ore to compry				54210141.5	Ψ3/01 1
	Economic Bene	∍fi+		0.00/-	Enhancement*	Subtotal 6	\$0
	Economic Bene	Total EB Amounts	\$8,169		Ennancement* d at the Total EB \$ Amount		\$ 0
	Estimated	Cost of Compliance	\$70,500	.,	·		
SIIM C	F SUBTOTAL	S 1-7				Final Subtotal	\$54,426
JUNI C	JI SUBIUIAL	LG 1-/				rınaı Suvlotai	\$34,42 0

0.0%

20.0%

Deferral offered for expedited settlement.

\$0

\$54,426

\$54,426

-\$10,885

\$43,541

Adjustment

Adjustment

Final Penalty Amount

Final Assessed Penalty

Reduction

Docket No. 2021-1267-AIR-E

Screening Date 31-Aug-2021 Doc Respondent INEOS OLIGOMERS USA LLC

Case ID No. 61371

Reg. Ent. Reference No. RN108783614

Media Air

Enf. Coordinator Mackenzie Mehlmann

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

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>)	1	5%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
Orders	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	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
and Consent Decrees	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%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	3	-3%
, todies	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%

	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
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) 20%

>> Repeat Violator (Subtotal 3)

No Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes Enhancement for one NOV with same/similar violations and one order containing a denial of liability. Reduction for three notices of intent to conduct an audit, one disclosure of violations, and High Performer classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 10%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% | 10%

Economic Benefit Worksheet							
Respondent Case ID No. Reg. Ent. Reference No.	61371						
Media Violation No.	Air					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Delayed Costs Equipment		<u> </u>		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$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 Other (as needed)	\$10,000	16-Jun-2021	15-Jul-2021	0.00	\$0 \$40	n/a n/a	\$0 \$40
Notes for DELAYED costs	valve in order No. 360425.	to prevent the re The Date Requir	currence of em ed is the date t	issions he emis compli	events due to the ssions event began ance.	the C7126 bottoms same or similar cau and the Final Date	ses as Incident is the date of
Avoided Costs	ANNUA	LIZE avoided co	osts before en	tering		one-time avoide	
Disposal _				0.00	\$0	\$0	\$0
Personnel				0.00	\$0 #0	\$0 ¢0	\$0 \$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance				0.00	\$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$10,000			TOTAL		\$40

	Screening Date	31-Aug-2021	Docket No.	2021-1267-AIR-E	PCW
		INEOS OLIGOMERS USA LLO		Policy	Revision 5 (January 28, 2021)
	Case ID No.				CW Revision February 11, 2021
Rea	Ent. Reference No.			•	Nevision rebraury 11, 2021
iteg.	Media				
		Mackenzie Mehlmann			
	Violation Number				_
	Rule Cite(s)			, NSR Permit Nos. 136130 and	
		N250, SC No. 1, FOP No. C		13, and Tex. Health & Safety	
			Code § 382.085(b)		
		Eailed to provent unauthor	izad amissions Chasifics	ally the Despendent released	
		•		ally, the Respondent released lbs of NOx from the Elevated	
	Violation Description			nt No. 361181) that began or	
		The state of the s	e 24, 2021 and lasted 25	•	
		Julie	2 1/ 2021 and lasted 25	nours.	
				Base Penalt	y \$25,000
				base reliait	\$25,000
>> En	vironmental, Prope	rty and Human Health	n Matrix		
		Harm			
0 D	Release		Minor		
OR	Actual		X	-	
	Potential			Percent 30.0%	
>>Pro	grammatic Matrix				
	Falsification	Major Moderate	Minor		
				Percent 0.0%	
					_
	Matrix Human health	or the environment has bee	n exposed to insignificant	amounts of pollutants that d	o
	Notes not exceed	levels that are protective of h		ental receptors as a result of	
	Notes		the violation.		
			Adj	justment \$17,50	0
					¢7.500
					\$7,500
Violati	ion Events				
	Number of \	Violation Events 1	2	Number of violation days	
		daily			
		weekly			
		monthly x			
		quarterly		Violation Base Penalt	y \$7,500
		semiannual annual			
		single event			
		Siligie evelle	Ш		
		One monthly	y event is recommended.		
Good	Faith Efforts to Com	inly 0.00%		Poductio	n ¢n
Good I	Faith Efforts to Com			Reductio	n \$0
Good I	Faith Efforts to Con	Before NOE/NOV	NOE/NOV to EDPRP/Settleme		n \$0
Good I	Faith Efforts to Com	Before NOE/NOV Extraordinary			n \$0
Good I	Faith Efforts to Con	Before NOE/NOV Extraordinary Ordinary			n \$0
Good I	Faith Efforts to Com	Before NOE/NOV Extraordinary Ordinary N/A x	NOE/NOV to EDPRP/Settleme	ent Offer	n \$0
Good I	Faith Efforts to Com	Before NOE/NOV Extraordinary Ordinary N/A The Respond	NOE/NOV to EDPRP/Settleme	ent Offer	n \$0
Good I	Faith Efforts to Con	Before NOE/NOV Extraordinary Ordinary N/A x	NOE/NOV to EDPRP/Settleme	ent Offer	n \$0
Good I	Faith Efforts to Com	Before NOE/NOV Extraordinary Ordinary N/A The Respond	NOE/NOV to EDPRP/Settleme	ent Offer	n \$0
Good I	Faith Efforts to Con	Before NOE/NOV Extraordinary Ordinary N/A The Respond	NOE/NOV to EDPRP/Settleme	ent Offer	
		Before NOE/NOV Extraordinary Ordinary N/A X Notes	NOE/NOV to EDPRP/Settleme	ood faith criteria for Violation Subtota	
	Faith Efforts to Com	Before NOE/NOV Extraordinary Ordinary N/A X Notes	NOE/NOV to EDPRP/Settleme	ood faith criteria for	
	mic Benefit (EB) fo	Before NOE/NOV Extraordinary Ordinary N/A X Notes The Respond	NOE/NOV to EDPRP/Settleme	ood faith criteria for Violation Subtota Statutory Limit Test	al \$7,500
	mic Benefit (EB) fo	Before NOE/NOV Extraordinary Ordinary N/A X Notes	NOE/NOV to EDPRP/Settleme	ood faith criteria for Violation Subtota	\$7,500

Economic Benefit Worksheet							
Respondent Case ID No.		MERS USA LLC					
Reg. Ent. Reference No.		_					
Media	Air					Percent Interest	Years of Depreciation
Violation No.	2						-
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs	F	1		1	T		
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed) Engineering/Construction				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$0
Land				0.00	\$0	n/a	\$0 \$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	24-Jun-2021	4-Nov-2024	3.37	\$1,684	n/a	\$1,684
		•		•		nce of emissions eve	
Notes for DELAYED costs	same or simila				jate Required is tr imated date of cor	ne date the emission noliance.	is event began
						<u> </u>	
Avoided Costs	ANNUA	LIZE avoided co	osts before en			one-time avoide	
Disposal				0.00	\$0	\$0 \$0	\$0
Personnel Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$0
Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance				0.00	\$0	\$0 \$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$10,000			TOTAL		\$1,684

	Screening Date	_			et No. 2021-1267-AIR-E		PCW
	Respondent		ERS USA LLC				vision 5 (January 28, 2021)
Dog I	Case ID No.					PCW .	Revision February 11, 2021
Reg. I	Ent. Reference No. Media						
	Enf. Coordinator		lmann				
	Violation Number	3					
	Rule Cite(s)				and 122.143(4), FOP No. O412 & Safety Code § 382.085(b)	3, GTC	
	Violation Description	24 hours a	fter the disco r Incident No.	very of an emiss 361181 was du	portable emissions event no la ions event. Specifically, the in e by June 25, 2021 at 6:00 p.r 30, 2021 at 4:36 p.m.	itial	
					Base	Penalty	\$25,000
>> Env	ironmental, Prope	rty and Hum	an Health	Matrix			
			Harm				
OR	Release Actual		Moderate	Minor			
	Potential				Percent 0.0%		
>> Droc	rammatic Matrix						
>>P10g	grammatic Matrix Falsification	Major	Moderate	Minor			
				X	Percent 1.0%		
	Matrix Notes	Less tha	n 30% of the	rule requiremer	its were not met.		
					Adjustment	\$24,750	
							#250
						L	\$250
Violatio	on Events						
	Number of \	/iolation Events	1		Number of violation do	ays	
		daily weekly monthly quarterly semiannual annual single event	X		Violation Base	Penalty	\$250
			One single	event is recomm	ended.		
Good Fa	aith Efforts to Com	ply	25.0%		Re	eduction	\$62
		B		NOE/NOV to EDPRI			·
		Extraordinary					
		Ordinary N/A	Х				
		Notes			the corrective measures on OE dated August 31, 2021.		
					Violation S	Subtotal	\$188
Econom	nic Bonofit (ED) for	thic violeti	on			_	\$100
ECOHOR	nic Benefit (EB) for	uns violatio	UII		Statutory Limit	i est	
	Estimate	ed EB Amount		\$0	Violation Final Penal	ty Total	\$213
			This viol	ation Final Ass	essed Penalty (adjusted for	r limits)	\$213

Economic Benefit Worksheet								
Respondent		MERS USA LLC						
Case ID No.								
Reg. Ent. Reference No.								
Media Violation No.						Percent Interest	Years of Depreciation	
						5.0	15	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description	rtein cost	Date Required	i mai bate	5	Interest Savea	costs savea	LD Amount	
Item Description								
Delayed Costs								
Equipment				0.00	\$0	\$0	\$0	
Buildings				0.00	\$0	\$0	\$0	
Other (as needed)				0.00	\$0	\$0	\$0	
Engineering/Construction				0.00	\$0	\$0	\$0	
Land				0.00	\$0	n/a	\$0	
Record Keeping System				0.00	\$0	n/a	\$0	
Training/Sampling				0.00	\$0	n/a	\$0	
Remediation/Disposal				0.00	\$0	n/a	\$0	
Permit Costs				0.00	\$0	n/a	\$0	
Other (as needed)	\$250	25-Jun-2021	30-Jun-2021	0.01	\$0	n/a	\$0	
Notes for DELAYED costs	initial n	otification was due	e and the Final	Date is	the date the initia	The Date Required I notification was su	bmitted.	
Avoided Costs	ANNUA	LIZE avoided co	osts before en	tering		one-time avoide		
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 \$0	\$0	
Other (as needed)		<u> </u>		0.00	<u>\$U</u>	\$0	\$0	
Notes for AVOIDED costs								
Approx. Cost of Compliance		\$250			TOTAL		\$0	

	Screening Date	31-Aug-2021		Docket	No. 2021-1267-AIR-E	PCW
	Respondent	INEOS OLIGOM	ERS USA LLC			Policy Revision 5 (January 28, 2021)
	Case ID No.	61371				PCW Revision February 11, 2021
Reg. I	Ent. Reference No.	RN108783614				
_	Media	Air				
	Enf. Coordinator	Mackenzie Mehl	lmann			
	Violation Number	4				
	Dula Cita(a)	20 Tay Admain	C-d- CC 101	201(a) and 122 1	42(4) FOR No. 04122 CTC :	and CTC
	Ruie Cite(s)				43(4), FOP No. O4123, GTC a ty Code § 382.085(b)	and SIC
			ivo. Z.i , aiiu i	ex. Health & Sale	ty Code 9 382.083(b)	
			-: <i>6</i> :	d		The bound
					e emissions event no later that. Specifically, the final record	
	Violation Description				but was not submitted until 3	
		11101001101101101	31101 1100 00	2021.	suc mus not submitted until s	(3.7)
					Page	Paralty #35,000
					Base I	Penalty \$25,000
>> Env	rironmental, Prope	rty and Hum	an Health	Matrix		
			Harm			
OΒ	Release	Major	Moderate	Minor		
OR	Actual				D avasant 0.00/	
	Potential				Percent 0.0%	
>>Proc	grammatic Matrix					
,,,,,,	Falsification	Major	Moderate	Minor		
				Х	Percent 1.0%	
	Matrix	Loss tha	n 30% of the	rule requirements	word not mot	
	Notes	Less tria	111 30% OF LITE	rule requirements	were not met.	
					Adjustment	\$24,750
						\$250
						ΨΕσσ
Violatio	on Events					
	N. 1 C.	,,,,, e . [•			
	Number of V	iolation Events	1		Number of violation da	ays
		daily				
		weekly				
		monthly				
		quarterly			Violation Base I	Penalty \$250
		semiannual				
		annual				
		single event	X			
			One single	event is recommer	nded.	
Good F	aith Efforts to Com	ply	25.0%		Re	eduction \$62
				NOE/NOV to EDPRP/S		
		Extraordinary				
		Ordinary	Х			
		N/A				
			The Respond	lent completed the	corrective measures on	
		Notes			dated August 31, 2021.	
			, , = - <u>-</u>		J , , , , , , , , , , , , , , , , , , ,	
					Violation S	ubtotal \$188
						φ100
Econon	nic Benefit (EB) for	this violation	on		Statutory Limit 1	Test Test
	Eatimate	nd EP Ame		40	Violation Einel Ban-la	ry Total
	Estillate	ed EB Amount		\$0	Violation Final Penalt	ty Total \$213
			This viol	ation Final Asses	ssed Penalty (adjusted for	limits) \$213

Economic Benefit Worksheet							
Respondent	INEOS OLIGO	MERS USA LLC					
Case ID No.							
Reg. Ent. Reference No.							
Media							Years of
Violation No.	4					Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
_							
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 Training/Sampling				0.00	\$0 \$0	n/a n/a	<u>\$0</u> \$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	9-Jul-2021	14-Jul-2021	0.01	\$0	n/a	\$0
Notes for DELAYED costs		record was due a	nd the Final Da	te is th	e date the final red	Date Required is the cord was submitted	
Avoided Costs	ANNUA	LIZE avoided co	osts before en			one-time avoide	-
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance				0.00	\$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0
Notes for AVOIDED costs		,		0.00	, 40	**	Ψΰ
Approx. Cost of Compliance		\$250			TOTAL		\$0

Economic Benefit Worksheet							
Respondent	INEOS OLIGO	MERS USA LLC					
Case ID No.							
Reg. Ent. Reference No.	RN108783614						
Media						Percent Interest	Years of
Violation No.	5						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				Ī .			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed) Engineering/Construction				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Land				0.00	\$0 \$0	n/a	\$0 \$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	27-Aug-2021	4-Nov-2024	3.19	\$1,596	n/a	\$1,596
	same or simila	ar causes as Incid and th	ent No. 365712 ne Final Date is	the est	Date Required is the core is the core in t	•	ns event began
Avoided Costs	ANNUA	LIZE avoided co	osts before en			one-time avoide	_
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0	\$0
Supplies/Equipment Financial Assurance				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$0
ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0
Notes for AVOIDED costs				0.00	Ι ΨΟ	Ψΰ	ψ Ü
Approx. Cost of Compliance		\$10,000			TOTAL		\$1,596

	Screening Date	31-Aug-2021	Docket No.	2021-1267-AIR-E	PCW
	Respondent	INEOS OLIGOMERS USA I	LC		Policy Revision 5 (January 28, 2021)
	Case ID No.	61371			PCW Revision February 11, 2021
Reg.	Ent. Reference No.	RN108783614			
	Media	Air			
	Enf. Coordinator	Mackenzie Mehlmann			
	Violation Number	6			
	Rule Cite(s)	30 Tex. Admin. Code §§	116.115(c) and 122.143(4)), NSR Permit Nos. 136130	0 and
			. O4123, GTC and STC No.		
			Code § 382.085(b)		
		Failed to prevent unauth	norized emissions. Specific	ally, the Respondent relea	<mark>ised</mark>
	Violation Description		he Elevated Flare, EPN FLR	_	
	Violation Description	(Incident No. 365326) th	at occurred on August 20,	2021 and lasted 11 hours	and
			44 minutes.		
				Base Pe	nalty \$25,000
>> En	vironmental, Prope	rty and Human Heal	th Matrix		
	Release	Harm Major Moderat	e Minor		
OR	Actual	- J	X		
	Potential			Percent 30.0%	
>>Pro	grammatic Matrix	Majau - Madauat	Minau		
	Falsification	Major Moderat	e Minor	Percent 0.0%	
				0.0%	
	Human health	or the environment has b	een exposed to insignifican	it amounts of pollutants th	nat do
	Matrix not exceed I		human health or environn	•	
	Notes		the violation.		
			A .	L	7.500
			Ad	ljustment \$1	7,500
					\$7,500
\/:-I-+:	an Franks				
violati	on Events				
	Number of \	/iolation Events 1	1	Number of violation days	
		daily			
		weekly			
		monthly <u>x</u> quarterly		Violation Base Pe	nalty \$7,500
		semiannual		Violation base i e	\$7,500
		annual			
		single event			
		One mont	hly event is recommended		
Good F	aith Efforts to Com	ply 0.0	%	Redi	uction \$0
			OV NOE/NOV to EDPRP/Settlem		4.5
		Extraordinary			
		Ordinary			
		N/A x			
		The Respond	ndent does not meet the g	good faith criteria for	
		Notes	this violation.		
				Violation Sub	stotal \$7,500
Econo	mic Benefit (EB) for	r this violation		Statutory Limit Te	st
	Ectimate	ed EB Amount	\$1,605	Violation Final Penalty	Total \$8,250
	Estillati		<u> </u>		
		This v	iolation Final Assessed	Penalty (adjusted for li	mits) \$8,250

	E	conomic	Benefit	Wo	rksheet		
Respondent	INEOS OLIGO	MERS USA LLC					
Case ID No.	61371						
Reg. Ent. Reference No.	RN108783614						
Media	Air					Percent Interest	Years of
Violation No.	6					reicent interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		·					
•							
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 Other (as needed)	\$10,000	20-Aug-2021	4-Nov-2024	0.00 3.21	\$0 \$1,605	n/a n/a	\$0 \$1,605
Notes for DELAYED costs		milar causes as Ir	ncident No. 365	326. T		nce of emissions events the date the emise of compliance.	
Avoided Costs	ANNUA	LIZE avoided co	osts before en	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$10,000			TOTAL		\$1,605

	Screening Date	_	Docket No. 2021	-1267-AIR-E	PCW
		INEOS OLIGOMERS USA LL	С		evision 5 (January 28, 2021)
Dog !	Case ID No.			PCW	Revision February 11, 2021
Reg.	Ent. Reference No. Media				
	Enf. Coordinator				
	Violation Number	7			
	Rule Cite(s)	30 Tex. Admin. Code §§ 11	.6.115(c) and 122.143(4), NSR	Permit Nos. 136130 and	
		N250, SC No. 1, FOP No.	O4123, GTC and STC No. 13, a Code § 382.085(b)	nd Tex. Health & Safety	
	Violation Description	726.47 lbs of VOC, 429.1 Flare, EPN FLR-1, during a	orized emissions. Specifically, the last of CO, and 102.21 lbs of n emissions event (Incident No 21 and lasted 11 hours and five	NOx from the Elevated . 363600) that began on	
				Base Penalty	\$25,000
>> Env	vironmental, Prope	rty and Human Healt	h Matrix		
	Release	Harm Major Moderate	Minor		
OR	Actual		X		
	Potential		Perc	ent 30.0%	
>>Prog	grammatic Matrix				
	Falsification	Major Moderate	Minor	0.004	
			Perc	ent 0.0%	
			en exposed to insignificant amo numan health or environmental the violation.		
			Adjustn	nent \$17,500	
					\$7,500
Violetia	n Evente			<u>-</u>	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Violatio	on Events				
	Number of \	Violation Events 1	1 Num	ber of violation days	
		daily			
		weekly			
		monthly <u>x</u> quarterly		Violation Base Penalty	\$7,500
		semiannual		Violation Base i charty	Ψ7,500
		annual			
		single event			
		One month	ly event is recommended.		
Good F	aith Efforts to Com			Reduction	\$0
		Before NOE/NOV Extraordinary	NOE/NOV to EDPRP/Settlement Offe	er	
		Ordinary			
		N/A x			
		The Respon	dent does not meet the good fa	nith criteria for	
		Notes Notes	this violation.		
				Violation Subtotal	\$7,500
Fconon	nic Benefit (EB) for	r this violation	Sta	tutory Limit Test	
LCOHOII	inc benefit (EB) 101	tilis violation	Sta	tatory Ellint 165t	
			+4 C10	. 	1222
	Estimate	ed EB Amount	\$1,640 Violat	tion Final Penalty Total	\$8,250 \$8,250

	E	conomic	Benefit	Wo	rksheet		
Respondent	INEOS OLIGO	MERS USA LLC					
Case ID No.							
Reg. Ent. Reference No.							
Media						Percent Interest	Years of
Violation No.	7						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				7			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction Land				0.00	\$0 \$0	\$0	\$0 \$0
Land Record Keeping System				0.00	\$0 \$0	n/a n/a	\$0 \$0
Training/Sampling				0.00	\$0 \$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	26-Jul-2021	4-Nov-2024	3.28	\$1,640	n/a	\$1,640
Notes for DELAYED costs		ar causes as Incid	ent No. 363600	. The I		nce of emissions evented the date the emission mpliance.	
Avoided Costs	ANNUA	LIZE avoided co	osts before en	tering	item (except for	one-time avoide	d 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	\$0
Other (as needed) Notes for AVOIDED costs		JI JI		0.00	\$0	\$0	\$0
Approx. Cost of Compliance		\$10,000			TOTAL		\$1,640

	Screenin	_	_		Docket	No. 2021-1267-AIR-E		PCW
	Resp	ondent	INEOS OLIGOM	IERS USA LLC			Policy Re	vision 5 (January 28, 2021)
	Case	ID No.	61371				PCW	Revision February 11, 2021
Reg.	Ent. Referei	nce No.	RN108783614					
		Media	Air					
	Enf. Coor	dinator	Mackenzie Meh	lmann				
	Violation							
	Rul	e Cite(s)	30 Tex. Admin	. Code §§ 116	.115(c) and 122.1	.43(4), NSR Permit Nos. 1361	L30 and	
			N250, SC No.	1, FOP No. O	4123, GTC and ST	C No. 13, and Tex. Health &	Safety	
					Code § 382.08	35(b)		
			Failed to prev	ent unauthori	zed emissions. Sp	pecifically, the Respondent re	leased	
	Violation Des	scrintion				0 lbs of NOx from the Elevate		
			EPN FLR-1,	_	•	lent No. 365574) that occurre	ed on	
				Augus	st 24, 2021 and las	sted 12 nours.		
						Base I	Penalty	\$25,000
> > Em	vivo per optol	Duone	why sed Llue	ass Uaslah	Matrix			
// EII	vironmental	, Prope	rty and nun	Harm	Matrix			
		Release	Major	Moderate	Minor			
OR		Actual			X			
		Potential				Percent 30.0%		
>>Dro	grammatic I	Matriv						
//	~	sification	Major	Moderate	Minor			
						Percent 0.0%		
	Matrix					nificant amounts of pollutants		
	Notes no	t exceed l	evels that are p			vironmental receptors as a re	sult of	
				τ	he violation.			
						Adjustment	\$17,500	
						-		¢7.500
							L	\$7,500
Violati	on Events							
	NI.		/ialatian Frants	-		Novebou of violetion de		
	INU	imber or v	iolation Events	L		Number of violation da	ays	
					1			
			daily					
			daily weekly					
			weekly monthly	X			_	
			weekly monthly quarterly	X		Violation Base I	Penalty	\$7,500
			weekly monthly quarterly semiannual	X		Violation Base I	Penalty	\$7,500
			weekly monthly quarterly semiannual annual	X		Violation Base I	Penalty	\$7,500
			weekly monthly quarterly semiannual	X		Violation Base I	Penalty	\$7,500
			weekly monthly quarterly semiannual annual		event is recomme		Penalty	\$7,500
			weekly monthly quarterly semiannual annual		event is recomme		Penalty	\$7,500
Good 5	aith Efforts	to Com	weekly monthly quarterly semiannual annual single event	One monthly	event is recomme	ended.		
Good F	Faith Efforts	to Com	weekly monthly quarterly semiannual annual single event	One monthly		ended. Re	Penalty eduction	\$7,500 \$1,875
Good F	Faith Efforts	to Com	weekly monthly quarterly semiannual annual single event	One monthly 25.0% efore NOE/NOV	event is recomme	ended. Re		
Good F	Faith Efforts	to Com	weekly monthly quarterly semiannual annual single event	One monthly 25.0% Defore NOE/NOV		ended. Re		
Good F	aith Efforts	to Com	weekly monthly quarterly semiannual annual single event	One monthly 25.0% Sefore NOE/NOV		ended. Re		
Good F	Faith Efforts	to Com	weekly monthly quarterly semiannual annual single event	One monthly 25.0% Defore NOE/NOV X The Respondence of the control of the cont	NOE/NOV to EDPRP/S	ended. Resettlement Offer e corrective measures by		
Good F	Faith Efforts	to Com	weekly monthly quarterly semiannual annual single event	One monthly 25.0% Defore NOE/NOV X The Respondence of the control of the cont	NOE/NOV to EDPRP/S dent completed the 2, 2021, prior to the second complex co	ended. Resettlement Offer c corrective measures by the NOE dated October 20,		
Good F	aith Efforts	to Com	weekly monthly quarterly semiannual annual single event	One monthly 25.0% Defore NOE/NOV X The Respondence of the control of the cont	NOE/NOV to EDPRP/S	ended. Resettlement Offer c corrective measures by the NOE dated October 20,		
Good F	aith Efforts	to Com	weekly monthly quarterly semiannual annual single event	One monthly 25.0% Defore NOE/NOV X The Respondence of the control of the cont	NOE/NOV to EDPRP/S dent completed the 2, 2021, prior to the second complex co	ended. Resettlement Offer c corrective measures by the NOE dated October 20,	eduction	
			weekly monthly quarterly semiannual annual single event	One monthly 25.0% Sefore NOE/NOV X The Respond September 22	NOE/NOV to EDPRP/S dent completed the 2, 2021, prior to the second complex co	ended. Resettlement Offer e corrective measures by the NOE dated October 20, Violation S	eduction	\$1,875
	Faith Efforts		weekly monthly quarterly semiannual annual single event	One monthly 25.0% Sefore NOE/NOV X The Respond September 22	NOE/NOV to EDPRP/S dent completed the 2, 2021, prior to the second complex co	ended. Resettlement Offer e corrective measures by the NOE dated October 20,	eduction	\$1,875
		(EB) for	weekly monthly quarterly semiannual annual single event	One monthly 25.0% efore NOE/NOV X The Respond September 2:	NOE/NOV to EDPRP/S dent completed the 2, 2021, prior to the second complex co	ended. Resettlement Offer e corrective measures by the NOE dated October 20, Violation S	eduction ubtotal	\$1,875
		(EB) for	weekly monthly quarterly semiannual annual single event ply Extraordinary Ordinary N/A Notes	One monthly 25.0% Defore NOE/NOV X The Respond September 22	dent completed the 2, 2021, prior to the 2021.	ended. Resettlement Offer e corrective measures by ne NOE dated October 20, Violation S Statutory Limit 1	ubtotal rest	\$1,875 \$5,625

	E	conomic	Benefit	Wo	rksheet		
Respondent		MERS USA LLC					
Case ID No.							
Reg. Ent. Reference No.							
Media Violation No.						Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
_							
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 n/a	\$0
Land Record Keeping System				0.00	\$0 \$0	n/a n/a	\$0 \$0
Training/Sampling				0.00	\$0	n/a	\$0 \$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	24-Aug-2021	22-Sep-2021	0.08	\$40	n/a	\$40
Notes for DELAYED costs	prevent the The Date Rec	recurrence of em uired is the date	issions events o the emissions e	lue to t vent oc	he same or similar curred and the Fin	on the Hot Oil Heat causes as Incident al Date is the date	No. 365574. of compliance.
Avoided Costs	ANNUA	LIZE avoided co	osts before en	tering		one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0 \$0	\$0
Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 #0
Financial Assurance ONE-TIME avoided costs				0.00	\$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0
Notes for AVOIDED costs		1		0.00	, ψ0	¥0	Ψ
Approx. Cost of Compliance		\$10,000			TOTAL		\$40

Respondent IRGS OLICOMERS USA LIC Case ID No. 61371 Reg. Ent. Reference No. RNI08785014 Media Air Enf. Coordinator Mackenize Mehihaman Suidotino Number Rule Cite(s) Violation Description Falled to prevent unauthorized elements. Specifically, the Respondent released 7,767.33 lbs of VOC, 579.66 lbs of CO, and 131.79 lbs of NOx from the Flewated Fare, FPN FIR-1, during an emissions event (Incident No. 36633) that began on September 18, 2021 and lasted 27 hours. Base Penalty >> Environmental, Property and Human Health Matrix Fellenta Matrix Notes Number of Violation Events One monthly event is recommended. One monthly event is recommended. See BRIO/END TO PROPRESSED TO P		Screening Date	31-Aug-2021	Docket No.	2021-1267-AIR-E	PCW
Reg. Ent. Reference No. 61321 Fig. Coordinator Mackenzie Mehimann Violation Number Rule Cite(s) Violation Pescription Violation Description Release Wijer Moderate Whijer Moderate W		Respondent	INEOS OLIGOMERS USA LLC		Poli	cy Revision 5 (January 28, 2021)
Reg. Ent. Reference No. RNL097830.14 Media ir Enf. Coordinator Mackenzie Mehiman Violation Number 9 Nule Cite(s) N250, SC No. 1, FOP No. 04123, GTC and STC No. 13, and Tex. Heath & Safety Code § 392.085(b) Violation Description Felief to prevent unsulthorsed emissions. Specifically, the Respondent released Pare, EPN FLR-1, during an emissions sevent (Incident No. 306933) that began on September 19, 2021 and lasted 27 hours. **Percent** Percent** Adjustment** \$17,500 **T,500 *		-				PCW Revision February 11, 2021
Finf. Coordinator Meckenzie Methinann Violation Number Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), MSR Permit Nos. 136130 and N250, SC No. 1, FOP No. Code 28, 5116.115(c) and 122.143(4), MSR Permit Nos. 136130 and N250, SC No. 1, FOP No. Code 28, 512.085(b) Violation Description Violation Description Violation Description Violation Description Violation Description Falled to prevent unauthorized emissions, Specifically, the Respondent released 2, 7,67.33 libs of VOC, 529.96 libs of CO, and 313.79 libs of NOX from the Flewated Rare, CPN FER. 1, during an emissions event (Incident No. 166833) that began on September 19, 2021 and lasted 27 hours. **Percent** Release** Major** Major** Moderate** Minor** Percent** 30.0% **Percent** 30.0% ** ** ** ** ** ** ** ** ** ** ** ** **	Rea. E	Ent. Reference No.	RN108783614			, ,
Violation Number 3 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. 04123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b)						
Violation Number 3 Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(d), NSR Permit Nos. 136.130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b)						
Rule Cite(s) 30 Tex. Admin. Code §§ 115.115(c) and 122.143(a), MSR Permit Nos. 136130 and N250, SC No. 1, POP No. 04123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(s) Violation Description Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,767.33 bis of VICe, \$23.66 lbs of CO, and 131.79 bis of NOx from the Elevated Flare, EPN FLR. 1, during an emissions event (Includer No. 36893) that began on September 19, 2021 and lasted 27 hours. Base Penalty \$25,000 >> Environmental, Property and Human Health Matrix Harm Actual Percent Nelease Major Moderate Minor Percent Matrix Felsification Major Moderate Minor Percent 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 Violation Events Number of Violation Events Number of Violation Events One monthly event is recommended. One monthly event is recommended. Good Faith Efforts to Comply One monthly event is recommended. One monthly event is recommended. Faith Efforts to Comply One monthly event is recommended. Faith Efforts to Comply One monthly event is recommended. Faith Efforts to Comply One monthly event is recommended. Faith Efforts to Comply One monthly event is recommended. Faith Efforts to Comply One monthly event is recommended. Faith Efforts to Comply The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$7,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount Saturbary Limit Test						
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Violation Description 2,767,33 bs of VOC, \$29.66 bs of CO, and 131,79 bs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (incident No. 366833) that began on September 19, 2021 and lasted 27 hours. Base Penalty \$255,000 >> Environmental, Property and Human Health Matrix Harm		Kule cite(3)	Jo Tex. Admin. Code 99 110	4123, GTC and STC No.		
>> Environmental, Property and Human Health Matrix Harm Actual		Violation Description	2,767.33 lbs of VOC, 529.6 Flare, EPN FLR-1, during an	6 lbs of CO, and 131.79 emissions event (Incide	lbs of NOx from the Elevate nt No. 366833) that began	d
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Release Major Moderate Minor Actual Potential Percent 30.0% >>Programmatic Matrix Falsification Major Moderate Minor Falsification Major Falsification Majo	>> Env	ironmental, Prope	rty and Human Health	Matrix		
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	Econom	nic Benefit (EB) for	this violation		Statutory Limit Test	
This violation Final Assessed Penalty (adjusted for limits) \$8,250		Estimate	ed EB Amount	\$1,564	Violation Final Penalty To	tal \$8,250
			This viol	ation Final Assessed F	Penalty (adjusted for limi	ts) \$8,250

	E	conomic	Benefit	Wo	rksheet		
Respondent	INEOS OLIGO	MERS USA LLC					
Case ID No.							
Reg. Ent. Reference No.	RN108783614						
Media	Air					Percent Interest	Years of
Violation No.	9					reicent interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
-							
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 \$0	n/a	\$0
Training/Sampling				0.00	\$0 \$0	n/a n/a	\$0 \$0
Remediation/Disposal Permit Costs				0.00	\$0 \$0	n/a	\$0
Other (as needed)	\$10,000	19-Sep-2021	4-Nov-2024	3.13	\$1,564	n/a	\$1,564
Notes for DELAYED costs		ar causes as Incid	ent No. 366833	. The I		nce of emissions evo ne date the emission npliance.	
Avoided Costs	ANNUA	LIZE avoided co	osts before en	tering	item (except for	one-time avoide	d 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) Notes for AVOIDED costs		JIJI		0.00	\$0	\$0	\$0
Approx. Cost of Compliance		\$10,000			TOTAL		\$1,564

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 CN604935338, RN108783614, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, CN604935338, INEOS OLIGOMERS USA Classification: HIGH Rating: 0.00

or Owner/Operator:

Regulated Entity: RN108783614, INEOS OLIGOMERS Classification: HIGH Rating: 0.00

CHOCOLATE BAYOU

Complexity Points: 20 Repeat Violator: NO

CH Group: 05 - Chemical Manufacturing

Location: 15916 Farm-to-Market Road 2004, Alvin, Brazoria County, Texas

TCEO Region: **REGION 12 - HOUSTON**

ID Number(s):

AIR OPERATING PERMITS PERMIT 4123 AIR NEW SOURCE PERMITS EPA PERMIT N250 **AIR NEW SOURCE PERMITS PERMIT 136130 AIR NEW SOURCE PERMITS EPA PERMIT N250M2 AIR NEW SOURCE PERMITS** EPA PERMIT N250M1 AIR NEW SOURCE PERMITS AFS NUM 4803900782 AIR EMISSIONS INVENTORY ACCOUNT NUMBER **POLLUTION PREVENTION PLANNING ID NUMBER** BLA061I

P10705

INDUSTRIAL AND HAZARDOUS WASTE EPA ID INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

TXR000085035 REGISTRATION # (SWR) 97479

Compliance History Period: September 01, 2018 to August 31, 2023 Rating Year: 2023 **Rating Date:** 09/01/2023

Date Compliance History Report Prepared: April 03, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 03, 2019 to April 03, 2024

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

Phone: (512) 239-2572 Name: Mackenzie Mehlmann

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

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

1 Effective Date: 06/13/2023 ADMINORDER 2021-0553-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

5C THSC Chapter 382 382.085(b)

Rgmt Prov: FOP No. 04123, GTC and STC No. 13 OP

NSR Nos. 136130 and N250M1, SC No. 1 PERMIT NSR Nos. 136130 and N250MI, SC No. 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 487.71 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 347484) that occurred on December 12, 2020 and lasted 45 minutes. The emissions event occurred due to a crack in tubing on the level transmitter, resulting in the release to the atmosphere.

B. Criminal convictions:

N/A

Chronic excessive emissions events:

N/A

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

 Item 1
 June 17, 2021
 (1697281)

 Item 2
 March 21, 2023
 (1879375)

 Item 3
 October 25, 2023
 (1931197)

 Item 4
 October 27, 2023
 (1925404)

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

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

1 Date: 02/29/2024 (1945343)

Self Report? NO Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)

5C THSC Chapter 382 382.085(b) Special Condition 16B PERMIT Special Term and Condition 13 OP Special Term and Condition 1A OP

Description: Failure to maintain the pilot flame for the Elevated Flare (EPN: FLR-1)

(Category C4).

Self Report? NO Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)

5C THSC Chapter 382 382.085(b) Special Term and Condition 13 OP Special Term and Condition 16A PERMIT Special Term and Condition 1A OP

Description: Failure to maintain the net heating value for the Elevated Flare (EPN: FLR-1)

(Category B18(g)(1)).

Self Report? NO Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Dc 60.48c(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(b)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7545(a)

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

Description: Failure to submit required notifications for Heater No. 2 (EPN: HTR-2)

(Category B3).

Self Report? NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143 5C THSC Chapter 382 382.085(b)

5C THSC Chapter 382 382.085(b) Special Condition 28D PERMIT Special Term and Condition 13 OP

Description: Failure to conduct required stack sampling for the Hot Oil Heater (EPN:

HTR-1) (Category B1).

F. Environmental audits:

Notice of Intent Date: 02/11/2020 (1630070)

Disclosure Date: 09/24/2021 Viol. Moderate

Classification:

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.663(a)(2)

Description: Failed to provide a flow indicator on the NSPS NNN affected vent stream that is routed to the Thermal

Oxidizer.

Viol. Moderate

Classification:

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

30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)

40 CFR Part 63, Subpart A 63.11(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)

Rqmt Prov: PERMIT Special Conditions No. 16.C

Description: Failed to provide a baffle on the plant flare that prevents the flare from smoking during high velocity

events.

Viol. Moderate

Classification:

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

30 TAC Chapter 116, SubChapter B 116.116(a)(1)

Rgmt Prov: PERMIT Special Conditions No. 1

Description: Failed to comply with permit representations. Specifically, the final design of the LAO Unit and

associated auxiliary facilities differs from the permit representations: flare flow r rates, fugitive componen counts, throughputs, heat inputs, etc. require updating to reflect the as-build design.

Viol. Moderate

Classification:

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

30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(i)(B)(ii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)

Rqmt Prov: PERMIT Special Conditions No. 16.A

Description: Failed to maintain the plant flare net heating value at or above 300 btu/scf.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT Special Conditions No. 1

PERMIT Special Conditions No. 7.C
PERMIT Special Conditions No. 7.C(1)

Description: Failed to prevent Hot Oil Heater NOx hourly exceedances.

Viol. Moderate

Classification:

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

30 TAC Chapter 117, SubChapter B 117.335(a)(1)

Rqmt Prov: PERMIT Special Conditions No. 28.C

Description: Failed to conduct required stack sampling within 180 days after startup for the Hot Oil Heater, Marine

Vapor Combustor, and Thermal Oxidizer.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 117, SubChapter B 117.335(a)(1)

Description: Failed to perform required stack sampling of Heater No. 2 within 180 days after startup.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)

Description: Failed to install the required totalizing fuel flow meter on Heater No. 2.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.132(d)

Description: Failed to include the applicable regulatory requirements for Heater No. 2 in SOP No. 04123.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.132(d)

Description: Failed to include the applicable NSPS Wa regulatory requirements for the fugitive components in the

PAO Unit (EPN: FUG) in SOP No. 04123.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT Special Conditions No. 18.A

Description: Failed to maintain the Thermal Oxidizer six-minute average temperature at or above the required

1,500 degrees Fahrenheit.

Viol. Moderate

Classification:

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

30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 117, SubChapter B 117.345(f)(8) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(c) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.49b(o)

Rqmt Prov: PERMIT Special Conditions No. 30.B

Description: Failed to maintain the Hot Oil Heater CEMS daily calibration records.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter H 115.726(d)(2)

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Conditions No. 16.D

Description: Failed to maintain the plant flare HRVOC GC calibration records.

Viol. Moderate

Classification:

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 Kb 60.113b(a)(2)

Rqmt Prov: PERMIT Special Conditions No. 12B

Description: Failed to perform the internal floating roof tank inspections within 12 months after the initial tank filling

date.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT General Conditions No. 7

PERMIT Special Conditions No. 20 PERMIT Special Conditions No. 21 PERMIT Special Conditions No. 31

Description: Failed to satisfy the recordkeeping requirements of Permit No. 136130.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)

Description: Failed to calibrate the Flare HRVOC temperature, pressure, and flow monitors.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT Special Conditions No. 13.D

Description: Failed to conduct an annual cooling tower drift eliminator inspection.

Viol. Moderate

Classification:

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

Rgmt Prov: PERMIT Special Conditions No. 7.C(2)

Description: Failed to maintain the Hot Oil Heater below the NOx lb/MMBtu 1-hour block average permit limit.

Viol. Minor

Classification:

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)(1)

Description: Failed to utilize the correct NOx span concentration cylinder for the Hot Oil Heater CEMS daily

calibrations.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 335, SubChapter A 335.6(a)

Description: Failed to provide notification of waste storage, processing, or disposal activities to TCEQ 90 days prior

to operating the filter oven.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 335, SubChapter Q 335.474

Description: Failed to prepare and maintain a five year pollution prevention plan on-site.

Notice of Intent Date: 09/28/2020 (1678479)

No DOV Associated

Notice of Intent Date: 06/09/2022 (1819616)

No DOV Associated

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates: $\ensuremath{\mathsf{N}/\mathsf{A}}$

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
INEOS OLIGOMERS USA LLC	§	
RN108783614	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2021-1267-AIR-E

I. JURISDICTION AND STIPULATIONS

On	, the Texas Commission on Environmental Quality ("the
Commission" or "TCEQ") co	nsidered this agreement of the parties, resolving an enforcement
action regarding INEOS OLI	GOMERS USA LLC (the "Respondent") under the authority of Tex.
HEALTH & SAFETY CODE ch. 38	32 and Tex. Water Code ch. 7. The Executive Director of the TCEQ,
through the Enforcement D	vivision, and the Respondent together stipulate that:

- 1. The Respondent owns and operates a chemical manufacturing plant located at 15916 Farm-to-Market Road 2004 in Alvin, Brazoria County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in Tex. Health & Safety Code § 382.003(12).
- 2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to Tex. Water Code §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to Tex. Water Code § 5.013 because it alleges violations of Tex. Health & Safety Code ch. 382 and the rules of the TCEQ.
- 3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 4. An administrative penalty in the amount of \$54,426 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$43,541 of the penalty and \$10,885 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
- 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 June 30, 2021, submitted the initial notification for Incident No. 361181;
 - b. On July 14, 2021, submitted the final record for Incident No. 361181;
 - c. By July 15, 2021, installed a filter screen to prevent solids from clogging the C7126 bottoms level control valve in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 360425; and
 - d. By September 22, 2021, installed a cover over the emergency shutdown button on the Hot Oil Heater in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 365574.

II. ALLEGATIONS

- 1. During a record review for the Plant conducted from June 30, 2021 through July 15, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit Nos. 136130 and N250, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. 04123, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 13, and Tex. Health & Safety Code § 382.085(b). Specifically, the Respondent released 2,723.46 pounds ("lbs") of volatile organic compounds ("VOC"), 879.03 lbs of carbon monoxide ("CO"), and 206.01 lbs of nitrogen oxides ("NOx") from the Elevated Flare, Emissions Point Number ("EPN") FLR-1, during an emissions event (Incident No. 360425) that began on June 16, 2021 and lasted 22 hours.
- 2. During a record review for the Plant conducted from July 14, 2021 through August 26, 2021, an investigator documented that the Respondent:
 - a. Failed to prevent unauthorized emissions, in violation of 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b). Specifically, the Respondent released 3,137.30 lbs of VOC, 815.09 lbs of CO, and 196.20 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 361181) that began on June 24, 2021 and lasted 25 hours.

- b. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 Tex. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O4123, GTC and STC No. 2.F, and Tex. Health & Safety Code § 382.085(b). Specifically, the initial notification for Incident No. 361181 was due by June 25, 2021 at 6:00 p.m., but was not submitted until June 30, 2021 at 4:36 p.m.
- c. Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event, in violation of 30 Tex. Admin. Code §§ 101.201(c) and 122.143(4), FOP No. O4123, GTC and STC No. 2.F, and Tex. Health & Safety Code § 382.085(b). Specifically, the final record for Incident No. 361181 was due by July 9, 2021, but was not submitted until July 14, 2021.
- 3. During a record review for the Plant conducted from September 9, 2021 through September 22, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b). Specifically, the Respondent released 909.26 lbs of VOC, 775.27 lbs of CO, and 198.88 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 365712) that began on August 27, 2021 and lasted 80 hours.
- 4. During a record review for the Plant conducted from September 3, 2021 through September 10, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b). Specifically, the Respondent released 530.39 lbs of VOC from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 365326) that occurred on August 20, 2021 and lasted 11 hours and 44 minutes.
- 5. During a record review for the Plant conducted from August 9, 2021 through August 23, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b). Specifically, the Respondent released 726.47 lbs of VOC, 429.18 lbs of CO, and 102.21 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 363600) that began on July 26, 2021 and lasted 11 hours and five minutes.
- 6. During a record review for the Plant conducted from September 8, 2021 through September 22, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b). Specifically, the Respondent released 228.24 lbs of VOC, 208.67 lbs of CO, and 51.20 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 365574) that occurred on August 24, 2021 and lasted 12 hours.
- 7. During a record review for the Plant conducted from October 4, 2021 through October 15, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 Tex. ADMIN. CODE §§ 116.115(c) and

122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b). Specifically, the Respondent released 2,767.33 lbs of VOC, 529.66 lbs of CO, and 131.79 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 366833) that began on September 19, 2021 and lasted 27 hours.

III. DENIALS

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

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: INEOS OLIGOMERS USA LLC, Docket No. 2021-1267-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 undertake the following technical requirements:
 - a. Within 30 days after the effective date of the Order:
 - i. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 361181.
 - ii. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 365712.
 - iii. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 365326.
 - iv. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 363600.
 - v. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 366833.
 - b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No.
 2.a. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

- 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. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
- 6. 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.
- 7. 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

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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.

8. 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.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TEXAS COMMISSION ON ENVIRONMENTAL (QUALITY		
For the Commission	Date		
For the Executive Director	6/24/2024		
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 and/or failure to timely pay the penalty amo	h the Ordering Provisions, if any, in this Order ount, may result in:		
 A negative impact on compliance history; Greater scrutiny of any permit applications submitted; Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency; Increased penalties in any future enforcement actions; Automatic referral to the OAG of any future enforcement actions; and TCEQ seeking other relief as authorized by law. 			
In addition, any falsification of any compliance documents may result in criminal prosecution.			
Signature Signature	$\frac{51712024}{\text{Date}}$		
Jeffrey Wolf Name (Printed or typed) Authorized Representative of INEOS OLIGOMERS USA LLC	Asset Manager Title		
\square If mailing address has changed, please of	heck this box and provide the new address below:		