

TCEQ Interoffice Memorandum

To: Mary Smith, General Counsel

Thru: *MBC* Melissa Cordell, Assistant Deputy Director
Enforcement Division

From: *MP* Michael Parrish, Team Leader
Special Functions Team

Date: August 6, 2024

Subject: **Backup Revision**
August 14, 2024 Commission Agenda
Item No. 9 – OCI Beaumont LLC
Docket No. 2021-1523-AIR-E

Enclosed please find the following:

Executive Summary:

- Page 1, Investigation Information, Date(s) of Investigation - Changed November 15, 2021 to November 5, 2021.

Please do not hesitate to call Michael Parrish at (512) 239-2548 if you have any questions regarding this matter.

cc: Garrett Arthur, Public Interest Counsel
Melissa Schmidt, Public Interest Counsel
Gill Valls, Office of General Counsel
Katherine McKenzie, Agenda Coordinator, Litigation Division
Amy Settemeyer, Deputy Director, Enforcement Division
Melissa Cordell, Assistant Deputy Director, Enforcement Division
Rebecca Margain-Nunez, Executive Assistant, Enforcement Division
Brett Lanham, Manager, Special Functions and Compliance Monitoring,
Enforcement Division
Michael De La Cruz, Manager, Air Section, Enforcement Division
Yuliya Dunaway, Enforcement Coordinator, Air Section, Enforcement Division

Executive Summary – Enforcement Matter – Case No. 61471
OCI Beaumont LLC
RN102559291
Docket No. 2021-1523-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Beaumont Plant, 5470 North Twin City Highway, Nederland, Jefferson County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket No. 2022-1611-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 21, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$186,920

Amount Deferred for Expedited Settlement: \$0

Total Paid to General Revenue: \$93,460

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$93,460

Name of SEP: Southeast Texas Regional Planning Commission (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: September 15, 2021, November 5, 2021, November 17, 2021, and February 24, 2022

Date(s) of NOE(s): September 30, 2021, November 30, 2021, December 10, 2021, and March 22, 2022

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RN102559291
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Date(s) of NOE(s): September 30, 2021, November 30, 2021, December 10, 2021, and March 22, 2022

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Docket No. 2021-1523-AIR-E

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N/A

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AIR

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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: September 15, 2021, November 15, 2021, November 17, 2021, and February 24, 2022

Date(s) of NOE(s): September 30, 2021, November 30, 2021, December 10, 2021, and March 22, 2022

Executive Summary – Enforcement Matter – Case No. 61471
OCI Beaumont LLC
RN102559291
Docket No. 2021-1523-AIR-E

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 0.26 pound ("lb") of nitrogen oxides ("NO_x"), 0.02 lb of carbon monoxide ("CO"), and 0.22 lb of anhydrous ammonia from the Ammonia Plant Flare, Emissions Point Number ("EPN") FL321, and released 245.59 lbs of NO_x from Methanol Plant Flare, EPN 45, during an emissions event (Incident No. 359134) that occurred on May 26, 2021 and lasted four hours and 18 minutes [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 901 and PSDTX1334, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1645, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 983.00 lbs of anhydrous ammonia from the Ammonia Storage Tank Flare, EPN TKFLARE, during an emissions event (Incident No. 366354) that occurred on September 11, 2021 and lasted one hour and 30 minutes [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, the Respondent exceeded the CO MAER of 218.56 pounds per hour ("lbs/hr") by an average of 61.12 lbs/hr for nine hours on seven days from August 20, 2020 through June 15, 2021 and exceeded the NO_x MAER of 18.0 lbs/hr by an average of 25.94 lbs/hr for eleven hours on three days from July 24, 2020 through October 19, 2020 for the Reforming Furnaces and Pre-Reformer Fired Heater, EPN STK-41, resulting in the unauthorized release of 550.46 pounds of CO emissions and 266.3 pounds of NO_x emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, Special Conditions ("SC") No. 1, FOP No. O1645, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4. Failed to comply with the MAER. Specifically, the Respondent exceeded the NO_x MAER of 4.27 tons per year based on a 12-month rolling period for the 12-month periods ending from November 2019 through October 2020 for the Methanol Plant Flare, EPN 45M, resulting in 1.01 tons of unauthorized NO_x emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5. Failed to comply with the MAER. Specifically, the Respondent exceeded the NO_x MAER of 4.17 tons per year based on a 12-month rolling period for the 12-month periods ending from September 2020 and from February 2021 through June 2021 for the Reformer Flare, EPN FL42M, resulting in 1.09 tons of unauthorized NO_x emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Executive Summary – Enforcement Matter – Case No. 61471

OCI Beaumont LLC

RN102559291

Docket No. 2021-1523-AIR-E

6. Failed to report all instances of deviations. Specifically, the deviation report for the January 1, 2020 through June 30, 2020 reporting period did not include the deviation for failing to comply with the NOx annual MAER for the Reformer Flare [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O1645, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7. 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 Respondent had an emissions event that occurred on February 26, 2021 and lasted 28 minutes, but the initial notification was not submitted [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O1645, GTC and STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b)].

8. Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,797.98 lbs of methanol, 4,539.05 lbs of methyl formate, and 249.86 lbs of volatile organic compounds as fugitive emissions, during an emissions event that occurred on February 26, 2021 and lasted 28 minutes [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

9. Failed to prevent unauthorized emissions. Specifically, the Respondent released 329.98 lbs of anhydrous ammonia as fugitive emissions, during an emissions event (Incident No. 372340) that occurred on January 4, 2022 and lasted six minutes [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, 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 July 30, 2021, submitted the deviation report for the January 1, 2021 through June 31, 2021 reporting period to report the deviation for the failing to comply with the NOx annual MAER for the Reformer Flare;

b. By September 10, 2021, tuned the back pressure controller to be responsive and adjusted parameters on the valve causing the oil pressure swings in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 359134;

c. By February 7, 2022, implemented the Maintenance, Startup, and Shutdown ("MSS") Management System to assist in better tracking and managing all MSS activities to ensure compliance and reporting in a timely manner;

Executive Summary – Enforcement Matter – Case No. 61471

OCI Beaumont LLC

RN102559291

Docket No. 2021-1523-AIR-E

d. By February 22, 2023, implemented additional measures and updated the Ammonia Barge Loading Procedure to ensure that the valves were closed prior to loading in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 366354;

e. By April 5, 2024, obtained approval of the voluntary update to Greenhouse Gas Prevention of Significant Deterioration Permit No. GHGPSDTX50 to revise SC No. IV A.2.g. in order to comply with the CO and NO_x hourly MAERs for the Reforming Furnaces and Pre-Reformer Fired Heater, EPN STK-41; the NO_x annual MAER for the Methanol Plant Flare, EPN 45M; and the NO_x annual MAER for the Reformer Flare, EPN FL42M;

f. On April 30, 2024, submitted the initial notification for the reportable emissions event that occurred on February 26, 2021;

g. By May 1, 2024, increased the calibration range of the pressure instruments that monitor for nitrogen addition to the distillation, established a setpoint high limit in the Distributed Control System, updated the Standard Operating Procedures to ensure setpoints are established at the correct value, reviewed and evaluated the safeguards of previous Hazardous and Operability Analysis ("HAZOP"), and conducted a mini-HAZOP training on the distillation overpressure scenarios in order to prevent the recurrence of emissions events due to the same or similar causes as the reportable emissions event that occurred on February 26, 2021; and

h. By May 1, 2024, updated the Lock Out Tag Out to replace tags and to button up flanges on systems that are susceptible to system shock, performed Preliminary Inspections on all valves and components, slowed the Ramp Function on the controller to minimize system stock, and reviewed the incident with the supervisors and shift teams in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 372340.

Technical Requirements:

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

Executive Summary – Enforcement Matter – Case No. 61471
OCI Beaumont LLC
RN102559291
Docket No. 2021-1523-AIR-E

Contact Information

TCEQ Attorney: N/A

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

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

SEP Third-Party Administrator: Southeast Texas Regional Planning Commission, 2210 Eastex Freeway, Beaumont, Texas 77703

Respondent: Zach Adamson, Plant Manager, OCI Beaumont LLC, 5470 North Twin City Highway, Nederland, Texas 77627-3168

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	5-Oct-2021	Screening	14-Oct-2021	EPA Due	
	PCW	12-May-2024				

RESPONDENT/FACILITY INFORMATION	
Respondent	OCI Beaumont LLC
Reg. Ent. Ref. No.	RN102559291
Facility/Site Region	10-Beaumont
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	61471	No. of Violations	9
Docket No.	2021-1523-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$117,750
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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	68.0% Adjustment	Subtotals 2, 3, & 7	\$80,070
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Notes: Enhancement for four orders containing a denial of liability. Reduction for eight notices of intent to conduct an audit and two disclosures of violations.

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	-\$10,900
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$6,306
 Estimated Cost of Compliance: \$57,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$186,920
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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: [Empty box]

Final Penalty Amount	\$186,920
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$186,920
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral for orders in which the Respondent has two or more prior administrative penalty orders as set out in Tex. Water Code § 7.105(b)(2), (b)(4), and (b)(6).

PAYABLE PENALTY	\$186,920
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Screening Date 14-Oct-2021

Docket No. 2021-1523-AIR-E

PCW

Respondent OCI Beaumont LLC

Policy Revision 5 (January 28, 2021)

Case ID No. 61471

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN102559291

Media Air

Enf. Coordinator Yuliya Dunaway

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>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	8	-8%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	2	-4%
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) 68%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for four orders containing a denial of liability. Reduction for eight notices of intent to conduct an audit and two disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 68%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 68%

Screening Date 14-Oct-2021
Respondent OCI Beaumont LLC
Case ID No. 61471
Reg. Ent. Reference No. RN102559291
Media Air
Enf. Coordinator Yuliya Dunaway

Docket No. 2021-1523-AIR-E

PCW

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 901 and PSDTX1334, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1645, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 16, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 0.26 pound ("lb") of nitrogen oxides ("NOx"), 0.02 lb of carbon monoxide ("CO"), and 0.22 lb of anhydrous ammonia from the Ammonia Plant Flare, Emissions Point Number ("EPN") FL321, and released 245.59 lbs of NOx from Methanol Plant Flare, EPN 45, during an emissions event (Incident No. 359134) that occurred on May 26, 2021 and lasted four hours and 18 minutes.

Base Penalty

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Matrix Notes

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

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

One monthly event is recommended.

Good Faith Efforts to Comply

Reduction

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

Notes: The Respondent completed the corrective measures by September 10, 2021, prior to the Notice of Enforcement ("NOE") dated September 30, 2021.

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent OCI Beaumont LLC
Case ID No. 61471
Reg. Ent. Reference No. RN102559291
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	26-May-2021	10-Sep-2021	0.29	\$147	n/a	\$147

Notes for DELAYED costs
 Estimated cost to tune the back pressure controller to be responsive and adjust parameters on the valve causing the oil pressure swings in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 359134. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$10,000

TOTAL \$147

Screening Date 14-Oct-2021 **Docket No.** 2021-1523-AIR-E **PCW**
Respondent OCI Beaumont LLC *Policy Revision 5 (January 28, 2021)*
Case ID No. 61471 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102559291
Media Air
Enf. Coordinator Yuliya Dunaway

Violation Number 2
Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 983.00 lbs of anhydrous ammonia from the Ammonia Storage Tank Flare, EPN TKFLARE, during an emissions event (Incident No. 366354) that occurred on September 11, 2021 and lasted one hour and 30 minutes.

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 did not exceed levels that are protective of human health or the environmental receptors as a result of this violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1 1 Number of violation days

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction \$750

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

Extraordinary		
Ordinary		X
N/A		

Notes

The Respondent completed the corrective measures by February 22, 2023, after the NOE dated November 30, 2021.

Violation Subtotal \$6,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$725

Violation Final Penalty Total \$11,850

This violation Final Assessed Penalty (adjusted for limits) \$11,850

Economic Benefit Worksheet

Respondent OCI Beaumont LLC
Case ID No. 61471
Reg. Ent. Reference No. RN102559291
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	11-Sep-2021	22-Feb-2023	1.45	\$725	n/a	\$725

Notes for DELAYED costs
 Estimated cost to implement additional measures and update the Ammonia Barge Loading Procedure to ensure that the valves were closed prior to loading in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 366354. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs
 (This area is currently blank for input.)

Approx. Cost of Compliance \$10,000

TOTAL \$725

Screening Date 14-Oct-2021 **Docket No.** 2021-1523-AIR-E **PCW**
Respondent OCI Beaumont LLC *Policy Revision 5 (January 28, 2021)*
Case ID No. 61471 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102559291
Media Air
Enf. Coordinator Yuliya Dunaway

Violation Number 3
Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, the Respondent exceeded the CO MAER of 218.56 pounds per hour ("lbs/hr") by an average of 61.12 lbs/hr for nine hours on seven days from August 20, 2020 through June 15, 2021 and exceeded the NOx MAER of 18.0 lbs/hr by an average of 25.94 lbs/hr for eleven hours on three days from July 24, 2020 through October 19, 2020 for the Reforming Furnaces and Pre-Reformer Fired Heater, EPN STK-41, resulting in the unauthorized release of 550.46 pounds of CO emissions and 266.3 pounds of NOx emissions.

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 did not exceed levels that are protective of human health or the environmental receptors as a result of this violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 4 326 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$30,000

Four quarterly events are recommended for the instances of non-compliance that occurred from July 24, 2020 through June 15, 2021.

Good Faith Efforts to Comply 10.0% Reduction \$3,000

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

Notes The Respondent completed the corrective measures by April 5, 2024, after the NOE dated December 10, 2021.

Violation Subtotal \$27,000

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

Estimated EB Amount \$1,041 **Violation Final Penalty Total** \$47,400

This violation Final Assessed Penalty (adjusted for limits) \$47,400

Economic Benefit Worksheet

Respondent OCI Beaumont LLC
Case ID No. 61471
Reg. Ent. Reference No. RN102559291
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	24-Jul-2020	7-Feb-2022	1.54	\$116	n/a	\$116
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$5,000	24-Jul-2020	5-Apr-2024	3.70	\$925	n/a	\$925
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs to implement the Maintenance, Startup, and Shutdown ("MSS") Management System to assist in better tracking and managing all MSS activities to ensure compliance and reporting in a timely manner (\$1,500) and to obtain approval of the voluntary update to Greenhouse Gas Prevention of Significant Deterioration Permit No. GHGPSDTX50 to revise SC No. IV A.2.g. in order to comply with the CO and NOx hourly MAERs for the Reforming Furnaces and Pre-Reformer Fired Heater, EPN STK-41; the NOx annual MAER for the Methanol Plant Flare, EPN 45M; and the NOx annual MAER for the Reformer Flare, EPN FL42M (\$5,000). The Dates Required is the first date of non-compliance and the Final Dates are the dates of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$6,500

TOTAL \$1,041

Screening Date 14-Oct-2021 **Docket No.** 2021-1523-AIR-E **PCW**
Respondent OCI Beaumont LLC *Policy Revision 5 (January 28, 2021)*
Case ID No. 61471 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102559291
Media Air
Enf. Coordinator Yuliya Dunaway

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to comply with the MAER. Specifically, the Respondent exceeded the NOx MAER of 4.27 tons per year based on a 12-month rolling period for the 12-month periods ending from November 2019 through October 2020 for the Methanol Plant Flare, EPN 45M, resulting in 1.01 tons of unauthorized NOx emissions.

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 did not exceed levels that are protective of human health or the environmental receptors as a result of this violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 4 365 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$30,000

Four quarterly events are recommended for the period of non-compliance that occurred from November 1, 2019 through October 31, 2020.

Good Faith Efforts to Comply 10.0% Reduction \$3,000

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

Notes The Respondent completed the corrective measures by April 5, 2024, after the NOE dated December 10, 2021.

Violation Subtotal \$27,000

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

Estimated EB Amount \$0 **Violation Final Penalty Total** \$47,400

This violation Final Assessed Penalty (adjusted for limits) \$47,400

Economic Benefit Worksheet

Respondent OCI Beaumont LLC
Case ID No. 61471
Reg. Ent. Reference No. RN102559291
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

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

Notes for DELAYED costs

See the Economic Benefit in Violation No. 3.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

TOTAL

Screening Date 14-Oct-2021 **Docket No.** 2021-1523-AIR-E **PCW**
Respondent OCI Beaumont LLC *Policy Revision 5 (January 28, 2021)*
Case ID No. 61471 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102559291
Media Air
Enf. Coordinator Yuliya Dunaway

Violation Number 5
Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to comply with the MAER. Specifically, the Respondent exceeded the NOx MAER of 4.17 tons per year based on a 12-month rolling period for the 12-month periods ending from September 2020 and from February 2021 through June 2021 for the Reformer Flare, EPN FL42M, resulting in 1.09 tons of unauthorized NOx emissions.

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 did not exceed levels that are protective of human health or the environmental receptors as a result of this violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 3 179 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$22,500

Three quarterly events are recommended for the periods of non-compliance on September 1, 2020 and from February 1, 2021 through June 30, 2021.

Good Faith Efforts to Comply 10.0% Reduction \$2,250

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

Notes The Respondent completed the corrective measures by April 5, 2024, after the NOE dated December 10, 2021.

Violation Subtotal \$20,250

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

Estimated EB Amount \$0 **Violation Final Penalty Total** \$35,550

This violation Final Assessed Penalty (adjusted for limits) \$35,550

Economic Benefit Worksheet

Respondent OCI Beaumont LLC
Case ID No. 61471
Reg. Ent. Reference No. RN102559291
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

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

Notes for DELAYED costs

See the Economic Benefit in Violation No. 3.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

TOTAL

Screening Date 14-Oct-2021 **Docket No.** 2021-1523-AIR-E **PCW**
Respondent OCI Beaumont LLC *Policy Revision 5 (January 28, 2021)*
Case ID No. 61471 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102559291
Media Air
Enf. Coordinator Yuliya Dunaway

Violation Number 6
Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. O1645, GTC, and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to report all instances of deviations. Specifically, the deviation report for the January 1, 2020 through June 30, 2020 reporting period did not include the deviation for failing to comply with the NOx annual MAER for the Reformer Flare.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
Potential					

>> Programmatic Matrix

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

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1 944 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply 10.0% Reduction \$25

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

Notes The Respondent completed the corrective measures by February 7, 2022, after the NOE dated December 10, 2021.

Violation Subtotal \$225

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

Estimated EB Amount \$13 **Violation Final Penalty Total** \$395

This violation Final Assessed Penalty (adjusted for limits) \$395

Economic Benefit Worksheet

Respondent OCI Beaumont LLC
Case ID No. 61471
Reg. Ent. Reference No. RN102559291
Media Air
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	30-Jul-2020	30-Jul-2021	1.00	\$13	n/a	\$13

Notes for DELAYED costs

Estimated cost to submit the deviation report for the January 1, 2021 through June 31, 2021 reporting period to report the deviation for the failing to comply with the NOx annual MAER for the Reformer Flare. The Date Required is the date the deviation report was due and the Final Date is the date of compliance.

See Economic Benefit in Violation No. 3 for implementing the MSS Management System to assist in better tracking and managing all MSS activities to ensure compliance and reporting in a timely manner.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$250

TOTAL \$13

Screening Date 14-Oct-2021 **Docket No.** 2021-1523-AIR-E **PCW**
Respondent OCI Beaumont LLC *Policy Revision 5 (January 28, 2021)*
Case ID No. 61471 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102559291
Media Air
Enf. Coordinator Yuliya Dunaway

Violation Number 7
Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O1645, GTC and STC No. 2.F., and Tex. Health & Safety Code § 382.085(b)
Violation Description 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 Respondent had an emissions event that occurred on February 26, 2021 and lasted 28 minutes, but the initial notification was not submitted.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
		x			20.0%
100% of the rule requirements were not met.					

Adjustment \$20,000

\$5,000

Violation Events

Number of Violation Events 1 733 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$5,000

One single event is recommended.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

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

Violation Subtotal \$5,000

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

Estimated EB Amount \$40 **Violation Final Penalty Total** \$8,400

This violation Final Assessed Penalty (adjusted for limits) \$8,400

Economic Benefit Worksheet

Respondent OCI Beaumont LLC
Case ID No. 61471
Reg. Ent. Reference No. RN102559291
Media Air
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	27-Feb-2021	30-Apr-2024	3.17	\$40	n/a	\$40

Notes for DELAYED costs
 Estimated costs to submit the initial notification for the reportable emissions event that occurred on February 26, 2021. The Date Required is the date the notification was due and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$250

TOTAL \$40

Screening Date 14-Oct-2021 **Docket No.** 2021-1523-AIR-E **PCW**
Respondent OCI Beaumont LLC *Policy Revision 5 (January 28, 2021)*
Case ID No. 61471 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102559291
Media Air
Enf. Coordinator Yuliya Dunaway

Violation Number 8
Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,797.98 lbs of methanol, 4,539.05 lbs of methyl formate, and 249.86 lbs of volatile organic compounds as fugitive emissions, during an emissions event that occurred on February 26, 2021 and lasted 28 minutes.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual			x	Percent 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 did not exceed levels that are protective of human health or the environmental receptors as a result of this violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1 1 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

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

Violation Subtotal \$7,500

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

Estimated EB Amount \$3,178 **Violation Final Penalty Total** \$12,600

This violation Final Assessed Penalty (adjusted for limits) \$12,600

Economic Benefit Worksheet

Respondent OCI Beaumont LLC
Case ID No. 61471
Reg. Ent. Reference No. RN102559291
Media Air
Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$20,000	26-Feb-2021	1-May-2024	3.18	\$3,178	n/a	\$3,178

Notes for DELAYED costs

Estimated cost to increase the calibration range of the pressure instruments that monitor for nitrogen addition to the distillation, establish a setpoint high limit in the Distributed Control System, update the Standard Operating Procedures to ensure setpoints are established at the correct value, review and evaluate the safeguards of previous Hazardous and Operability Analysis ("HAZOP"), and conduct a mini-HAZOP training on the distillation overpressure scenarios in order to prevent the recurrence of emissions events due to the same or similar causes as the reportable emissions event that occurred on February 26, 2021. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$20,000

TOTAL \$3,178

Screening Date 14-Oct-2021 **Docket No.** 2021-1523-AIR-E **PCW**
Respondent OCI Beaumont LLC *Policy Revision 5 (January 28, 2021)*
Case ID No. 61471 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN102559291
Media Air
Enf. Coordinator Yuliya Dunaway

Violation Number 9
Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 329.98 lbs of anhydrous ammonia as fugitive emissions, during an emissions event (Incident No. 372340) that occurred on January 4, 2022 and lasted six minutes.

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 did not exceed levels that are protective of human health or the environmental receptors as a result of this violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1 1 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply 0.0% Reduction \$0

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

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

Violation Subtotal \$7,500

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

Estimated EB Amount \$1,162 **Violation Final Penalty Total** \$12,600

This violation Final Assessed Penalty (adjusted for limits) \$12,600

Economic Benefit Worksheet

Respondent OCI Beaumont LLC
Case ID No. 61471
Reg. Ent. Reference No. RN102559291
Media Air
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	4-Jan-2022	1-May-2024	2.32	\$1,162	n/a	\$1,162

Notes for DELAYED costs

Estimated cost to update the Lock Out Tag Out to replace tags and to button up flanges on systems that are susceptible to system shock, perform Preliminary Inspections on all valves and components, slow the Ramp Function on the controller to minimize system stock, and review the incident with the supervisors and shift teams in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 372340. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$10,000

TOTAL \$1,162



Compliance History Report

Compliance History Report for CN604138933, RN102559291, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN604138933, OCI Beaumont LLC **Classification:** SATISFACTORY **Rating:** 21.41

Regulated Entity: RN102559291, Beaumont Plant **Classification:** SATISFACTORY **Rating:** 21.41

Complexity Points: 20 **Repeat Violator:** NO

CH Group: 05 - Chemical Manufacturing

Location: 5470 North Twin City Highway, Nederland, Jefferson County, Texas

TCEQ Region: REGION 10 - BEAUMONT

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER JE0343H
AIR NEW SOURCE PERMITS PERMIT 901

AIR NEW SOURCE PERMITS AFS NUM 4824500140
AIR NEW SOURCE PERMITS REGISTRATION 139348
AIR NEW SOURCE PERMITS REGISTRATION 124163
AIR NEW SOURCE PERMITS REGISTRATION 131459
AIR NEW SOURCE PERMITS REGISTRATION 167264
AIR NEW SOURCE PERMITS REGISTRATION 170053
AIR NEW SOURCE PERMITS REGISTRATION 157761
AIR NEW SOURCE PERMITS REGISTRATION 172534

INDUSTRIAL AND HAZARDOUS WASTE NONPERMITTED ID NUMBER 89426
AIR EMISSIONS INVENTORY ACCOUNT NUMBER JE0343H

INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXP490350841
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXR000080362
TAX RELIEF ID NUMBER 20130

AIR OPERATING PERMITS PERMIT 1645
AIR NEW SOURCE PERMITS ACCOUNT NUMBER JE0343H
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1334
AIR NEW SOURCE PERMITS REGISTRATION 138267
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX50
AIR NEW SOURCE PERMITS REGISTRATION 107868
AIR NEW SOURCE PERMITS REGISTRATION 167861
AIR NEW SOURCE PERMITS REGISTRATION 156567
AIR NEW SOURCE PERMITS REGISTRATION 169290
AIR NEW SOURCE PERMITS REGISTRATION 171881
INDUSTRIAL AND HAZARDOUS WASTE NONPERMITTED ID NUMBER EPA ID TXR000080362
POLLUTION PREVENTION PLANNING ID NUMBER P01570
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD988066650
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 89426
TAX RELIEF ID NUMBER 18477

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

Date Compliance History Report Prepared: April 01, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 01, 2019 to April 01, 2024

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

Name: Yuliya Dunaway

Phone: (210) 403-4077

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: 07/20/2020 ADMINORDER 2019-0225-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

SC No. 1 PERMIT

Special Condition 1 PERMIT

Special Condition 16 OP

Description: Failure to comply with the MAER. Specifically, the Respondent exceeded the NOx MAER of 1.72 tons per year based on a 12-month rolling period for the 12-month periods ending from January 2017 through March 2017 and May 2017 for the Methanol Plant Flare (MSS), EPN 45M, resulting in 0.14 ton of unauthorized NOx emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Special Condition 16 OP

Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 440.95 pounds ("lbs") of NOx, 14.14 lbs of carbon monoxide ("CO"), and 1.90 lbs of volatile organic compounds ("VOC") from the Methanol Plant Flare, EPN 45, during an emissions event (Incident No. 288528) that began on July 18, 2018 and lasted 10 hours and 52 minutes. The emissions event occurred when the loss of two Pressure Swing Absorber ("PSA") beds caused operations to reduce the PSA feed rate and to control

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Special Condition 16 OP

Special Condition 8 PERMIT

Description: Failure to comply with the emissions limit and concentration limits. Specifically, the Respondent exceeded the NOx emissions limit of 0.008 pound per million British thermal units ("lb/MMBtu") by an average of 0.113849 lb/MMBtu for 3,188 hours that occurred on 167 days from August 7, 2017 to May 28, 2018; exceeded the CO concentration limit of 100 parts per million volume, dry basis, ("ppmvd") corrected to three percent oxygen ("3% O2") by an average of 94.4621 ppmvd at 3% O2 for 769 hours that

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.145(2)(A)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Description: Failure to report all instances of deviations. Specifically, the deviation report for the July 1, 2017 through December 31, 2017 reporting period did not include the deviation of the daily span calibrations on the O2 analyzer failing by 4% from September 30, 2017 through October 4, 2017.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Special Condition 1 PERMIT

Special Condition 10 OP

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 273.35 lbs of CO, 193.88 lbs of NOx, and 33.91 lbs of VOC from the Methanol Plant Flare, EPN 45, and 1,065.38 lbs of CO and 208.59 lbs of NOx from the Reformer Flare, EPN FL42, during an emissions event (Incident No. 292833) that began on September 22, 2018 and lasted seven hours and 51 minutes. The emissions event occurred when a temporary cover was installed on the Central Control Room ("CCR") to prevent leaks a

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Special Terms and Conditions 2F OP

Description: Failure 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. O1645, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the final record for Incident No. 293708 was due by October 20, 2018, but was not submitted until November 9, 2018.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Terms and Conditions 16 OP

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 314.15 lbs of NOx, 4.64 lbs of CO, and 1.17 lbs of VOC from the Methanol Plant Flare, EPN 45, during an emissions event (Incident No. 293708) that began on October 5, 2018 and lasted 11 hours and 42 minutes. The emissions event occurred when an error in the position signal that controls the steam driving the turbine on the Ammonia Syn-Gas compressor was not providing the proper position of the actuator.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 218.56 pounds per hour ("lbs/hr") by an average of 31.11 lbs/hr for 111 hours on 30 days from August 14, 2017 through June 9, 2018 and exceeded the NOx MAER of 18 lbs/hr by an average of 4.73 lbs/hr for 856 hours on 117 days from July 7, 2017 through June 23, 2018 for the Reforming Furnaces and Pre-Reformer Fired Heater, EPN STK-41, resulting in approximately 3,453.21 lbs of unauthorized CO emissions and 4,04

2 Effective Date: 12/15/2020 ADMINORDER 2019-1777-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to prevent the release of unauthorized emissions to the atmosphere.

3 Effective Date: 07/07/2021 ADMINORDER 2020-0691-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to maintain an emission rate below the reportable quantity.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

4 Effective Date: 01/19/2022 ADMINORDER 2020-1141-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Condition IC PERMIT
General Terms and Conditions OP
Special Condition IV.A.2(g) PERMIT

Description: Failure to maintain the permitted Oxygen 2 (O2) concentration limit at 3%.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Term and Condition 16 OP
Special Term and Condition 1A OP

Description: Failure to maintain an emission rate below the allowable CO emission limits of 218.56 pounds per hour (lbs/hr) from EPN STK-41. [Cat. A12.i(6)]

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Term and Condition 16 OP
Special Term and Condition 1A OP

Description: Failure to comply with the Volatile Organic Compound (VOC) MAER limit of 0.61 TPY for Methanol Flare (EPN MEOH Flare-45) based on a 12-month rolling period.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT
Special Term and Condition 16 OP

Description: Failed to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 218.56 lbs/hr by an average of 37.05 lbs/hr for a total of ten hours from August 12, 2019 to May 17, 2020 and the NOx MAER of 18.00 lbs/hr by an average of 26.93 lbs/hr for a total of 65 hours from February 20, 2020 to May 22, 2020 for the Reforming Furnaces and Pre-Reformer Fired Heater, EPN STK-41, resulting in the unauthorized release of 370.52 pounds of CO emissions and 1,750.65 pounds of NOx emissions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1 July 03, 2019 (1576251)
Item 2 August 14, 2019 (1582562)

Item 3	August 16, 2019	(1582588)
Item 4	August 20, 2019	(1590162)
Item 5	August 21, 2019	(1589789)
Item 6	May 12, 2020	(1633929)
Item 7	June 25, 2020	(1653104)
Item 8	June 29, 2020	(1652355)
Item 9	August 31, 2020	(1672043)
Item 10	January 05, 2021	(1679077)
Item 11	January 07, 2021	(1678262)
Item 12	March 11, 2021	(1702659)
Item 13	April 09, 2021	(1702415)
Item 14	June 07, 2021	(1722224)
Item 15	August 03, 2021	(1749418)
Item 16	March 28, 2022	(1804298)
Item 17	May 23, 2022	(1804678)
Item 18	August 30, 2022	(1826333)
Item 19	October 31, 2022	(1853803)
Item 20	July 21, 2023	(1916630)
Item 21	November 30, 2023	(1931472)

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.

N/A

F. Environmental audits:

Notice of Intent Date: 12/09/2019 (1617294)
No DOV Associated

Notice of Intent Date: 04/14/2021 (1710754)
Disclosure Date: 07/29/2021

Viol. Minor

Classification:

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)

Description: Visible emissions observation records are incomplete or not available.

Viol. Minor

Classification:

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

Rqmt Prov: OP ST&C 14

Description: Monthly HON Car Seal valve inspections were missed.

Disclosure Date: 01/27/2022

Viol. Minor

Classification:

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

Description: The CO2 Stripper Vent Vent was not routed to process as planned. The source is not authorized adequately.

Disclosure Date: 03/29/2022

Viol. Minor

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failed to accurately report emissions on the Annual Emission Inventory Report.

Notice of Intent Date: 05/26/2022 (1825835)
No DOV Associated

Notice of Intent Date: 07/28/2022 (1841161)
No DOV Associated

Notice of Intent Date: 12/19/2022 (1866871)
Disclosure Date: 01/27/2023

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT PBR Registration

Description: Failure to ensure that no more than one truck per hour is loaded.

Notice of Intent Date: 04/20/2023 (1910871)
No DOV Associated

Notice of Intent Date: 04/20/2023 (1923841)
No DOV Associated

Notice of Intent Date: 09/21/2023 (1936728)
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
OCI BEAUMONT LLC
RN102559291

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2021-1523-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 OCI Beaumont LLC (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a chemical manufacturing plant located at 5470 North Twin City Highway in Nederland, Jefferson 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 \$186,920 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$93,460 of the penalty.

Pursuant to TEX. WATER CODE § 7.067, \$93,460 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 July 30, 2021, submitted the deviation report for the January 1, 2021 through June 31, 2021 reporting period to report the deviation for the failing to comply with the nitrogen oxides ("NOx") annual maximum allowable emissions rate ("MAER") for the Reformer Flare;
 - b. By September 10, 2021, tuned the back pressure controller to be responsive and adjusted parameters on the valve causing the oil pressure swings in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 359134;
 - c. By February 7, 2022, implemented the Maintenance, Startup, and Shutdown ("MSS") Management System to assist in better tracking and managing all MSS activities to ensure compliance and reporting in a timely manner;
 - d. By February 22, 2023, implemented additional measures and updated the Ammonia Barge Loading Procedure to ensure that the valves were closed prior to loading in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 366354;
 - e. By April 5, 2024, obtained approval of the voluntary update to Greenhouse Gas Prevention of Significant Deterioration Permit No. GHGPSDTX50 to revise Special Conditions ("SC") No. IV A.2.g. in order to comply with the carbon monoxide ("CO") and NOx hourly MAERs for the Reforming Furnaces and Pre-Reformer Fired Heater, Emissions Point Number ("EPN") STK-41; the NOx annual MAER for the Methanol Plant Flare, EPN 45M; and the NOx annual MAER for the Reformer Flare, EPN FL42M;
 - f. On April 30, 2024, submitted the initial notification for the reportable emissions event that occurred on February 26, 2021;
 - g. By May 1, 2024, increased the calibration range of the pressure instruments that monitor for nitrogen addition to the distillation, established a setpoint high limit in the Distributed Control System, updated the Standard Operating Procedures

to ensure setpoints are established at the correct value, reviewed and evaluated the safeguards of previous Hazardous and Operability Analysis ("HAZOP"), and conducted a mini-HAZOP training on the distillation overpressure scenarios in order to prevent the recurrence of emissions events due to the same or similar causes as the reportable emissions event that occurred on February 26, 2021; and

- h. By May 1, 2024, updated the Lock Out Tag Out to replace tags and to button up flanges on systems that are susceptible to system shock, performed Preliminary Inspections on all valves and components, slowed the Ramp Function on the controller to minimize system stock, and reviewed the incident with the supervisors and shift teams in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 372340.

II. ALLEGATIONS

1. During a record review for the Plant conducted on September 15, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 901 and PSDTX1334, SC No. 1, Federal Operating Permit ("FOP") No. O1645, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 0.26 pound ("lb") of NO_x, 0.02 lb of CO, and 0.22 lb of anhydrous ammonia from the Ammonia Plant Flare, EPN FL321, and released 245.59 lbs of NO_x from Methanol Plant Flare, EPN 45, during an emissions event (Incident No. 359134) that occurred on May 26, 2021 and lasted four hours and 18 minutes.
2. During a record review for the Plant conducted on November 5, 2021, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 983.00 lbs of anhydrous ammonia from the Ammonia Storage Tank Flare, EPN TKFLARE, during an emissions event (Incident No. 366354) that occurred on September 11, 2021 and lasted one hour and 30 minutes.
3. During a record review for the Plant conducted on November 17, 2021, an investigator documented that the Respondent:
 - a. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 218.56 pounds per hour ("lbs/hr") by an average of 61.12 lbs/hr for nine hours on seven days from August 20, 2020 through June 15, 2021 and exceeded the NO_x MAER of 18.0 lbs/hr by an average of 25.94 lbs/hr for eleven hours on three days from July 24, 2020 through October 19, 2020 for the Reforming Furnaces and Pre-Reformer Fired Heater, EPN STK-41, resulting in the unauthorized release of 550.46 pounds of CO emissions and 266.3 pounds of NO_x emissions.
 - b. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC

- No. 1, FOP No. O1645, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NOx MAER of 4.27 tons per year based on a 12-month rolling period for the 12-month periods ending from November 2019 through October 2020 for the Methanol Plant Flare, EPN 45M, resulting in 1.01 tons of unauthorized NOx emissions.
- c. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NOx MAER of 4.17 tons per year based on a 12-month rolling period for the 12-month periods ending from September 2020 and from February 2021 through June 2021 for the Reformer Flare, EPN FL42M, resulting in 1.09 tons of unauthorized NOx emissions.
 - d. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O1645, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the January 1, 2020 through June 30, 2020 reporting period did not include the deviation for failing to comply with the NOx annual MAER for the Reformer Flare.
 - e. 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. O1645, GTC and STC No. 2.F., and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent had an emissions event that occurred on February 26, 2021 and lasted 28 minutes, but the initial notification was not submitted.
 - f. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 4,797.98 lbs of methanol, 4,539.05 lbs of methyl formate, and 249.86 lbs of volatile organic compounds as fugitive emissions, during an emissions event that occurred on February 26, 2021 and lasted 28 minutes.
4. During a record review for the Plant conducted on February 24, 2022, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 901 and PSDTX1334, SC No. 1, FOP No. O1645, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 329.98 lbs of anhydrous ammonia as fugitive emissions, during an emissions event (Incident No. 372340) that occurred on January 4, 2022 and lasted six minutes.

III. DENIALS

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

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: OCI Beaumont LLC, Docket No. 2021-1523-AIR-E" to:

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

2. The Respondent shall implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of \$93,460 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. 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.
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

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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



7/2/2024

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 the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

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

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



Signature

5/23/24

Date

Zach Adamson

Plant Director

Name (Printed or typed)
Authorized Representative of
OCI Beaumont LLC

Title

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

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

Attachment A

Docket Number: 2021-1523-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	OCI Beaumont LLC
Payable Penalty Amount:	\$186,920
SEP Offset Amount:	\$93,460
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Southeast Texas Regional Planning Commission
Project Name:	<i>Southeast Texas Regional Air Monitoring Network</i>
Total Project Budget:	\$1,500,000
Location of SEP:	Jefferson and Orange Counties

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

1. Project Description

A. Project

The Respondent shall contribute the SEP Offset Amount to the **Southeast Texas Regional Planning Commission**, as a Third-Party Administrator, for the *Southeast Texas Regional Air Monitoring Network* project (the “Project”). This Project involves air quality monitoring throughout Jefferson and Orange Counties, and specifically the Beaumont and Port Arthur area. The Third-Party Administrator operates nine air monitors in this area.

The Third-Party Administrator shall use the SEP Offset Amount to pay a contractor for monthly operation and maintenance of the sites, acquisition of all data from the monitors, processing and validating all data, monthly reporting of data, and performance of Quality Assurance Audits on all hardware systems. The air monitors will operate on a continuous basis, 24 hours per day, 365 days per year. The Third-Party Administrator shall ensure that the data is validated and sent to TCEQ’s Leading Environmental Analysis and Display System (“LEADS”) in a format acceptable to TCEQ. The Project will be done in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the Supplemental Environmental Project between the Third-Party Administrator and the TCEQ.

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

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

B. Environmental Benefit

The Project will provide environmental benefits to the Beaumont and Port Arthur area by providing measurements of concentrations of certain air pollutants and an evaluation of those air pollutants. Continued air monitoring in this area will help with better understanding air quality pollutants and will enable better identification of emissions sources. The data will focus

on specific chemicals that may raise air quality concerns. The information obtained from this network will provide the area's community with more knowledge of the types and quantities of pollutants emitted from the industries in this area. In addition, data obtained from the monitoring sites and made available to the public may be used by TCEQ and EPA.

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 Southeast Texas Regional Planning Commission SEP and shall mail the contribution with a copy of the Agreed Order to:

Southeast Texas Regional Planning Commission
Attention: Director
Transportation & Environmental Resources
2210 Eastex Freeway
Beaumont, Texas 77703

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

5. Publicity

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

6. Recognition

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

7. Other SEPs by TCEQ or Other Agencies

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