

Executive Summary – Enforcement Matter – Case No. 61711

SI Group, Inc.

RN100218999

Docket No. 2022-0018-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

SI Group Texas Operations, 702 Farm-to-Market Road 523, Freeport, Brazoria County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 28, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$45,680

Total Paid to General Revenue: \$45,680

Total Due to General Revenue: \$0

Payment Plan: N/A

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: November 4, 2021, October 28, 2021, and September 30, 2021 through April 11, 2022

Date(s) of NOE(s): December 6, 2021

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RN100218999

Docket No. 2022-0018-AIR-E

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 339 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 334048) that occurred on April 14, 2020 and lasted 45 minutes [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 2341, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1431, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 10, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 240 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 319705) that occurred on August 20, 2019 and lasted 30 minutes [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 2341, SC No. 1, FOP No. O1431, GTC and STC No. 10, 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. 319705 was due by August 21, 2019 at 2:30 p.m., but was not submitted until August 27, 2019 at 3:15 p.m. [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP No. O1431, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4. Failed to report all instances of deviations. Specifically, the deviation report for the February 22, 2020 through August 21, 2020 reporting period did not include the deviation for failing to document the monthly degreaser inspections for June 2020 [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O1431, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5. Failed to report all instances of deviations. Specifically, the deviation report for the August 22, 2020 through February 21, 2021 reporting period did not include the deviation for failing to identify all required information for non-reportable emissions events [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O1431, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6. Failed to conduct weekly visible emissions observations. Specifically, the Respondent did not conduct weekly visible emissions observations of the Baghouse R-301, Emissions Point Number P1019, for 14 weeks from February 24, 2020 to June 29, 2020 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 2341, SC No. 19, FOP No. O1431, GTC and STC No. 10, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7. Failed to sample, analyze, and record the total organic compounds ("TOC") and concentrations in parts per million by weight ("ppmw") of phenol, methanol, toluene, cresol, dimethylphenol ("DMP"), and trimethylphenol ("TMP") of the waste water in the Wastewater Surge Tank F-1001 daily. Specifically on April 28, 2020 and May 22, 2020 no samples were collected; and on March 8, 2020, March 11, 2020, March 19, 2020,

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April 24, 2020, April 25, 2020, April 26, 2020, April 30, 2020, May 5, 2020, May 7, 2020, May 9, 2020, May 18, 2020, May 19, 2020, May 31, 2020, June 4, 2020, and July 12, 2020 the TOC and concentrations in ppmw of phenol, methanol, toluene, cresol, DMP and TMP were not recorded [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 2341, SC No. 16, FOP No. O1431, GTC and STC No. 10, 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 August 27, 2019, submitted the initial notification for Incident No. 319705;
- b. By July 12, 2020, retrained lab personnel and revised procedures to ensure development and retention of all necessary sampling documentation to ensure that the wastewater from the Wastewater Surge Tank F-1001 is analyzed and recorded as required; and
- c. By August 14, 2020, retrained impacted individuals as to the who and when the visible emissions checks are performed and revised procedures designed to conduct weekly visible emissions observations.

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days:
 - i. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 334048;
 - ii. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 319705;
 - iii. Submit a revised deviation report for the February 22, 2020 through August 21, 2020 reporting period to report the deviation for failing to document the monthly degreaser inspections for June 2020; and
 - iv. Submit a revised deviation report for the August 22, 2020 through February 21, 2021 reporting period to report the deviation for failing to identify all required information for non-reportable emissions events.
- b. Within 45 days, submit written certification to demonstrate compliance with a.

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SI Group, Inc.

RN100218999

Docket No. 2022-0018-AIR-E

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Danielle Porras, Enforcement Division, Enforcement Team 2, MC R-12, (713) 767-3682; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Brian Bence, Senior Director, SI Group, Inc., 702 Farm-to-Market Road 523, Freeport, Texas 77541

Michael B. Farnell, Jr., Senior Vice President and General Counsel, SI Group, Inc., 702 Farm-to-Market Road 523, Freeport, Texas 77541

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	6-Dec-2021	Screening	16-Dec-2021	EPA Due	
	PCW	8-Apr-2024				

RESPONDENT/FACILITY INFORMATION

Respondent	SI Group, Inc.
Reg. Ent. Ref. No.	RN100218999
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	61711	No. of Violations	7
Docket No.	2022-0018-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Danielle Porras
		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	\$22,750
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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	93.0%	Adjustment	Subtotals 2, 3, & 7	\$21,157
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Notes

Enhancement for one NOV with dissimilar violations, and five orders containing a denial of liability. Reduction for three notices of intent to conduct an audit, and three 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	-\$1,812
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$8,538
Estimated Cost of Compliance \$27,313

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$42,095
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OTHER FACTORS AS JUSTICE MAY REQUIRE	8.5%	Adjustment	\$3,585
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Enhancement to capture the avoided costs of compliance associated with Violation Nos. 6 and 7.

Final Penalty Amount	\$45,680
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$45,680
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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	\$45,680
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Screening Date	16-Dec-2021	Docket No.	2022-0018-AIR-E	PCW
Respondent	SI Group, Inc.			
Case ID No.	61711			
Reg. Ent. Reference No.	RN100218999			
Media	Air			
Enf. Coordinator	Danielle Porras			

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>)	0	0%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	5	100%
	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>)	3	-3%
	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>)	3	-6%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 93%

>> 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 one NOV with dissimilar violations, and five orders containing a denial of liability. Reduction for three notices of intent to conduct an audit, and three disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 93%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 93%

Screening Date 16-Dec-2021 Respondent SI Group, Inc. Case ID No. 61711 Reg. Ent. Reference No. RN100218999 Media Air Enf. Coordinator Danielle Porras	Docket No. 2022-0018-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	1		
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 2341, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. 01431, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 10, and Tex. Health & Safety Code § 382.085(b)		
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 339 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 334048) that occurred on April 14, 2020 and lasted 45 minutes.		

Base Penalty	\$25,000
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>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	[]	[]	[]	[]	
					Percent [0.0%]

Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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Adjustment	\$17,500
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	\$7,500
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Violation Events

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

Violation Base Penalty	\$7,500
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One monthly event is recommended.

Good Faith Efforts to Comply

	0.0%	
	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.
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Violation Subtotal	\$7,500
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Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount	\$2,236	Violation Final Penalty Total	\$15,708
This violation Final Assessed Penalty (adjusted for limits)			\$15,708

Economic Benefit Worksheet

Respondent SI Group, Inc.
Case ID No. 61711
Reg. Ent. Reference No. RN100218999
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	14-Apr-2020	2-Oct-2024	4.47	\$2,236	n/a	\$2,236

Notes for DELAYED costs

Estimated cost to implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 334048. The Date Required is the date the emissions event occurred and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$2,236

Screening Date 16-Dec-2021 Respondent SI Group, Inc. Case ID No. 61711 Reg. Ent. Reference No. RN100218999 Media Air Enf. Coordinator Danielle Porras	Docket No. 2022-0018-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	2	Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 2341, SC No. 1, FOP No. O1431, GTC and STC No. 10, and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 240 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 319705) that occurred on August 20, 2019 and lasted 30 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 do not exceed levels that are protective of human health or environmental receptors as a result of the violation.				
Adjustment					\$17,500

\$7,500

Violation Events

Number of Violation Events	1	1	Number of violation days
	daily		
	weekly		
	monthly	x	
	quarterly		
	semiannual		
	annual		
	single event		
Violation Base Penalty			
\$7,500			

One monthly event is recommended.

Good Faith Efforts to Comply

	0.0%		
	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	\$2,562
Violation Final Penalty Total	\$15,708
This violation Final Assessed Penalty (adjusted for limits)	
\$15,708	

Economic Benefit Worksheet

Respondent SI Group, Inc.
Case ID No. 61711
Reg. Ent. Reference No. RN100218999
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	20-Aug-2019	2-Oct-2024	5.12	\$2,562	n/a	\$2,562

Notes for DELAYED costs

Estimated cost to implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 319705. The Date Required is the date the emissions event occurred and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$2,562

Screening Date 16-Dec-2021 Respondent SI Group, Inc. Case ID No. 61711 Reg. Ent. Reference No. RN100218999 Media Air Enf. Coordinator Danielle Porras	Docket No. 2022-0018-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	3	
Rule Cite(s)		30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), FOP No. 01431, 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 initial notification for Incident No. 319705 was due by August 21, 2019 at 2:30 p.m., but was not submitted until August 27, 2019 at 3:15 p.m.

Base Penalty	\$25,000
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>> Environmental, Property and Human Health Matrix

OR		Release	Harm			
			Major	Moderate	Minor	
	Actual					
	Potential					

	Percent	0.0%
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>> Programmatic Matrix

	Falsification	Major	Moderate	Minor		
				x		

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

Number of Violation Events	1		6	Number of violation days
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	daily				
	weekly				
	monthly				
	quarterly				
	semiannual				
	annual				
	single event	x			

	Violation Base Penalty	\$250
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	One single event is recommended.
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Good Faith Efforts to Comply

	25.0%		Reduction	\$62
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	x			
N/A				

Notes	The Respondent completed the corrective measures on August 27, 2019, prior to the Notice of Enforcement ("NOE") dated November 30, 2021.
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Violation Subtotal	\$188
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$0	Statutory Limit Test
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Violation Final Penalty Total	\$456
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This violation Final Assessed Penalty (adjusted for limits)	\$456
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Economic Benefit Worksheet

Respondent SI Group, Inc.
Case ID No. 61711
Reg. Ent. Reference No. RN100218999
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	21-Aug-2019	27-Aug-2019	0.02	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to submit the initial notification for Incident No. 319705. The Date Required is the date the initial notification was due and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$0

Screening Date 16-Dec-2021 Respondent SI Group, Inc. Case ID No. 61711 Reg. Ent. Reference No. RN100218999 Media Air Enf. Coordinator Danielle Porras	Docket No. 2022-0018-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	4	Rule Cite(s)	
		30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 01431, GTC, and Tex. Health & Safety Code § 382.085(b)	
Violation Description		Failed to report all instances of deviations. Specifically, the deviation report for the February 22, 2020 through August 21, 2020 reporting period did not include the deviation for failing to document the monthly degreaser inspections for June 2020.	

Base Penalty	\$25,000
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>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
				x	

Adjustment	\$24,750
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Violation Events	\$250
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Number of Violation Events	1	663	Number of violation days
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	daily		Violation Base Penalty
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	x	

One single event is recommended.	
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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.
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Violation Subtotal	\$250
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$50	Statutory Limit Test
		Violation Final Penalty Total
		\$524

This violation Final Assessed Penalty (adjusted for limits)	\$524
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Economic Benefit Worksheet

Respondent SI Group, Inc.
Case ID No. 61711
Reg. Ent. Reference No. RN100218999
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	20-Sep-2020	2-Oct-2024	4.04	\$50	n/a	\$50
Notes for DELAYED costs	Estimated cost to submit a revised deviation report for the February 22, 2020 through August 21, 2020 reporting period to report the deviation for failing to document the monthly degreaser inspections for June 2020. The Date Required is the date the deviation should have been reported and the Final Date is the estimated date of compliance.						
Avoided Costs							
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance	\$250			TOTAL		\$50	

Screening Date 16-Dec-2021 Respondent SI Group, Inc. Case ID No. 61711 Reg. Ent. Reference No. RN100218999 Media Air Enf. Coordinator Danielle Porras	Docket No. 2022-0018-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>								
Violation Number 5										
Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 01431, GTC, and Tex. Health & Safety Code § 382.085(b)										
Violation Description Failed to report all instances of deviations. Specifically, the deviation report for the August 22, 2020 through February 21, 2021 reporting period did not include the deviation for failing to identify all required information for non-reportable emissions events.										
Base Penalty		\$25,000								
>> Environmental, Property and Human Health Matrix										
OR	Release Actual Potential	Harm Major Moderate Minor	Percent 0.0%							
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; height: 20px;"></td> <td style="width: 33%; height: 20px;"></td> <td style="width: 33%; height: 20px;"></td> </tr> <tr> <td style="width: 33%; height: 20px;"></td> <td style="width: 33%; height: 20px;"></td> <td style="width: 33%; height: 20px;"></td> </tr> </table>									
>> Programmatic Matrix										
	Falsification Major Moderate Minor		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		479 Number of violation days								
	daily weekly monthly quarterly semiannual annual single event	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px; text-align: center;">x</td></tr> </table>							x	Violation Base Penalty \$250
x										
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	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px; text-align: center;">x</td></tr> </table>			x					
x										
Notes	The Respondent does not meet the good faith criteria for this violation.									
Violation Subtotal		\$250								
Economic Benefit (EB) for this violation		Statutory Limit Test								
Estimated EB Amount \$44		Violation Final Penalty Total \$524								
This violation Final Assessed Penalty (adjusted for limits)		\$524								

Economic Benefit Worksheet

Respondent SI Group, Inc.
Case ID No. 61711
Reg. Ent. Reference No. RN100218999
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)	\$250	23-Mar-2021	2-Oct-2024	3.53	\$44	n/a	\$44

Notes for DELAYED costs

Estimated cost to submit a revised deviation report for the August 22, 2020 through February 21, 2021 reporting period to report the deviation for failing to identify all required information for non-reportable emissions events. The Date Required is the date the deviation should have been reported and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$44

Screening Date 16-Dec-2021 Respondent SI Group, Inc. Case ID No. 61711 Reg. Ent. Reference No. RN100218999 Media Air Enf. Coordinator Danielle Porras	Docket No. 2022-0018-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	6	Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 2341, SC No. 19, FOP No. O1431, GTC and STC No. 10, and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to conduct weekly visible emissions observations. Specifically, the Respondent did not conduct weekly visible emissions observations of the Baghouse R-301, Emissions Point Number P1019, for 14 weeks from February 24, 2020 to June 29, 2020.		

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

	Release	Harm	
		Major Moderate Minor	
Actual			
Potential			x

Percent 7.0%

>> Programmatic Matrix

OR

	Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$23,250

\$1,750

Violation Events

Number of Violation Events 2

126 Number of violation days

	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$3,500

Two quarterly events are recommended for the period of non-compliance from February 24, 2020 through June 29, 2020.

Good Faith Efforts to Comply

25.0%
 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Reduction \$875

	Extraordinary	
	Ordinary	x
	N/A	

Notes

The Respondent completed the corrective measures by August 14, 2020, prior to the NOE dated June 30, 2022.

Violation Subtotal \$2,625

Economic Benefit (EB) for this violation

Estimated EB Amount \$3,570

Statutory Limit Test

Violation Final Penalty Total \$6,381

This violation Final Assessed Penalty (adjusted for limits) \$6,381

Economic Benefit Worksheet

Respondent SI Group, Inc.
Case ID No. 61711
Reg. Ent. Reference No. RN100218999
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	\$1,500	24-Feb-2020	14-Aug-2020	0.47	\$35	n/a	\$35
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to retrain impacted individuals as to the who and when the visible emissions checks are performed and revise procedures designed to conduct weekly visible emissions observations. The Date Required is the initial date of non-compliance and the Final Date is the date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$3,513	29-Jun-2020	14-Aug-2020	0.13	\$22	\$3,513	\$3,535
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated avoided costs plus accrued interest to conduct visible emissions observations of the Baghouse R-301 at least once during each calendar week (\$250/observation x 14 missed observations plus \$13 in interest that began accruing on February 24, 2020, March 2, 2020, March 9, 2020, March 16, 2020, March 23, 2020, March 30, 2020, April 13, 2020, April 20, 2020, April 27, 2020, May 4, 2020, May 11, 2020, May 18, 2020, May 25, 2020, and June 29, 2020). The Date Required is the last day of the last calendar week when the visible emissions observation could have been conducted and the Final Date is the compliance date.

Approx. Cost of Compliance

\$5,013

TOTAL

\$3,570

Screening Date 16-Dec-2021 Respondent SI Group, Inc. Case ID No. 61711 Reg. Ent. Reference No. RN100218999 Media Air Enf. Coordinator Danielle Porras	Docket No. 2022-0018-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	7	
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 2341, SC No. 16, FOP No. O1431, GTC and STC No. 10, and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to sample, analyze, and record the total organic compounds ("TOC") and concentrations in parts per million by weight ("ppmw") of phenol, methanol, toluene, cresol, dimethylphenol ("DMP"), and trimethylphenol ("TMP") of the waste water in the Wastewater Surge Tank F-1001 daily. Specifically on April 28, 2020 and May 22, 2020 no samples were collected; and on March 8, 2020, March 11, 2020, March 19, 2020, April 24, 2020, April 25, 2020, April 26, 2020, April 30, 2020, May 5, 2020, May 7, 2020, May 9, 2020, May 18, 2020, May 19, 2020, May 31, 2020, June 4, 2020, and July 12, 2020 the TOC and concentrations in ppmw of phenol, methanol, toluene, cresol, DMP and TMP were not recorded.	

Base Penalty	\$25,000
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>> Environmental, Property and Human Health Matrix

OR		Release	Harm		
		Major	Moderate	Minor	
	Actual	Potential			Percent
		x			7.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent
					0.0%

Matrix Notes	Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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Adjustment	\$23,250
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	\$1,750
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Violation Events

Number of Violation Events	2	17	Number of violation days
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	daily					
	weekly					
	monthly					
	quarterly	x				Violation Base Penalty
	semiannual					\$3,500
	annual					
	single event					

Two quarterly events are recommended for the period of non-compliance from March 8, 2020 through July 12, 2020.

Good Faith Efforts to Comply

	25.0%		Reduction	\$875
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	x			
N/A				
Notes	The Respondent completed the corrective measures by July 12, 2020, prior to the NOE dated June 30, 2022.			

Violation Subtotal	\$2,625
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$76
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Statutory Limit Test

Violation Final Penalty Total	\$6,381
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This violation Final Assessed Penalty (adjusted for limits)	\$6,381
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Economic Benefit Worksheet

Respondent SI Group, Inc.
Case ID No. 61711
Reg. Ent. Reference No. RN100218999
Media Air
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	8-Mar-2020	12-Jul-2020	0.35	\$26	n/a	\$26

Notes for DELAYED costs

Estimated cost to retrain lab personnel and revise procedures to ensure development and retention of all necessary sampling documentation to ensure that the waste water from the Wastewater Surge Tank F-1001 is analyzed and recorded as required. The Date Required is the initial date of non-compliance and the Final Date is the date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$50	22-May-2020	12-Jul-2020	0.14	\$0	\$50	\$50
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated avoided costs to conduct sampling of the waste water in the Wastewater Surge Tank F-1001 daily (two missed samples at \$25/sample). The Date Required is the last day when the sampling and analyzing of the waste water in the Wastewater Surge Tank F-1001 was not conducted and the Final Date is the compliance date.

Approx. Cost of Compliance

\$1,550

TOTAL

\$76



Compliance History Report

Compliance History Report for CN603119280, RN100218999, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN603119280, SI Group, Inc.

Classification: SATISFACTORY

Rating: 28.17

Regulated Entity: RN100218999, SI GROUP TEXAS OPERATIONS

Classification: SATISFACTORY

Rating: 44.43

Complexity Points: 20

Repeat Violator: NO

CH Group: 05 - Chemical Manufacturing

Location: 702 Farm-to-Market Road 523, Freeport, Brazoria County, Texas

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER BL0048R

AIR NEW SOURCE PERMITS PERMIT 2341

AIR NEW SOURCE PERMITS REGISTRATION 48692

AIR NEW SOURCE PERMITS AFS NUM 4803900033

AIR NEW SOURCE PERMITS PERMIT 139407

AIR NEW SOURCE PERMITS REGISTRATION 111605

AIR NEW SOURCE PERMITS REGISTRATION 111467

AIR NEW SOURCE PERMITS REGISTRATION 164667

AIR NEW SOURCE PERMITS REGISTRATION 171241

AIR NEW SOURCE PERMITS REGISTRATION 173512

AIR NEW SOURCE PERMITS REGISTRATION 172384

AIR NEW SOURCE PERMITS REGISTRATION 175533

WASTEWATER PERMIT WQ0001961000

AIR EMISSIONS INVENTORY ACCOUNT NUMBER BL0048R

INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD010797389

AIR OPERATING PERMITS PERMIT 1431

AIR NEW SOURCE PERMITS REGISTRATION 29053

AIR NEW SOURCE PERMITS ACCOUNT NUMBER BL0048R

AIR NEW SOURCE PERMITS PERMIT 84092

AIR NEW SOURCE PERMITS REGISTRATION 111464

AIR NEW SOURCE PERMITS REGISTRATION 124346

AIR NEW SOURCE PERMITS REGISTRATION 169557

AIR NEW SOURCE PERMITS REGISTRATION 142343

AIR NEW SOURCE PERMITS REGISTRATION 173479

AIR NEW SOURCE PERMITS REGISTRATION 171677

AIR NEW SOURCE PERMITS REGISTRATION 172804

USED OIL ID NUMBER HOU00073

WASTEWATER EPA ID TX0067946

POLLUTION PREVENTION PLANNING ID NUMBER P00611

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 30763

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.

Name: Danielle Porras

Phone: (512) 239-2923

Site and Owner/Operator History:

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

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

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

- | | | | |
|---|--|----------------------------|---------------------------------------|
| 1 | Effective Date: 09/10/2019 | ADMINORDER 2018-1549-IWD-E | (1660 Order-Agreed Order With Denial) |
| | Classification: Moderate | | |
| | Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1) | | |
| | 30 TAC Chapter 305, SubChapter F 305.125(1) | | |
| | Rqmt Prov: Effluent Limits PERMIT | | |

Description: Failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0001961000, Effluent Limitations and Monitoring Requirements No. 1, Outfall No. 101.

- 2 Effective Date: 12/17/2019 ADMINORDER 2019-0237-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(1)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms & Conditions OP
Description: Failure to certify compliance for the period of February 22, 2017 to August 21, 2017 (Category A12(i) (7)).
- 3 Effective Date: 12/18/2019 ADMINORDER 2018-1474-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP O1431, ST&C 11 OP
 NSR 2341, SC 4D PERMIT
Description: Failure to comply with the minimum percent ("%") by volume fuel gas mixture for combustion for the flare. Specifically, the minimum 28% by volume fuel gas mixture for combustion based on a 6-minute average in Flare X-501, EPN PX501, was not maintained when the fuel gas mixture ranged from 6.0% to 27% by volume fuel gas mixture on 125 instances that occurred on 55 days from March 22, 2018 to February 16, 2016.
- 4 Effective Date: 11/09/2021 ADMINORDER 2021-0008-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)
Rqmt Prov: General Terms and Conditions OP
 Special Condition 5D PERMIT
 Special Term & Condition 11 OP
Description: Failed to maintain with the minimum 28 percent ("%") by volume fuel gas mixture for combustion in the flare. Specifically, the Respondent did not maintain the minimum 28% by volume fuel gas mixture for combustion based on a six-minute average for Flare X-695 when the fuel gas mixture ranged from 0.26% to 26.66% by volume for 2,297 hours on March 9, 2019 and from December 10, 2019 through March 16, 2020.
- 5 Effective Date: 08/22/2023 ADMINORDER 2020-1255-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP 1431, GTC OP
 NSR 2341, SC No. 20 PERMIT
 Special Condition 5B PERMIT
 Special Term & Condition 11 OP
 Special Term & Condition 1A OP
Description: Failed to maintain records of the flame for the flares. Specifically, the Respondent did not maintain records demonstrating that the flare system was operated with a flame present at all times and/or have a constant flame for Flare X-401 for a total of 25.35 hours from March 29, 2018 to February 21, 2019, for Flare X-601 for a total of 9.34 hours from February 26, 2018 to February 21, 2019, for Flare X-602 for a total of 1.62 hours from March 28, 2018 to February 21, 2019, for Flare X-695 for a
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.356(2)(E)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(c)
 5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP 1431, GTC OP

Special Term & Condition 1A OP

Description: Failed to maintain records of repairs on fugitive components. Specifically, the Respondent did not maintain a record of the first and/or final repair for two fugitive components that were determined to be leaking in March 2018 and August 2018.

Classification: Minor

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

Rqmt Prov: FOP 1431, GTC OP

Special Condition 4D PERMIT

Special Term & Condition 11 OP

Description: Failed to limit the waste gas stream flow to Flare X-501. Specifically, the Respondent exceeded the waste gas stream flow limit of 8,440 standard cubic feet per hour ("scf/hr") to Flare X-501 by a range of 8,839 scf/hr to 12,376 scf/hr for 45 one-hour periods from February 22, 2018 to June 29, 2018.

Classification: Moderate

Citation: 30 TAC Chapter 112, SubChapter A 112.2(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

Special Term and Condition 1A OP

Description: Failed to maintain records of the SO2 emissions data and fuel sampling data for the fuel oil used as raw material.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.118(a)(6)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

Special Term and Condition 1A OP

Description: Failed to maintain records for the fixed roof storage tanks. Specifically, the Respondent did not maintain a record of the type of VOC stored, the starting and ending dates of when the material is stored, and the true vapor pressure at the average monthly storage temperature of the stored liquids for the fixed roof storage tanks.

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

Special Term and Condition 1A OP

Description: Failed to maintain records for the totalizing fuel flow meters. Specifically, the Respondent did not maintain a record of the installation and calibrations for the totalizing fuel flow meters.

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

Special Term and Condition 1A OP

Description: Failed to maintain records of each time an engine is operated for testing and maintenance. Specifically, the Respondent did not maintain a record of each time the emergency engines were operated for testing and maintenance.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
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)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

NSR 2341, SC No. 20 PERMIT

Special Condition 5D PERMIT

Special Term and Condition 11 OP

Description: Failed to maintain records of the net heating values for the flares. Specifically, the Respondent did not maintain a record demonstrating that the net heating values for the flared gas was recorded at least once every 15 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)

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

Rqmt Prov: FOP 1431, GTC OP
NSR 2341, SC No. 20 PERMIT
Special Condition 5D PERMIT
Special Term and Condition 11 OP

Description: Failed to maintain records of the actual exit velocity for the flares. Specifically, the Respondent did not maintain a record demonstrating that the actual exit velocity for the flares was recorded at least once every 15 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.1090
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6655(e)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP
Special Term and Condition 1A OP

Description: Failed to maintain records of the maintenance for a stationary RICE. Specifically, the Respondent did not maintain a record of the maintenance conducted on each stationary RICE.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.1090
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6655(e)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP
Special Term and Condition 1A OP

Description: Failed to maintain records of the hours of operation for a stationary RICE. Specifically, the Respondent did not maintain a record of the hours of operation for each stationary RICE that is recorded through the non-resettable hour meter.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP
Special Condition 3 PERMIT
Special Term and Condition 11 OP

Description: Failed to limit the storage and loading operations to the chemicals appearing on the Approved Chemicals List or chemicals that are authorized through a permit a by rule. Specifically, the Respondent did not limit the chemicals used in the storage and loading operations to those appearing on the Approved Chemicals List.

Classification: Moderate

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

Rqmt Prov: FOP 1431, GTC OP
NSR Permit 2341, SC No. 20 PERMIT
Special Term and Condition 11 OP

Description: Failed to maintain records for the true vapor pressure of the material stored in the fixed roof tanks. Specifically, the Respondent did not maintain a record demonstrating that the true vapor pressure of the material stored in the fixed-roof tanks with capacities equal to or greater than 25,000 gallons (normal storage capacity) is less than 0.5 pound per square inch absolute ("psia") at the maximum liquid storage temperature.

Classification: Moderate

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

Rqmt Prov: FOP 1431, GTC OP
NSR 2341, SC No. 21 PERMIT
Special Condition 4E PERMIT
Special Term and Condition 11 OP

Description: Failed to maintain records of the emissions from all storage tanks. Specifically, the Respondent did not maintain a record of the VOC emissions from all storage tanks during the previous calendar month and the past consecutive 12-month period that included the tank identification number, control method used, tank capacity in gallons, name of the material stored, VOC molecular weight, VOC monthly average and the maximum temperatures in degrees Fahrenheit, VOC vapor pressure at the monthly average

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, STC No. 11 OP

General Terms and Conditions OP

NSR 2341, SC No. 15.A PERMIT

NSR 2341, SC No. 20 PERMIT

NSR 2341, SC No. 5.B PERMIT

NSR 2341, SC No. 5.D PERMIT

Description: Failed to maintain records for the flare monitors. Specifically, the Respondent did not maintain records that contained the data and information for the flow rate for Water Scrubber F-700 when waste gases were directed to the scrubber.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

NSR 2341, SC No. 20 PERMIT

Special Term and Condition 11 OP

Description: Failed to maintain records for the flares containing information and data sufficient to demonstrate compliance with the permit. Specifically, the Respondent did not maintain a record containing the data and information for the 15-minute readings and averaged hourly values for the vent stream flow and composition for the flare flow monitors and composition analyzers and the hourly mass emission rates for the flares to demonstrate compliance with NSR Permit No. 2341.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

NSR 2341, SC No. 21 PERMIT

Special Condition 12A PERMIT

Special Term and Condition 11 OP

Description: Failed to maintain an emissions record for all loading operations. Specifically, the Respondent did not maintain a record of the monthly emissions that included the calculated VOC emissions from all loading operations over the previous rolling 12-month period, loading spot, control method used, quantity loaded in gallons, name of the liquid loaded, vapor molecular weight, liquid temperature in degrees Fahrenheit, liquid vapor pressure at the liquid temperature in psia, and liquid throughput for

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

NSR 2341, SC No. 21 PERMIT

Special Condition 14 PERMIT

Special Term and Condition 11 OP

Description: Failed to maintain records of the gas fuel usage for each combustion device. Specifically, the Respondent did not maintain a record demonstrating that the gas fuel usage for each combustion device was recorded monthly.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

Special Condition 21 PERMIT

Special Term and Condition 11 OP

Description: Failed to maintain records for the fresh water flow rates for the water scrubbers. Specifically, the Respondent did not maintain a record of the fresh water flow rate to the educator for the Water Scrubber F-750 when each railcar is connected to be controlled.

Classification: Moderate

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

Rqmt Prov: FOP 1431, GTC OP
NSR 2341, SC No. 21 PERMIT
Special Condition 17 PERMIT
Special Term and Condition 11 OP

Description: Failed to maintain records for each vacuum pump and steam jet. Specifically, the Respondent did not maintain a record of the hours of operation and monthly and rolling 12-month emissions for each vacuum pump and steam jet.

Classification: Moderate

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

Rqmt Prov: FOP 1431, GTC OP
NSR 2341, SC No. 21 PERMIT
Special Condition 18 PERMIT
Special Term and Condition 11 OP

Description: Failed to maintain records of the specifications for each diesel engine. Specifically, the Respondent did not maintain a record demonstrating that each diesel engine manufacturer's design and operation specifications and all emission-related maintenance requirements were maintained at the Plant.

Classification: Moderate

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

Rqmt Prov: FOP 1431, GTC OP
NSR 84092, SC No. 20 PERMIT
Special Term and Condition 11 OP

Description: Failed to maintain records for the calibration of the lower explosive limit ("LEL") detector. Specifically, the Respondent did not maintain a record demonstrating that each LEL detector was calibrated within 30 days of use with a certified pentane gas standard at 25% of the LEL for pentane.

Classification: Moderate

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

Rqmt Prov: FOP 1431, GTC OP
Special Condition 4C2 PERMIT
Special Term and Condition 11 OP

Description: Failed to maintain records for the functionality test for the LEL detector. Specifically, the Respondent did not maintain a record demonstrating that each LEL detector was tested to ensure functionality within 24 hours of use with a certified gas standard at 25% of the LEL for pentane.

Classification: Moderate

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

Rqmt Prov: FOP 1431, GTC OP
Special Condition 5B PERMIT
Special Term and Condition 11 OP

Description: Failed to maintain records for the monitoring of open-ended valve or line. Specifically, the Respondent did not maintain a record demonstrating that an open-ended valve or line in association with planned maintenance, startup, and shutdown ("MSS") activities was monitored once by the end of the 72-hour period following the creation of the open-ended line and monthly thereafter with an approved gas analyzer.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP 1431, GTC OP
Special Condition 6D PERMIT
Special Term and Condition 11 OP
Description: Failed to maintain records for the fixed roof storage tanks used in MSS activities. Specifically, the Respondent did not maintain a record of the fixed roof storage tanks used in MSS activities that included the estimates of emissions; date; time; other information specified for each of the following events: start and completion of controlled degassing and total volumetric flow, all standing liquid that was removed from the tank or any transfers of low VOC partial pressure liquid to or from the
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP 1431, GTC OP
NSR 84092, SC No. 7.B.(3) PERMIT
Special Term and Condition 11 OP
Description: Failed to maintain records for each vacuum truck used to support planned MSS activities at the Plant. Specifically, the Respondent did not maintain a record of each vacuum truck used to support planned MSS activities at the Plant that included a daily record containing the duration of any periods when air may have been entrained with the liquid transfer, the reason for operating in this manner, whether a "duckbill" or equivalent was used for each liquid transfer made with the vacuum operating, a
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP 1431, GTC OP
Special Condition 8D PERMIT
Special Term and Condition 11 OP
Description: Failed to maintain records for the frac tanks used in support of MSS activities. Specifically, the Respondent did not maintain a record of the monthly emissions for the frac tanks used in support of MSS activities that included the calculated emissions of VOC from all frac tanks, tank identification number, dates put into and removed from service, control method used, tank capacity and volume of liquid stored in gallons, name of the material stored, VOC molecular weight, and VOC partial pressure
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP 1431, GTC OP
Special Condition 10A2 PERMIT
Special Term and Condition 11 OP
Description: Failed to maintain records of the downstream samples for the CAS. Specifically, the Respondent did not maintain a record demonstrating that the CAS was sampled downstream of the first carbon canister and the concentration was recorded at least once every hour of the CAS run time to determine breakthrough of the VOC during planned MSS activities.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP 1431, GTC OP
NSR 2341, SC No. 10.A PERMIT
NSR 2341, SC No. 21 PERMIT
Special Term and Condition 11 OP
Description: Failed to maintain records of the AOV checks. Specifically, the Respondent did not maintain a record demonstrating that the AOV checks for VOC leaks within the heavy liquid components were being conducted at least once per shift, not to exceed 12 hours.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP 1431, GTC OP
Special Term and Condition 1A OP

Description: Failed to maintain records of the relief valve monitoring. Specifically, the Respondent did not maintain a record of the relief valve monitoring demonstrating that the emissions from any relief valve that vented to the atmosphere were monitored within 24 hours of the release.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

Special Term and Condition 1A OP

Description: Failed to maintain records for new connector monitoring. Specifically, the Respondent did not maintain a record demonstrating that all new connectors were monitored and checked for leaks within 30 days of being placed in VOC service.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

Special Term and Condition 1A OP

Description: Failed to maintain records of the calibration of the monitoring instruments. Specifically, the Respondent did not maintain a record demonstrating that the calibration of each monitoring instrument used on components and process areas was performed.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.356(3)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart VV 60.480(d)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

Special Term and Condition 1A OP

Description: Failed to maintain records of the exempt components. Specifically, the Respondent did not maintain a record by process unit that identified and justified each exemption by component claimed under 30 TEX. ADMIN. CODE § 115.357.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.530
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)
5C THSC Chapter 382 382.085(b)

Description: Failed to maintain records of all equipment subject to the 40 CFR Part 60 Subpart VV requirements on site.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(2)(B)
30 TAC Chapter 106, SubChapter A 106.8(c)(4)
30 TAC Chapter 106, SubChapter K 106.263(g)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

Special Term and Condition 12 OP

Special Term and Condition 13 OP

Description: Failed to maintain records containing sufficient information to demonstrate compliance with the applicable Permit by Rule ("PBR") conditions. Specifically, the Respondent did not maintain a record of all MSS activities at the Plant that included the date, time, and duration of each MSS activity.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(2)(B)
30 TAC Chapter 106, SubChapter A 106.8(c)(4)
30 TAC Chapter 106, SubChapter U 106.476
30 TAC Chapter 106, SubChapter W 106.511
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1431, GTC OP

Special Term and Condition 12 OP

Special Term and Condition 13 OP

Description: Failed to maintain records containing sufficient information to demonstrate compliance with the applicable PBR conditions. Specifically, the Respondent did not maintain a record demonstrating that controls were

used for pressurized tanks or tanks vented. Also, the Respondent did not maintain a record for the annual operating hours of portable and emergency engines and turbines at the Plant.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	April 12, 2019	(1572639)
Item 2	May 09, 2019	(1584889)
Item 3	June 12, 2019	(1584890)
Item 4	August 16, 2019	(1600311)
Item 5	September 20, 2019	(1607203)
Item 6	November 20, 2019	(1619866)
Item 7	December 16, 2019	(1627227)
Item 8	January 16, 2020	(1634863)
Item 9	February 18, 2020	(1641478)
Item 10	March 17, 2020	(1647988)
Item 11	April 22, 2020	(1645143)
Item 12	April 24, 2020	(1644776)
Item 13	May 20, 2020	(1660904)
Item 14	June 18, 2020	(1667437)
Item 15	July 17, 2020	(1674386)
Item 16	August 10, 2020	(1664688)
Item 17	August 14, 2020	(1681161)
Item 18	August 31, 2020	(1597728)
Item 19	September 17, 2020	(1687730)
Item 20	September 18, 2020	(1694076)
Item 21	November 16, 2020	(1714885)
Item 22	December 18, 2020	(1714886)
Item 23	January 12, 2021	(1714887)
Item 24	January 15, 2021	(1696713)
Item 25	February 17, 2021	(1727953)
Item 26	April 28, 2021	(1727955)
Item 27	May 20, 2021	(1741264)
Item 28	June 03, 2021	(1724717)
Item 29	June 14, 2021	(1741265)
Item 30	July 17, 2021	(1752510)
Item 31	August 10, 2021	(1747264)
Item 32	August 13, 2021	(1757935)
Item 33	September 20, 2021	(1767168)
Item 34	October 20, 2021	(1765211)
Item 35	December 16, 2021	(1791467)
Item 36	January 18, 2022	(1799309)
Item 37	February 11, 2022	(1807127)
Item 38	March 11, 2022	(1814193)
Item 39	April 12, 2022	(1820766)
Item 40	May 17, 2022	(1829598)
Item 41	June 16, 2022	(1835895)
Item 42	July 18, 2022	(1843096)
Item 43	August 17, 2022	(1849264)
Item 44	September 15, 2022	(1857026)
Item 45	September 19, 2022	(1863383)
Item 46	November 16, 2022	(1870295)
Item 47	December 19, 2022	(1876144)
Item 48	January 18, 2023	(1882964)
Item 49	February 21, 2023	(1890774)
Item 50	May 17, 2023	(1913303)
Item 51	June 19, 2023	(1919911)

Item 52	July 11, 2023	(1909416)
Item 53	July 16, 2023	(1926879)
Item 54	August 18, 2023	(1933835)
Item 55	September 19, 2023	(1939979)
Item 56	October 18, 2023	(1946821)
Item 57	November 15, 2023	(1952509)
Item 58	December 19, 2023	(1962281)
Item 59	January 19, 2024	(1968871)
Item 60	March 22, 2024	(1967224)

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:	03/07/2024	(1924264)	
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 335, SubChapter C 335.53(f) 30 TAC Chapter 335, SubChapter C 335.61 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.17(a)(6) 40 CFR Chapter 262, SubChapter I, PT 262, SubPT M 262.262(b)		
	Description:	The facility failed to maintain a quick reference guide of the Contingency Plan and submit it to the local emergency responders or, as appropriate, the Local Emergency Planning Committee.		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 335, SubChapter C 335.69(d) 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(1)		
	Description:	The facility failed to maintain Satellite Accumulation Areas (SAAs) near or at the point of generation where waste initially accumulates which is under control of the operator of the process generating waste.		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 335, SubChapter A 335.6(h)		
	Description:	The facility failed to notify the executive director of recycling activities.		

F. Environmental audits:

	Disclosure Date:	11/18/2019	
	Viol.	Major	
	Classification:		
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 116, SubChapter B 116.116(a)(2) 30 TAC Chapter 122, SubChapter B 122.122(b)	
	Description:	Failure to obtain authorization for VOC, NOX, and CO emissions from loading activities. Various truck and railcar loading activities exceed maximum hourly and annual throughput permit representations.	
	Viol.	Moderate	
	Classification:		
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.144	
	Description:	Failure to include all emissions in the 2016-2018 Annual Emissions Inventory (AEI). See Table for list of EPNs excluded from report.	
	Viol.	Moderate	
	Classification:		
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 116, SubChapter B 116.116(a)(2) 30 TAC Chapter 122, SubChapter B 122.122(b)	
	Description:	Failure to accurately represent loading representations.	
	Viol.	Moderate	
	Classification:		
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 116, SubChapter B 116.116(a)(2)	
	Description:	Failure to discontinue use of non-backwelded, screwed connections on piping equal to, or greater than, two-inch diameter in VOC service.	
	Viol.	Moderate	
	Classification:		
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)	

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)

Description: Failure to use proper process waste water receiving sumps covers. Process waste water receiving sumps have atmospheric vents equal to, or greater than, 4 inches in diameter.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.122(b)

Description: Failure to route MSS emissions to a control device identified on the MAERT (X-601).

Viol. Minor

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)

Description: Failure to maintain records to verify that the estimated emissions from the activities listed in Attachment A (of the MSS permit) are revalidated annually.

Viol. Minor

Classification:

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

Description: Failure to maintain documentation or instructions on how to properly conduct visible emissions observations only during the period of one hour after sunrise to one hour before sunset.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(1)(A)
30 TAC Chapter 115, SubChapter C 115.212(a)(1)(B)

Description: Failure to use proper vapor control system for loading operations. Loading may occur with materials whose true VP > 0.5 psia at storage conditions, and the loading station may not have proper controls.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 117, SubChapter B 117.310

Description: Failure to maintain documentation or instructions to prevent the start or operation any stationary diesel or dual fuel engine for testing or maintenance between the hours of 6:00 a.m. and noon (J-517,J-517A,J-522A, J-522B).

Viol. Minor

Classification:

Citation: 30 TAC Chapter 117, SubChapter G 117.8140

Description: Failure to maintain records to verify recorded measurements of engine NOX and CO emissions (J-517, J-517A, J-522A, J-522B) and claim exemption .

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Description: Failure to identify Violation Nos. 23-66 as deviations in prior Deviation Reports.

Disclosure Date: 11/19/2019

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Description: Failure to identify Violation Nos. 13,16, 18-22, 68-81 as deviations in prior Deviation Reports.

Disclosure Date: 03/19/2020

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)(1)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(I)
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(I)

Description: Failure to maintain documentation of evaporative emissions determinations from liquid spills.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.143

Description: Failure to maintain annual tank throughput. Six instances in which the represented annual tank throughput was exceeded for calendar year 2019.

Viol. Moderate

Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)

Description: Failure to collect daily conductivity samples and weekly dissolved solids samples.

Viol. Moderate

Classification:
Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100

Description: Failure to document the non-applicability of the HON rule by estimating emission levels of all individual HAPs and HAPs in the aggregate.

Viol. Moderate

Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)

Rqmt Prov: PERMIT SC 5
OP STC 10

Description: Failure to ensure that flares are used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted [Flares X-401, X-501, X-601, X-602, X-695, X-794].

Viol. Minor

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

Description: Failure to identify Nos. 68-81 as deviations in prior Title V reports.

Notice of Intent Date: 01/22/2021 (1702410)
Disclosure Date: 03/22/2021

Viol. Moderate

Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)

Description: Failure to maintain addition and records of 0.43 scf of assist gas per scf of total gas to the air assisted flare during planned MSS activities (X-602)

Viol. Minor

Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)

Description: Failure to maintain records of degreaser inspections to ensure compliance with 30 TAC 115.412(1)(A)-(F).

Viol. Moderate

Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(c)

Description: Failure to tag components leaking fugitives in excess of 500 ppmv, found to be leaking by visual inspection, or placed on the Delay of Repair list.

Viol. Moderate

Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)

Description: Failure to determine emissions by multiplying the total cooling water mass flow between cooling water monitoring periods by the higher of the 2 VOC monitored results (Cooling Towers, W-501, W-502, W-503)

Viol. Moderate

Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)

Description: Failure to determine rolling-12 month cooling tower PM emissions from sum of hourly emissions (Cooling towers, W-501, W-502, and W-503).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: Failure to accurately represent potential-to emit air permit representation of the cooling tower flowrates (Cooling Towers W-501, W-502, W-503).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)

Description: Failure to maintain records of MSS activities used to determine emissions.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: Failure to properly represent the replacement chemical hotbox is in the permit application (Chemical Hotbox).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: Failure to properly represent the vapor recovery system for the drumming plant in the permit.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: Failure to properly represent the vapor recovery system for the flaking plant in the permit.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: Failure to represent Painting and Abrasive blasting operations emissions in permit.
Viol. Major
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(2)(A)

Description: Failure to authorize VOC emissions from Flare X-695. Specifically, The standard permit application stated that no MSS activities would be routed to flare X-695, however MSS activity emissions are reported from flare X-695 in the 2019 Air Emission Inventory.
Viol. Major
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: Failure to authorize VOC emissions from Flares X-401, X-695, X501, and X-794. Specifically, these flares are permitted for routine emissions only, but MSS emissions are reported from the flares in the 2019 Air Emission Inventory.
Viol. Major
Classification:
Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failure to obtain authorization for emissions from X-501 associated with the operation of F-611A-18 within 10 days of construction.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.143

30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Description: Failed to identify Nos.1-16 as deviations in prior Deviation Reports.
Disclosure Date: 03/29/2021
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: Failure ensure that the current potential to emit air permit representation of the fugitive emissions components.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)(C)
30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144

Description: Failure to identify and record the exempted heavy and ultra-heavy fugitive components.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter A 101.10
30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144

Description: Failure to submit a complete and correct 2019 Annual Emission Inventory (AEI).
Viol. Major
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144

Description: Failure to maintain fugitive emissions for calendar year 2020 below the permitted annual tons per year represented in the MAERT.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144

Description: Failure to maintain annual tank throughput for calendar year 2020 for 14 tanks on site.
Viol. Minor
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.144

Description: Failure to maintain records for degreaser inspections
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Description: Failure to identify violations 18 through 24 as deviations in prior Deviation Reports.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.144(1)

Description: Painting and Abrasive blasting emissions have not been properly recorded.
Disclosure Date: 05/04/2021
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 113, SubChapter C 113.890
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Description: Failure to document inapplicability of the MON rule by estimating emission levels of all individual HAPS, and HAPs in the aggregate, for potentially affected MCPUs.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 113, SubChapter C 113.880
30 TAC Chapter 122, SubChapter B 122.122

30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Description: Failure to document the inapplicability of the OLD MACT rule by estimating emission levels of all individual HAPs and HAPs in the aggregate, for the loading and unloading operations.

Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 113, SubChapter C 113.1130
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: Failure to document the inapplicability of Subpart DDDDD by estimating emission levels of all individual HAPs, and HAPs in the aggregate, for potentially affected Industrial Boilers and Process Heaters.

Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 122, SubChapter B 122.144

Description: Failure to maintain the MSS emissions for calendar year 2020 below the permitted annual tons per year for VOC represented in the MAERT (X-601).

Viol. Moderate
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144

Description: Failure to maintain the NOx and CO flare emissions for calendar year 2020 below the permitted annual tons per year represented in the MAERT (Unit X-501, X-601, X-695).

Viol. Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to accurately estimate NOx and CO pilot emissions. Specifically, the emissions were underestimated because they were calculated based on 1 instead of 3 pilots (X-695).

Viol. Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Part 60, Subpart VV 60.482-6
40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.703

Description: Failure to cap open ended lines. Specifically, a review of closed vent systems discovered regulated open-ended lines without blinds or caps.

Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20

Description: Failure to install car seals and key configuration. Specifically, Lines to atmosphere are closed with a single valve and not equipped with a flow indicator at the entrance to the line and/or are not equipped with a car seal or lock and key configuration.

Viol. Major
Citation: 30 TAC Chapter 116, SubChapter B 116.110(b)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: Failure to obtain authorization to route F-615 and F-615A to X501 flare.

Viol. Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.142
30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144

Description: Failure to identify violations 26 through 36 as deviations in prior Deviation Reports.

Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Description: Failure to determine applicability of Subpart NNN.

Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20

30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Description: A BWON initial report was not submitted documenting inapplicability, and reports have not been submitted when process changes included benzene.

Disclosure Date: 02/14/2022

Viol. Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(4)

Description: Failure to record each flare's heating value at the tip and that the combined assist of each flare meets 40 CFR §60.18 specifications of maximum tip velocity under normal, upset, and maintenance flow conditions.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: Failure to use accurate major source determinations. Specifically, determinations are inconsistent between Title V permit and NSR calculations.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter B 115.120
30 TAC Chapter 122, SubChapter B 122.132(d)
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.1(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.2

Description: Failure to determine applicability of process tanks. Specifically, tanks that have been redefined as process tanks under NSPS Subpart Kb have not been evaluated under 30 TAC 115 process vent gas/batch vent gas regulations.

Viol. Major

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failure to obtain authorization prior to construction for F-611A-18.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failure to use correct VOC vapor pressure of 7.7 psia in NSR permit No. 2341.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.132(d)
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: Failure to use include Regulation 115 applicable requirements for vent gas control in Title V Permit No. O-1431.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Description: Failure to identify Nos. 38-44 as deviations in prior Deviation Reports.

Viol. Major

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: The NOx and CO flare emissions for calendar year 2021 exceeded the permitted annual tons per year and/or the pound per hour emission rates represented in the MAERT.

Notice of Intent Date: 08/13/2021 (1755237)

No DOV Associated

Notice of Intent Date: 05/06/2022 (1817394)

Disclosure Date: 08/10/2022

Viol. Major

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to authorize loading of PDDP-TG at Truck Rack C [LT003].

Viol. Moderate

Classification:

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

30 TAC Chapter 116, SubChapter B 116.116(a)(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: PERMIT SC 5.D

OP STC 11

Description: Failed to ensure the BTU analyzer samples the entire stream and can determine the heating value of the stream sent to the flare tip [X-794].

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter F 101.201

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

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 116, SubChapter B 116.116(a)(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP STC 11

Description: Failed to record unauthorized emissions when the flare pilots have gone out while there is flow to the flare [X-401, X-601, X-602, X-695, X-794].

Viol. Major

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to authorize simultaneous loading activities being controlled by the scrubber [LR014].

Viol. Major

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to obtain authorization. Specifically, Tank F-504 was put in service and routed to Flare X-501 without authorization.

Disclosure Date: 10/25/2022

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter B 115.142

30 TAC Chapter 115, SubChapter B 115.145

30 TAC Chapter 115, SubChapter B 115.147

30 TAC Chapter 115, SubChapter B 115.148

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP STC 5

Description: Failed to perform the determination of an exemption applicability in accordance with the required criteria, methods, and calculation [Wastewater Unit]

Viol. Minor

Classification:

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP General

Description: Failed to maintain complete records of quarterly periodic monitoring [GRP-111STK Unit].

Viol. Moderate

Classification:

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

30 TAC Chapter 116, SubChapter B 116.116(a)(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT SC 5.A

PERMIT SC 6.D

OP STC 11

Description: Failed to maintain the addition of sufficient volume and 30% by volume natural gas to the flare at the flare's design maximum flow conditions [X-601 Unit].

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP SC 11
PERMIT SC 5.A
PERMIT SC 6.D

Description: Failed to ensure the flare tip exit velocity does not exceed maximum allowable flow as defined in 40 CFR § 60.18 during surge flows [X-401, X-601 Units].

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)

Rqmt Prov: PERMIT SC 1, \$.E
PERMIT SC 1, 5.B, 5.E

Description: Failed to operate the storage tank at or below its represented maximum temperature [Tank F-608B, EPN P3007].

Viol. Minor

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145(1)

Description: Failed to identify Disclosed Violation Nos. 1-13 in the letter dated 10/25/22 as deviations in prior deviation reports.

Disclosure Date: 01/26/2023

Viol. Major

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to authorize loading of PDDP-TG at Truck Rack C [LT003].

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)

Rqmt Prov: PERMIT SC 5.D
OP STC 11

Description: Failed to ensure the BTU analyzer samples the entire stream and can determine the heating value of the stream sent to the flare tip [X-794].

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter F 101.201
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP STC 11

Description: Failed to record unauthorized emissions when the flare pilots have gone out while there is flow to the flare [X-401, X-601, X-602, X-695, X-794].

Viol. Major

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to authorize simultaneous loading activities being controlled by the scrubber [LR014].

Viol. Major

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to obtain authorization. Specifically, Tank F-504 was put in service and routed to Flare X-501 without authorization.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter B 115.142
30 TAC Chapter 115, SubChapter B 115.145
30 TAC Chapter 115, SubChapter B 115.147
30 TAC Chapter 115, SubChapter B 115.148
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP STC 5

Description: Failed to perform the determination of an exemption applicability in accordance with the required criteria, methods, and calculation [Wastewater Unit]

Viol. Minor

Classification:
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP General

Description: Failed to maintain complete records of quarterly periodic monitoring [GRP-111STK Unit].
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT SC 5.A
PERMIT SC 6.D
OP STC 11

Description: Failed to maintain the addition of sufficient volume and 30% by volume natural gas to the flare at the flare's design maximum flow conditions [X-601 Unit].
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP SC 11
PERMIT SC 5.A
PERMIT SC 6.D

Description: Failed to ensure the flare tip exit velocity does not exceed maximum allowable flow as defined in 40 CFR § 60.18 during surge flows [X-401, X-601 Units].
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)
Rqmt Prov: PERMIT SC 1, \$.E
PERMIT SC 1, 5.B, 5.E

Description: Failed to operate the storage tank at or below its represented maximum temperature [Tank F-608B, EPN P3007].
Viol. Minor
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.145(1)

Description: Failed to identify Disclosed Violation Nos. 1-13 in the letter dated 10/25/22 as deviations in prior deviation reports.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP GC
PERMIT GC, SC 1

Description: Failed to ensure that plant reactors historically exempted under 40 CFR § 90.700(c)(5) qualify for the exemption [DC-401, DC-402, DC-601, DC-750, DC-831].
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT SC 7
OP STC 11

Description: Failed to prevent missing and invalid VOC sample results for the cooling towers [W-501, W-502, W-503].
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT GC 10

OP STC 11

Description: Failed to prevent boilers and heaters from exceeding their individual permit representations for maximum hourly firing rate [B-301, B-401, B-505, B-507, B-508, B-604, B-690, B-701].

Viol. Minor

Classification:

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

Description: Failed to identify six violations disclosed above as deviations in prior reports.

Disclosure Date: 04/27/2023

Viol. Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to authorize loading of PDDP-TG at Truck Rack C [LT003].

Viol. Moderate

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

30 TAC Chapter 116, SubChapter B 116.116(a)(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: PERMIT SC 5.D

OP STC 11

Description: Failed to ensure the BTU analyzer samples the entire stream and can determine the heating value of the stream sent to the flare tip [X-794].

Viol. Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201

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

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 116, SubChapter B 116.116(a)(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP STC 11

Description: Failed to record unauthorized emissions when the flare pilots have gone out while there is flow to the flare [X-401, X-601, X-602, X-695, X-794].

Viol. Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to authorize simultaneous loading activities being controlled by the scrubber [LR014].

Viol. Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to obtain authorization. Specifically, Tank F-504 was put in service and routed to Flare X-501 without authorization.

Viol. Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.142

30 TAC Chapter 115, SubChapter B 115.145

30 TAC Chapter 115, SubChapter B 115.147

30 TAC Chapter 115, SubChapter B 115.148

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP STC 5

Description: Failed to perform the determination of an exemption applicability in accordance with the required criteria, methods, and calculation [Wastewater Unit]

Viol. Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP General

Description: Failed to maintain complete records of quarterly periodic monitoring [GRP-111STK Unit].

Viol. Moderate

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

30 TAC Chapter 116, SubChapter B 116.116(a)(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT SC 5.A

PERMIT SC 6.D

OP STC 11

Description: Failed to maintain the addition of sufficient volume and 30% by volume natural gas to the flare at the flare's design maximum flow conditions [X-601 Unit].

Viol. Moderate

Classification:

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

30 TAC Chapter 116, SubChapter B 116.116(a)(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP SC 11
PERMIT SC 5.A
PERMIT SC 6.D

Description: Failed to ensure the flare tip exit velocity does not exceed maximum allowable flow as defined in 40 CFR § 60.18 during surge flows [X-401, X-601 Units].

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)

Rqmt Prov: PERMIT SC 1, §.E
PERMIT SC 1, 5.B, 5.E

Description: Failed to operate the storage tank at or below its represented maximum temperature [Tank F-608B, EPN P3007].

Viol. Minor

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145(1)

Description: Failed to identify Disclosed Violation Nos. 1-13 in the letter dated 10/25/22 as deviations in prior deviation reports.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP GC
PERMIT GC, SC 1

Description: Failed to ensure that plant reactors historically exempted under 40 CFR § 90.700(c)(5) qualify for the exemption [DC-401, DC-402, DC-601, DC-750, DC-831].

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT SC 7
OP STC 11

Description: Failed to prevent missing and invalid VOC sample results for the cooling towers [W-501, W-502, W-503].

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT GC 10
OP STC 11

Description: Failed to prevent boilers and heaters from exceeding their individual permit representations for maximum hourly firing rate [B-301, B-401, B-505, B-507, B-508, B-604, B-690, B-701].

Viol. Minor

Classification:

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

Description: Failed to identify six violations disclosed above as deviations in prior reports.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Rqmt Prov: OP S.C. 1, 18B,19

Description: The impact of the scrubbing water drainage on the wastewater system has not been evaluated.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143

Rqmt Prov: OP NSR Permit 2341 G.C. 10 NSR Permit 2341

Description: Fuel flow orifice meters have not been validated to meet the required accuracy.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: The claimed exemption from control requirements is not applicable to Plant 1 process vents.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)

Description: The emergency engine hourly run-time log for internal combustion engines did not contain a documented reason for any of the recorded hours of operations.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Rqmt Prov: PERMIT S.C. 2E, 70, 8D
PERMIT S.C. SE, 6E, 15A, 20

Description: The facility does not record monthly data as required by the permit.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Rqmt Prov: PERMIT S.C. 9F Appendix A-7 to Part 60; Method

Description: The instrument response factors for the specific chemical compounds regulated as voc were not documented in accordance with the requirements of Method 21. Section 8.1.1.2.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Rqmt Prov: PERMIT S.C. 9H

Description: Components regulated under the Leak Detection and Repair (LOAR) requirements found by AVO inspection to be leaking were not documented to have been tagged and the replacement or repair of the component managed through the LOAR database.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Rqmt Prov: PERMIT S.C. 9H

Description: Delay of Repair (DOR) cumulative voc emission calculations were not completed or recorded for each component from the time put on the DOR list until the time removed from service and repaired.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter A 115.10
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145
40 CFR Part 60, Subpart VV 60.480(a)(1)

Rqmt Prov: PERMIT S.C. 9

Description: Not all applicable fugitive components are tagged and monitored, or in the database.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.140
30 TAC Chapter 122, SubChapter B 122.142

Description: During the production of OTBP, there is insufficient isobutylene to maintain reliable operation of the recovery compressor K-837NB. The activity of flaring isobutylene during these times is not authorized.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(2)
30 TAC Chapter 122, SubChapter B 122.122
30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.145

Rqmt Prov: PERMIT G.C. 10

Description: Boilers B-505, B-506, B-508 and heater B-690 exceeded their individual permit representations for annual firing rate.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144

Rqmt Prov: PERMIT MAERT, G.C. 8, S.C. 1,

Description: The NOx and CO flare emissions for calendar year 2022 exceeded their permitted annual tons per year emission rates represented in the MAERT.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Description: Failed to identify Nos. 22-39 as deviations in prior Deviation Reports.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(6)
40 CFR Chapter 65, SubChapter C, PT 65, SubPT G 65.147(a)(7)
40 CFR Chapter 65, SubChapter C, PT 65, SubPT G 65.147(b)(3)(iii)

Rqmt Prov: OP SC 11
PERMIT SC 6D

Description: Failure to maintain addition of 30% by volume natural gas to the flare at the flares respective design maximum flow conditions

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.143
30 TAC Chapter 122, SubChapter B 122.144
30 TAC Chapter 122, SubChapter B 122.145

Description: Failed to identify No. 41 as deviations in prior Deviation Reports

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
SI GROUP, INC.
RN100218999

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2022-0018-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 SI Group, Inc. (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 702 Farm-to-Market Road 523 in Freeport, 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 \$45,680 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$45,680 of the penalty.
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 August 27, 2019, submitted the initial notification for Incident No. 319705;
 - b. By July 12, 2020, retrained lab personnel and revised procedures to ensure development and retention of all necessary sampling documentation to ensure that the waste water from the Wastewater Surge Tank F-1001 is analyzed and recorded as required; and
 - c. By August 14, 2020, retrained impacted individuals as to the who and when the visible emissions checks are performed and revised procedures designed to conduct weekly visible emissions observations.

II. ALLEGATIONS

1. During a record review for the Plant conducted on November 4, 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 No. 2341, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1431, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 10, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 339 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 334048) that occurred on April 14, 2020 and lasted 45 minutes.
2. During a record review for the Plant conducted on October 28, 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 No. 2341, SC No. 1, FOP No. O1431, GTC and STC No. 10, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 240 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 319705) that occurred on August 20, 2019 and lasted 30 minutes.
 - 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. O1431, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the initial notification for Incident No. 319705 was due by August 21, 2019 at 2:30 p.m., but was not submitted until August 27, 2019 at 3:15 p.m.

3. During a record review for the Plant conducted from September 30, 2021 through April 11, 2022, an investigator documented that the Respondent:
 - a. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O1431, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the February 22, 2020 through August 21, 2020 reporting period did not include the deviation for failing to document the monthly degreaser inspections for June 2020.
 - b. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O1431, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the August 22, 2020 through February 21, 2021 reporting period did not include the deviation for failing to identify all required information for non-reportable emissions events.
 - c. Failed to conduct weekly visible emissions observations, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 2341, SC No. 19, FOP No. O1431, GTC and STC No. 10, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not conduct weekly visible emissions observations of the Baghouse R-301, Emissions Point Number P1019, for 14 weeks from February 24, 2020 to June 29, 2020.
 - d. Failed to sample, analyze, and record the total organic compounds ("TOC") and concentrations in parts per million by weight ("ppmw") of phenol, methanol, toluene, cresol, dimethylphenol ("DMP"), and trimethylphenol ("TMP") of the waste water in the Wastewater Surge Tank F-1001 daily, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 2341, SC No. 16, FOP No. O1431, GTC and STC No. 10, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically on April 28, 2020 and May 22, 2020 no samples were collected; and on March 8, 2020, March 11, 2020, March 19, 2020, April 24, 2020, April 25, 2020, April 26, 2020, April 30, 2020, May 5, 2020, May 7, 2020, May 9, 2020, May 18, 2020, May 19, 2020, May 31, 2020, June 4, 2020, and July 12, 2020 the TOC and concentrations in ppmw of phenol, methanol, toluene, cresol, DMP and TMP were not recorded.

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: SI Group, Inc., Docket No. 2022-0018-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 this Order:
 - i. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 334048;
 - ii. Implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 319705;
 - iii. Submit a revised deviation report for the February 22, 2020 through August 21, 2020 reporting period to report the deviation for failing to document the monthly degreaser inspections for June 2020; and
 - iv. Submit a revised deviation report for the August 22, 2020 through February 21, 2021 reporting period to report the deviation for failing to identify all required information for non-reportable emissions events.
 - 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 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


For the Executive Director

7/8/2024

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

8/29/24
Date

Michael B. Farnell Jr.
Name (Printed or typed)
Authorized Representative of
SI Group, Inc.

SVP & GC
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.