

Executive Summary - Enforcement Matter - Case No. 61820
Ingenia Polymers USGC, Inc.
RN101613370
Docket No. 2022-0118-IWD-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

IWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

A Schulman, 1300 McCabe Road, approximately 850 feet west of the intersection of McCabe Road and State Highway 146, three miles south La Porte, Harris County

Type of Operation:

Plastic compounding plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: October 24, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$18,563

Amount Deferred for Expedited Settlement: \$3,712

Total Paid to General Revenue: \$14,851

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: No

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 18, 2021

Date(s) of NOE(s): January 11, 2022

**Executive Summary – Enforcement Matter – Case No. 61820
Ingenia Polymers USGC, Inc.
RN101613370
Docket No. 2022-0118-IWD-E**

Violation Information

Failed to comply with permitted effluent limitations for biochemical oxygen demand (5-day), total suspended solids, and total zinc [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit No. WQ0003608000, Effluent Limitations and Monitoring Requirements No. 1.

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By June 30, 2021, the Respondent demonstrated three consecutive months of compliance with the permitted effluent limitations.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Samantha Smith, Enforcement Division, Enforcement Team 7, MC 219, (512) 239-2099; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548

Respondent: John Lefas, Director, Ingenia Polymers USGC, Inc., 2222 Appelt Drive, Houston, Texas 77015

Carlos Tabuenca, Chief Financial Officer, Ingenia Polymers USGC, Inc., 2222 Appelt Drive, Houston, Texas 77015

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	18-Jan-2022	Screening	19-Jan-2022	EPA Due	
	PCW	20-Jan-2022				

RESPONDENT/FACILITY INFORMATION	
Respondent	Ingenia Polymers USGC, Inc.
Reg. Ent. Ref. No.	RN101613370
Facility/Site Region	12-Houston
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	61820	No. of Violations	2
Docket No.	2022-0118-IWD-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Mark Gamble
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$13,750
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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	60.0%	Adjustment	Subtotals 2, 3, & 7	\$8,250
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Notes: Enhancement for four months of self-reported effluent violations and two agreed orders containing a denial of liability.

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	-\$3,437
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$436
 Estimated Cost of Compliance: \$15,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$18,563
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$18,563
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$18,563
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DEFERRAL	20.0%	Reduction	Adjustment	-\$3,712
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY	\$14,851
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Screening Date 19-Jan-2022

Docket No. 2022-0118-IWD-E

PCW

Respondent Ingenia Polymers USGC, Inc.

Policy Revision 5 (January 28, 2021)

Case ID No. 61820

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101613370

Media Water Quality

Enf. Coordinator Mark Gamble

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>)	4	20%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	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>)	0	0%
	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>)	0	0%
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) 60%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for four months of self-reported effluent violations and two agreed orders containing a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 60%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 60%

Screening Date	19-Jan-2022	Docket No.	2022-0118-IWD-E	PCW
Respondent	Ingenia Polymers USGC, Inc.	Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021		
Case ID No.	61820			
Reg. Ent. Reference No.	RN101613370			
Media	Water Quality			
Enf. Coordinator	Mark Gamble			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit No. WQ0003608000, Effluent Limitations and Monitoring Requirements No. 1			
Violation Description	Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.			
Base Penalty				\$25,000

>> Environmental, Property and Human Health Matrix

OR	Harm				Percent
	Release	Major	Moderate	Minor	
	Actual			x	
	Potential				15.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes
A simplified model was used to evaluate biochemical oxygen demand (5-day) and total zinc to determine whether the discharged amounts of pollutants exceeded protective levels. Total Suspended Solids were also considered. 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 \$21,250

\$3,750

Violation Events

Number of Violation Events Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

Two quarterly events are recommended for the quarters containing the months of November 2020 and January, February, and March 2021.

Good Faith Efforts to Comply Reduction

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

Notes
The Respondent achieved compliance on June 30, 2021, prior to the Notice of Enforcement dated January 11, 2022.

Violation Subtotal \$5,625

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

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Ingenia Polymers USGC, Inc.
Case ID No. 61820
Reg. Ent. Reference No. RN101613370
Media Water Quality
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)	\$15,000	30-Nov-2020	30-Jun-2021	0.58	\$436	n/a	\$436

Notes for DELAYED costs

Estimated Other cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Plant, and achieve compliance with the permitted effluent limitations. The Date Required is the end date of the first month of noncompliance, 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

\$15,000

TOTAL

\$436

Screening Date	19-Jan-2022	Docket No.	2022-0118-IWD-E	PCW
Respondent	Ingenia Polymers USGC, Inc.			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	61820			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN101613370			
Media	Water Quality			
Enf. Coordinator	Mark Gamble			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit No. WQ0003608000, Effluent Limitations and Monitoring Requirements No. 1			
Violation Description	Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.			
		Base Penalty	\$25,000	

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual		x		Percent 25.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent 0.0%

Matrix Notes: A simplified model was used to evaluate total zinc to determine whether the discharged amounts of pollutants exceeded protective levels. Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$18,750

\$6,250

Violation Events

Number of Violation Events: 1 31 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$6,250

One monthly event is recommended for the month of December 2020.

Good Faith Efforts to Comply 25.0% Reduction \$1,562

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

Notes: The Respondent achieved compliance on June 30, 2021, prior to the Notice of Enforcement dated January 11, 2022.

Violation Subtotal \$4,688

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

Estimated EB Amount \$0 **Violation Final Penalty Total** \$8,438

This violation Final Assessed Penalty (adjusted for limits) \$8,438

Economic Benefit Worksheet

Respondent Ingenia Polymers USGC, Inc.
Case ID No. 61820
Reg. Ent. Reference No. RN101613370
Media Water Quality
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)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	See Economic Benefit Worksheet for Violation No. 1.						

Avoided Costs

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

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

Approx. Cost of Compliance \$0

TOTAL \$0

Ingenia Polymers USGC, Inc.
 TPDES Permit No. WQ0003608000
 Docket No. 2022-0118-IWD-E
 Case No. 61820

Effluent Violation Table						
Monitoring Period	Biochemical Oxygen Demand (5-day)		Total Suspended Solids			
	Daily Avg. Loading Limit = 7.13 lbs/day	Daily Max. Loading Limit = 17.1 lbs/day	Daily Avg. Conc. Limit = 12 mg/L	Daily Max. Conc. Limit = 19 mg/L	Daily Avg. Loading Limit = 17.1 lbs/day	Daily Max. Loading Limit = 27.1 lbs/day
November 2020	c	c	c	c	c	c
December 2020	c	c	c	c	c	c
January 2021	c	c	c	c	c	c
February 2021	9	18.23	13.57	19.5	19.87	36.13
March 2021	10.055	c	c	c	c	c

Monitoring Period	Total Zinc			
	Daily Avg. Conc. Limit = 0.081 mg/L	Daily Max. Conc. Limit = 0.172 mg/L	Daily Avg. Loading Limit = 0.119 lbs/day	Daily Max. Loading Limit = 0.245 lbs/day
November 2020	0.113	c	c	c
December 2020	0.167	0.185	0.146	c
January 2021	0.1079	c	c	c
February 2021	0.0834	0.193	0.122	c
March 2021	0.096	c	0.151	0.268

Avg. = Average
 lbs/day = pounds per day
 c = compliant

Max. = Maximum
 Conc. = Concentration
 mg/L = milligrams per liter

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Compliance History Report

Compliance History Report for CN605767490, RN101613370, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN605767490, Ingenia Polymers USGC, Inc. **Classification:** SATISFACTORY **Rating:** 10.20

Regulated Entity: RN101613370, A SCHULMAN **Classification:** SATISFACTORY **Rating:** 10.20

Complexity Points: 11 **Repeat Violator:** NO

CH Group: 05 - Chemical Manufacturing

Location: 1300 McCabe Road, approximately 850 feet west of the intersection of McCabe Road and State Highway 146, three miles south of the City of La Porte, in Harris County, Texas

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR NEW SOURCE PERMITS REGISTRATION 7807	AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0896G
AIR NEW SOURCE PERMITS AFS NUM 4820101004	AIR NEW SOURCE PERMITS REGISTRATION 75051
AIR NEW SOURCE PERMITS REGISTRATION 96437	AIR NEW SOURCE PERMITS REGISTRATION 150010
AIR NEW SOURCE PERMITS REGISTRATION 146435	STORMWATER PERMIT TXR05FV03
STORMWATER PERMIT TXR05FN36	WASTEWATER PERMIT WQ0003608000
WASTEWATER EPA ID TX0111350	POLLUTION PREVENTION PLANNING ID NUMBER P07402
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 23668	

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

Date Compliance History Report Prepared: January 25, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 25, 2019 to January 25, 2024

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

Name: Mark Gamble

Phone: (512) 239-2587

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: 09/13/2021 ADMINORDER 2020-0865-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
- 2 Effective Date: 08/09/2022 ADMINORDER 2022-0429-WQ-E (1660 Order-Agreed Order With Denial)
Classification: Major
Citation: 30 TAC Chapter 281, SubChapter A 281.25(a)(4)
Description: Field Citation- Failure to obtain a Multi-Sector General Permit (stormwater).

The regulated entity had previously obtained authorization under the Multi-Sector General Permit under permit number TXR05EX27. Coverage began on August 2, 2021 and ended on November 12, 2021.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	February 13, 2019	(1564415)	Item 20	September 07, 2021	(1767926)
Item 2	March 07, 2019	(1564416)	Item 21	October 07, 2021	(1778486)
Item 3	April 09, 2019	(1573404)	Item 22	November 09, 2021	(1785154)
Item 4	May 03, 2019	(1586404)	Item 23	December 10, 2021	(1792189)
Item 5	August 06, 2019	(1601048)	Item 24	January 26, 2022	(1800037)
Item 6	December 10, 2019	(1627966)	Item 25	February 15, 2022	(1807869)
Item 7	April 20, 2020	(1648722)	Item 26	May 16, 2022	(1830378)
Item 8	April 22, 2020	(1655076)	Item 27	June 13, 2022	(1836628)
Item 9	May 19, 2020	(1661636)	Item 28	July 18, 2022	(1843813)
Item 10	June 29, 2020	(1668172)	Item 29	August 15, 2022	(1849974)
Item 11	July 16, 2020	(1675118)	Item 30	September 13, 2022	(1857745)
Item 12	August 12, 2020	(1681886)	Item 31	October 10, 2022	(1864097)
Item 13	September 28, 2020	(1688463)	Item 32	April 10, 2023	(1906861)
Item 14	October 12, 2020	(1694824)	Item 33	July 17, 2023	(1927606)
Item 15	November 18, 2020	(1717057)	Item 34	August 14, 2023	(1934549)
Item 16	May 14, 2021	(1742356)	Item 35	September 19, 2023	(1940725)
Item 17	June 14, 2021	(1742357)	Item 36	October 28, 2023	(1947526)
Item 18	July 16, 2021	(1753223)	Item 37	November 14, 2023	(1953213)
Item 19	August 25, 2021	(1767925)			

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: 01/31/2023 (1891487)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 2 Date: 02/28/2023 (1900059)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 3 Date: 04/30/2023 (1914013)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 4 Date: 05/31/2023 (1920622)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits:

N/A

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
INGENIA POLYMERS USGC, INC.
RN101613370

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2022-0118-IWD-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 Ingenia Polymers USGC, Inc. (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a plastic compounding plant located at 1300 McCabe Road, approximately 850 feet west of the intersection of McCabe Road and State Highway 146, three miles south of the City of La Porte, in Harris County, Texas (the "Plant"). The Plant is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
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. WATER CODE ch. 26 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 \$18,563 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$14,851 of the penalty and \$3,712 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that by June 30, 2021, the Respondent demonstrated three consecutive months of compliance with the permitted effluent limitations.

II. ALLEGATIONS

During a record review for the Plant conducted on November 18, 2021, an investigator documented that the Respondent 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 Permit No. WQ0003608000, Effluent Limitations and Monitoring Requirements No. 1, as shown in the effluent violation table below:

Monitoring Period	Biochemical Oxygen Demand (5-day)		Total Suspended Solids			
	Daily Avg. Loading Limit = 7.13 lbs/day	Daily Max. Loading Limit = 17.1 lbs/day	Daily Avg. Conc. Limit = 12 mg/L	Daily Max. Conc. Limit = 19 mg/L	Daily Avg. Loading Limit = 17.1 lbs/day	Daily Max. Loading Limit = 27.1 lbs/day
November 2020	c	c	c	c	c	c
December 2020	c	c	c	c	c	c
January 2021	c	c	c	c	c	c
February 2021	9	18.23	13.57	19.5	19.87	36.13
March 2021	10.055	c	c	c	c	c

Monitoring Period	Total Zinc			
	Daily Avg. Conc. Limit = 0.081 mg/L	Daily Max. Conc. Limit = 0.172 mg/L	Daily Avg. Loading Limit = 0.119 lbs/day	Daily Max. Loading Limit = 0.245 lbs/day
November 2020	0.113	c	c	c
December 2020	0.167	0.185	0.146	c
January 2021	0.1079	c	c	c
February 2021	0.0834	0.193	0.122	c
March 2021	0.096	c	0.151	0.268

Avg. = Average
lbs/day = pounds per day
c = compliant

Max. = Maximum
Conc. = Concentration
mg/L = milligrams per liter

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: Ingenia Polymers USGC, Inc., Docket No. 2022-0118-IWD-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. All relief not expressly granted in this Order is denied.
3. 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.
4. 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.

5. 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.
6. 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.
7. 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

Krista Mello-Jurack

For the Executive Director

11/25/2025

Date

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

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

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

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

Signature

10/03/2025

Date

Carlos Tabuenca
Name (Printed or typed)
Authorized Representative of
Ingenia Polymers USGC, Inc.

Chief Financial Officer

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.