

**Executive Summary – Enforcement Matter – Case No. 62291**  
**EASTMAN CHEMICAL COMPANY**  
**RN100219815**  
**Docket No. 2022-0523-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Eastman Chemical Texas Operations, 300 Kodak Boulevard, Longview, Harrison County

**Type of Operation:**

Organic chemical manufacturing plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** October 14, 2022

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$8,550

**Total Paid to General Revenue:** \$4,275

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Supplemental Environmental Project (“SEP”) Conditional Offset:** \$4,275

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

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** January 2021

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** March 10, 2022

**Date(s) of NOE(s):** April 27, 2022

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***Violation Information***

Failed to prevent unauthorized emissions. Specifically, the Respondent released 319.06 pounds of ethylene oxide as fugitive emissions, during an emissions event (Incident No. 373688) that occurred on February 1, 2022 and lasted 52 minutes. The emissions event occurred when a ball valve was inadvertently opened by a quarter turn and a plug that was installed at the end of the line was not fully seated, resulting in the release to the atmosphere. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review Permit No. 1329, Special Conditions No. 1, Federal Operating Permit No. O1974, General Terms and Conditions and Special Terms and Conditions No. 12, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).
2. The Order will also require the Respondent to:
  - a. Within 30 days, implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 373688; and
  - b. Within 45 days, submit written certification to demonstrate compliance with a.

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***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Kate Dacy, Enforcement Division, Enforcement Team 2, MC 219, (512) 239-4593; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

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

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

**Respondent:** Andrew M. Coggins, Vice President CI Olefin & Derivatives Manufacturing, EASTMAN CHEMICAL COMPANY, P.O. Box 7444, Longview, Texas 75607-7444

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	2-May-2022	<b>Screening</b>	3-May-2022	<b>EPA Due</b>	
	<b>PCW</b>	26-Aug-2022				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	EASTMAN CHEMICAL COMPANY
<b>Reg. Ent. Ref. No.</b>	RN100219815
<b>Facility/Site Region</b>	5-Tyler
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	62291	<b>No. of Violations</b>	1
<b>Docket No.</b>	2022-0523-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Kate Dacy
		<b>EC's Team</b>	Enforcement Team 4
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$7,500
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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.

<b>Compliance History</b>	14.0% Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	\$1,050
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Notes: Enhancement for 11 NOVs with the same or similar violations, two NOVs with dissimilar violations, and two orders containing a denial of liability. Reduction for 33 notices of intent to conduct an audit and 26 disclosures of violations.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$0
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts \$622  
 Estimated Cost of Compliance \$10,000  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$8,550
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0% Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

<b>Final Penalty Amount</b>	\$8,550
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$8,550
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<b>DEFERRAL</b>	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).

<b>PAYABLE PENALTY</b>	\$8,550
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**Screening Date** 3-May-2022

**Docket No.** 2022-0523-AIR-E

**PCW**

**Respondent** EASTMAN CHEMICAL COMPANY

Policy Revision 5 (January 28, 2021)

**Case ID No.** 62291

PCW Revision February 11, 2021

**Reg. Ent. Reference No.** RN100219815

**Media** Air

**Enf. Coordinator** Kate Dacy

### Compliance History Worksheet

**>> Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	11	55%
	Other written NOVs	2	4%
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> )	33	-33%
	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> )	26	-52%
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)** 14%

**>> 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 11 NOVs with the same or similar violations, two NOVs with dissimilar violations, and two orders containing a denial of liability. Reduction for 33 notices of intent to conduct an audit and 26 disclosures of violations.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 14%

**>> Final Compliance History Adjustment**

**Final Adjustment Percentage \*capped at 100%** 14%

Screening Date 3-May-2022

Docket No. 2022-0523-AIR-E

PCW

Respondent EASTMAN CHEMICAL COMPANY

Policy Revision 5 (January 28, 2021)

Case ID No. 62291

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN100219815

Media Air

Enf. Coordinator Kate Dacy

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review Permit No. 1329, Special Conditions No. 1, Federal Operating Permit No. O1974, General Terms and Conditions and Special Terms and Conditions No. 12, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 319.06 pounds of ethylene oxide as fugitive emissions, during an emissions event (Incident No. 373688) that occurred on February 1, 2022 and lasted 52 minutes. The emissions event occurred when a ball valve was inadvertently opened by a quarter turn and a plug that was installed at the end of the line was not fully seated, resulting in the release to the atmosphere. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent

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

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1 Number of violation days 1

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDRP/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 \$622 Violation Final Penalty Total \$8,550

This violation Final Assessed Penalty (adjusted for limits) \$8,550

## Economic Benefit Worksheet

**Respondent** EASTMAN CHEMICAL COMPANY  
**Case ID No.** 62291  
**Reg. Ent. Reference No.** RN100219815  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	1-Feb-2022	1-May-2023	1.24	\$622	n/a	\$622

**Notes for DELAYED costs**

Estimated cost to implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 373688. 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**

\$622

The TCEQ is committed to accessibility.

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



# Compliance History Report

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

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

## ID Number(s):

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

**AIR NEW SOURCE PERMITS** PERMIT 681  
**AIR NEW SOURCE PERMITS** PERMIT 1105  
**AIR NEW SOURCE PERMITS** REGISTRATION 2102  
**AIR NEW SOURCE PERMITS** PERMIT 6419  
**AIR NEW SOURCE PERMITS** PERMIT 6777  
**AIR NEW SOURCE PERMITS** REGISTRATION 7023  
**AIR NEW SOURCE PERMITS** REGISTRATION 7752  
**AIR NEW SOURCE PERMITS** PERMIT 9167  
**AIR NEW SOURCE PERMITS** PERMIT 9552  
**AIR NEW SOURCE PERMITS** REGISTRATION 11243  
**AIR NEW SOURCE PERMITS** REGISTRATION 13510  
**AIR NEW SOURCE PERMITS** REGISTRATION 14137  
**AIR NEW SOURCE PERMITS** REGISTRATION 15392  
**AIR NEW SOURCE PERMITS** REGISTRATION 15691  
**AIR NEW SOURCE PERMITS** REGISTRATION 16022  
**AIR NEW SOURCE PERMITS** PERMIT 17578  
**AIR NEW SOURCE PERMITS** PERMIT 17833  
**AIR NEW SOURCE PERMITS** PERMIT 20489  
**AIR NEW SOURCE PERMITS** PERMIT 21832  
**AIR NEW SOURCE PERMITS** PERMIT 27941  
**AIR NEW SOURCE PERMITS** REGISTRATION 27086  
**AIR NEW SOURCE PERMITS** REGISTRATION 28548  
**AIR NEW SOURCE PERMITS** REGISTRATION 29676  
**AIR NEW SOURCE PERMITS** REGISTRATION 33574  
**AIR NEW SOURCE PERMITS** REGISTRATION 35597  
**AIR NEW SOURCE PERMITS** REGISTRATION 37878  
**AIR NEW SOURCE PERMITS** REGISTRATION 39472  
**AIR NEW SOURCE PERMITS** REGISTRATION 40744  
**AIR NEW SOURCE PERMITS** REGISTRATION 42273  
**AIR NEW SOURCE PERMITS** PERMIT 48588  
**AIR NEW SOURCE PERMITS** PERMIT 48590  
**AIR NEW SOURCE PERMITS** PERMIT 48615

**AIR OPERATING PERMITS** PERMIT 1436  
**AIR OPERATING PERMITS** PERMIT 1970  
**AIR OPERATING PERMITS** PERMIT 1972  
**AIR OPERATING PERMITS** PERMIT 1974  
**AIR OPERATING PERMITS** PERMIT 1976  
**AIR OPERATING PERMITS** PERMIT 1978  
**AIR OPERATING PERMITS** PERMIT 1981  
**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION 1020092  
**AIR NEW SOURCE PERMITS** PERMIT 908  
**AIR NEW SOURCE PERMITS** PERMIT 1329  
**AIR NEW SOURCE PERMITS** PERMIT 5283  
**AIR NEW SOURCE PERMITS** REGISTRATION 6772  
**AIR NEW SOURCE PERMITS** REGISTRATION 7022  
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**AIR NEW SOURCE PERMITS** PERMIT 9301  
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**AIR NEW SOURCE PERMITS** REGISTRATION 12367  
**AIR NEW SOURCE PERMITS** REGISTRATION 13743  
**AIR NEW SOURCE PERMITS** REGISTRATION 14953  
**AIR NEW SOURCE PERMITS** REGISTRATION 15535  
**AIR NEW SOURCE PERMITS** REGISTRATION 15724  
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**AIR NEW SOURCE PERMITS** PERMIT 17579  
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**AIR NEW SOURCE PERMITS** REGISTRATION 24461  
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**AIR NEW SOURCE PERMITS** PERMIT 30130  
**AIR NEW SOURCE PERMITS** REGISTRATION 30643  
**AIR NEW SOURCE PERMITS** REGISTRATION 35254  
**AIR NEW SOURCE PERMITS** REGISTRATION 37813  
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**AIR NEW SOURCE PERMITS** REGISTRATION 41365  
**AIR NEW SOURCE PERMITS** REGISTRATION 45164  
**AIR NEW SOURCE PERMITS** PERMIT 48589  
**AIR NEW SOURCE PERMITS** PERMIT 48591  
**AIR NEW SOURCE PERMITS** PERMIT 48617



**AIR NEW SOURCE PERMITS** PERMIT 48758  
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**AIR NEW SOURCE PERMITS** REGISTRATION 50167  
**AIR NEW SOURCE PERMITS** REGISTRATION 50321  
**AIR NEW SOURCE PERMITS** REGISTRATION 93166  
**AIR NEW SOURCE PERMITS** REGISTRATION 55267  
**AIR NEW SOURCE PERMITS** REGISTRATION 70117  
**AIR NEW SOURCE PERMITS** REGISTRATION 70477  
**AIR NEW SOURCE PERMITS** PERMIT 48761  
**AIR NEW SOURCE PERMITS** REGISTRATION 70379  
**AIR NEW SOURCE PERMITS** REGISTRATION 71012  
**AIR NEW SOURCE PERMITS** REGISTRATION 71332  
**AIR NEW SOURCE PERMITS** REGISTRATION 72364  
**AIR NEW SOURCE PERMITS** REGISTRATION 56589  
**AIR NEW SOURCE PERMITS** REGISTRATION 56558  
**AIR NEW SOURCE PERMITS** REGISTRATION 56540  
**AIR NEW SOURCE PERMITS** REGISTRATION 72295  
**AIR NEW SOURCE PERMITS** REGISTRATION 74118  
**AIR NEW SOURCE PERMITS** REGISTRATION 74685  
**AIR NEW SOURCE PERMITS** REGISTRATION 75102  
**AIR NEW SOURCE PERMITS** REGISTRATION 77203  
**AIR NEW SOURCE PERMITS** REGISTRATION 78495  
**AIR NEW SOURCE PERMITS** REGISTRATION 78568  
**AIR NEW SOURCE PERMITS** REGISTRATION 78576  
**AIR NEW SOURCE PERMITS** REGISTRATION 78487  
**AIR NEW SOURCE PERMITS** REGISTRATION 78880  
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**AIR NEW SOURCE PERMITS** REGISTRATION 82127  
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**AIR NEW SOURCE PERMITS** REGISTRATION 120553

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**AIR NEW SOURCE PERMITS** REGISTRATION 49793  
**AIR NEW SOURCE PERMITS** REGISTRATION 50110  
**AIR NEW SOURCE PERMITS** ACCOUNT NUMBER HH0042M  
**AIR NEW SOURCE PERMITS** REGISTRATION 55268  
**AIR NEW SOURCE PERMITS** REGISTRATION 75700  
**AIR NEW SOURCE PERMITS** AFS NUM 4820300019  
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**AIR NEW SOURCE PERMITS** REGISTRATION 53918  
**AIR NEW SOURCE PERMITS** REGISTRATION 56239  
**AIR NEW SOURCE PERMITS** REGISTRATION 56575  
**AIR NEW SOURCE PERMITS** REGISTRATION 56555  
**AIR NEW SOURCE PERMITS** REGISTRATION 72608  
**AIR NEW SOURCE PERMITS** REGISTRATION 50374  
**AIR NEW SOURCE PERMITS** REGISTRATION 74094  
**AIR NEW SOURCE PERMITS** REGISTRATION 74643  
**AIR NEW SOURCE PERMITS** REGISTRATION 74812  
**AIR NEW SOURCE PERMITS** REGISTRATION 88579  
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**AIR NEW SOURCE PERMITS** REGISTRATION 78517  
**AIR NEW SOURCE PERMITS** PERMIT 78809  
**AIR NEW SOURCE PERMITS** REGISTRATION 78938  
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**AIR NEW SOURCE PERMITS** REGISTRATION 80984  
**AIR NEW SOURCE PERMITS** REGISTRATION 82080  
**AIR NEW SOURCE PERMITS** REGISTRATION 83225  
**AIR NEW SOURCE PERMITS** REGISTRATION 83679  
**AIR NEW SOURCE PERMITS** PERMIT 84724  
**AIR NEW SOURCE PERMITS** REGISTRATION 88035  
**AIR NEW SOURCE PERMITS** REGISTRATION 90729  
**AIR NEW SOURCE PERMITS** REGISTRATION 91851  
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**AIR NEW SOURCE PERMITS** REGISTRATION 93933  
**AIR NEW SOURCE PERMITS** REGISTRATION 94602  
**AIR NEW SOURCE PERMITS** REGISTRATION 95513  
**AIR NEW SOURCE PERMITS** REGISTRATION 103070  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX332M3  
**AIR NEW SOURCE PERMITS** REGISTRATION 105356  
**AIR NEW SOURCE PERMITS** REGISTRATION 105091  
**AIR NEW SOURCE PERMITS** REGISTRATION 142433  
**AIR NEW SOURCE PERMITS** REGISTRATION 114614  
**AIR NEW SOURCE PERMITS** REGISTRATION 129973  
**AIR NEW SOURCE PERMITS** REGISTRATION 139792  
**AIR NEW SOURCE PERMITS** REGISTRATION 140734  
**AIR NEW SOURCE PERMITS** REGISTRATION 118375  
**AIR NEW SOURCE PERMITS** REGISTRATION 111193  
**AIR NEW SOURCE PERMITS** REGISTRATION 139279  
**AIR NEW SOURCE PERMITS** REGISTRATION 111190  
**AIR NEW SOURCE PERMITS** REGISTRATION 134661  
**AIR NEW SOURCE PERMITS** REGISTRATION 120631  
**AIR NEW SOURCE PERMITS** REGISTRATION 139257  
**AIR NEW SOURCE PERMITS** REGISTRATION 119769  
**AIR NEW SOURCE PERMITS** REGISTRATION 123685  
**AIR NEW SOURCE PERMITS** REGISTRATION 118623  
**AIR NEW SOURCE PERMITS** REGISTRATION 122762  
**AIR NEW SOURCE PERMITS** REGISTRATION 131356  
**AIR NEW SOURCE PERMITS** REGISTRATION 134213

**AIR NEW SOURCE PERMITS** REGISTRATION 151922  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX476  
**AIR NEW SOURCE PERMITS** REGISTRATION 163366  
**AIR NEW SOURCE PERMITS** REGISTRATION 162216  
**AIR NEW SOURCE PERMITS** REGISTRATION 162417  
**AIR NEW SOURCE PERMITS** REGISTRATION 164631  
**AIR NEW SOURCE PERMITS** REGISTRATION 164108  
**AIR NEW SOURCE PERMITS** REGISTRATION 167167  
**AIR NEW SOURCE PERMITS** REGISTRATION 164620  
**AIR NEW SOURCE PERMITS** REGISTRATION 168527  
**AIR NEW SOURCE PERMITS** REGISTRATION 165894  
**AIR NEW SOURCE PERMITS** REGISTRATION 167800  
**AIR NEW SOURCE PERMITS** REGISTRATION 163600  
**AIR NEW SOURCE PERMITS** REGISTRATION 165902  
**AIR NEW SOURCE PERMITS** REGISTRATION 142049  
**AIR NEW SOURCE PERMITS** REGISTRATION 146707  
**AIR NEW SOURCE PERMITS** REGISTRATION 148716  
**AIR NEW SOURCE PERMITS** PERMIT AMOC29  
**AIR NEW SOURCE PERMITS** REGISTRATION 142739  
**AIR NEW SOURCE PERMITS** REGISTRATION 148833  
**AIR NEW SOURCE PERMITS** REGISTRATION 144345  
**AIR NEW SOURCE PERMITS** REGISTRATION 158320  
**AIR NEW SOURCE PERMITS** REGISTRATION 155128  
**AIR NEW SOURCE PERMITS** REGISTRATION 160674  
**AIR NEW SOURCE PERMITS** REGISTRATION 160455  
**AIR NEW SOURCE PERMITS** REGISTRATION 161121  
**AIR NEW SOURCE PERMITS** REGISTRATION 153596  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX185M1  
**AIR NEW SOURCE PERMITS** REGISTRATION 161900  
**AIR NEW SOURCE PERMITS** REGISTRATION 157759  
**AIR NEW SOURCE PERMITS** REGISTRATION 162405  
**AIR NEW SOURCE PERMITS** REGISTRATION 154698  
**AIR NEW SOURCE PERMITS** REGISTRATION 157444  
**AIR NEW SOURCE PERMITS** REGISTRATION 157315  
**AIR NEW SOURCE PERMITS** REGISTRATION 168343  
**USED OIL** EPA ID TXD007330202

**STORMWATER** PERMIT TXR05W961  
**WASTEWATER** EPA ID TX0000949

**POLLUTION PREVENTION PLANNING** ID NUMBER P00684

**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID TXD007330202

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

**Compliance History Period:** September 01, 2016 to August 31, 2021

**Rating Year:** 2021

**Rating Date:** 09/01/2021

**Date Compliance History Report Prepared:** May 03, 2022

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** May 03, 2017 to May 03, 2022

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

**Name:** Kate Dacy

**Phone:** (512) 239-4593

**AIR NEW SOURCE PERMITS** REGISTRATION 152156  
**AIR NEW SOURCE PERMITS** REGISTRATION 165319  
**AIR NEW SOURCE PERMITS** REGISTRATION 163575  
**AIR NEW SOURCE PERMITS** REGISTRATION 168526  
**AIR NEW SOURCE PERMITS** REGISTRATION 167749  
**AIR NEW SOURCE PERMITS** REGISTRATION 168188  
**AIR NEW SOURCE PERMITS** REGISTRATION 167408  
**AIR NEW SOURCE PERMITS** REGISTRATION 167799  
**AIR NEW SOURCE PERMITS** REGISTRATION 166544  
**AIR NEW SOURCE PERMITS** REGISTRATION 168905  
**AIR NEW SOURCE PERMITS** REGISTRATION 167798  
**AIR NEW SOURCE PERMITS** REGISTRATION 163169  
**AIR NEW SOURCE PERMITS** REGISTRATION 165028  
**AIR NEW SOURCE PERMITS** REGISTRATION 146695  
**AIR NEW SOURCE PERMITS** REGISTRATION 143645  
**AIR NEW SOURCE PERMITS** REGISTRATION 147495  
**AIR NEW SOURCE PERMITS** REGISTRATION 148153  
**AIR NEW SOURCE PERMITS** REGISTRATION 146917  
**AIR NEW SOURCE PERMITS** REGISTRATION 147116  
**AIR NEW SOURCE PERMITS** REGISTRATION 143081  
**AIR NEW SOURCE PERMITS** REGISTRATION 150563  
**AIR NEW SOURCE PERMITS** REGISTRATION 157215  
**AIR NEW SOURCE PERMITS** REGISTRATION 158546  
**AIR NEW SOURCE PERMITS** REGISTRATION 159233  
**AIR NEW SOURCE PERMITS** REGISTRATION 156700  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX332M2  
**AIR NEW SOURCE PERMITS** REGISTRATION 161111  
**AIR NEW SOURCE PERMITS** REGISTRATION 156128  
**AIR NEW SOURCE PERMITS** REGISTRATION 161886  
**AIR NEW SOURCE PERMITS** REGISTRATION 152239  
**AIR NEW SOURCE PERMITS** REGISTRATION 156599  
**AIR NEW SOURCE PERMITS** REGISTRATION 152418  
**AIR NEW SOURCE PERMITS** REGISTRATION 158350  
**AIR NEW SOURCE PERMITS** PERMIT AMOC194  
**USED OIL** REGISTRATION A85413  
**IHW CORRECTIVE ACTION** SOLID WASTE REGISTRATION # (SWR) 30137  
**WASTEWATER** PERMIT WQ0000471000  
**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER HH0042M  
**INDUSTRIAL AND HAZARDOUS WASTE** PERMIT 50043  
**INDUSTRIAL AND HAZARDOUS WASTE** SOLID WASTE REGISTRATION # (SWR) 30137  
**TAX RELIEF** ID NUMBER 20148  
**TAX RELIEF** ID NUMBER 18158  
**TAX RELIEF** ID NUMBER 20761  
**TAX RELIEF** ID NUMBER 20768  
**TAX RELIEF** ID NUMBER 22506

## **Site and Owner/Operator History:**

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

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

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

- 1 Effective Date: 07/20/2020 ADMINORDER 2019-1295-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: Special Condition 8D PERMIT  
Special Terms and Conditions 14 OP  
Description: Failed to maintain the ratio of volume of natural gas to volume of waste gas for the flare. Specifically, the ratio of the volume of natural gas to the volume of waste gas was not maintained at 1 to 3.65 for the B-43 Tank Farm Flare, EPN 027FL1, for three hours on August 21, 2018 and two hours on October 24, 2018.  
Classification: Major  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition 1 1/14/16 PERMIT  
Special Condition 1 2/5/16 PERMIT  
Special Condition 1 3/10/14 PERMIT  
Special Condition 1 9/6/11 PERMIT  
Special Terms and Conditions 14 3/14/13 OP  
Special Terms and Conditions 14 6/23/15 OP  
Description: Failed to comply with the MAERs. The Respondent exceeded the NOx MAER of 0.01 ton per year ("tpy") based on a 12-month rolling period, the CO MAER of 0.12 tpy based on a 12-month rolling period, and the SO2 MAER of 0.01 tpy based on a 12-month rolling period for the 12-month periods ending from May 2013 through June of 2018 for the B-43 Tank Farm Flare, EPN 027FL1, resulting in the unauthorized release of 1.51 tons of NOx, 12.53 tons of CO, and 0.06 ton of SO2.  
Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Terms and Conditions 15 OP  
Description: Failed to submit a Form PI-7 by March 31 of the following year summarizing all uses of this permit by rule in the previous calendar year.
- 2 Effective Date: 12/14/2021 ADMINORDER 2020-1040-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 1 PERMIT  
Special Terms and Conditions 15 OP  
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 311.08 pounds ("lbs") of volatile organic compounds ("VOC") as fugitive emissions, during an emissions event (Incident No. 329334) that began on January 30, 2020 and lasted 14 hours and 13 minutes. The emissions event occurred when a bleed valve was left open during a routine activity, resulting in the release to the atmosphere.  
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 1 PERMIT  
Special Terms and Conditions 15 OP  
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 355.74 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 341265) that occurred on August 25, 2020 and lasted three hours and

30 minutes. The emissions event occurred when a bleed valve was left open following the start-up of the spare pump, resulting in the release to the atmosphere.

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

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

Item 1	May 12, 2017	(1425136)
Item 2	June 07, 2017	(1417373)
Item 3	June 13, 2017	(1431124)
Item 4	June 27, 2017	(1422024)
Item 5	July 18, 2017	(1439741)
Item 6	August 18, 2017	(1443426)
Item 7	August 22, 2017	(1430354)
Item 8	August 28, 2017	(1429863)
Item 9	August 30, 2017	(1436393)
Item 10	September 25, 2017	(1438663)
Item 11	September 27, 2017	(1438617)
Item 12	October 16, 2017	(1455876)
Item 13	November 14, 2017	(1461360)
Item 14	November 15, 2017	(1447989)
Item 15	December 12, 2017	(1467739)
Item 16	January 12, 2018	(1464538)
Item 17	January 17, 2018	(1474444)
Item 18	February 02, 2018	(1464621)
Item 19	February 06, 2018	(1466166)
Item 20	February 09, 2018	(1466954)
Item 21	February 14, 2018	(1467422)
Item 22	February 16, 2018	(1486670)
Item 23	February 21, 2018	(1471338)
Item 24	February 27, 2018	(1473030)
Item 25	February 28, 2018	(1472847)
Item 26	March 16, 2018	(1490348)
Item 27	March 20, 2018	(1473893)
Item 28	April 12, 2018	(1480244)
Item 29	April 20, 2018	(1493584)
Item 30	May 16, 2018	(1513935)
Item 31	May 24, 2018	(1485524)
Item 32	June 15, 2018	(1507618)
Item 33	June 20, 2018	(1496772)
Item 34	July 12, 2018	(1499675)
Item 35	July 30, 2018	(1505268)
Item 36	August 13, 2018	(1484883)
Item 37	August 17, 2018	(1519996)
Item 38	August 21, 2018	(1507332)
Item 39	August 29, 2018	(1512686)
Item 40	August 30, 2018	(1512702)
Item 41	August 31, 2018	(1512986)
Item 42	September 17, 2018	(1527163)
Item 43	September 18, 2018	(1513575)
Item 44	September 25, 2018	(1517516)
Item 45	October 10, 2018	(1533521)
Item 46	October 23, 2018	(1524206)
Item 47	October 30, 2018	(1519438)
Item 48	October 31, 2018	(1525157)
Item 49	November 08, 2018	(1525983)
Item 50	November 16, 2018	(1541356)
Item 51	November 20, 2018	(1526772)

Item 52	November 29, 2018	(1531586)
Item 53	December 19, 2018	(1545140)
Item 54	January 15, 2019	(1559394)
Item 55	January 17, 2019	(1538277)
Item 56	January 24, 2019	(1524209)
Item 57	January 30, 2019	(1540658)
Item 58	January 31, 2019	(1541016)
Item 59	February 04, 2019	(1540755)
Item 60	February 15, 2019	(1548415)
Item 61	February 19, 2019	(1559392)
Item 62	February 21, 2019	(1408351)
Item 63	March 11, 2019	(1551611)
Item 64	March 14, 2019	(1559393)
Item 65	March 19, 2019	(1549804)
Item 66	April 10, 2019	(1554773)
Item 67	April 15, 2019	(1571737)
Item 68	May 13, 2019	(1558222)
Item 69	May 17, 2019	(1583073)
Item 70	June 07, 2019	(1558860)
Item 71	June 17, 2019	(1571641)
Item 72	July 02, 2019	(1577909)
Item 73	July 17, 2019	(1593048)
Item 74	August 20, 2019	(1599392)
Item 75	August 27, 2019	(1591143)
Item 76	September 10, 2019	(1592312)
Item 77	September 11, 2019	(1592862)
Item 78	September 13, 2019	(1606300)
Item 79	September 17, 2019	(1592526)
Item 80	October 07, 2019	(1597981)
Item 81	October 14, 2019	(1602867)
Item 82	October 16, 2019	(1613147)
Item 83	October 30, 2019	(1598496)
Item 84	October 31, 2019	(1605009)
Item 85	November 15, 2019	(1618959)
Item 86	November 19, 2019	(1610177)
Item 87	November 22, 2019	(1611093)
Item 88	December 17, 2019	(1626312)
Item 89	January 08, 2020	(1617078)
Item 90	January 16, 2020	(1633953)
Item 91	January 21, 2020	(1623427)
Item 92	February 06, 2020	(1622503)
Item 93	February 18, 2020	(1640572)
Item 94	February 28, 2020	(1630028)
Item 95	March 16, 2020	(1647092)
Item 96	March 24, 2020	(1638762)
Item 97	March 31, 2020	(1638120)
Item 98	April 15, 2020	(1633234)
Item 99	April 17, 2020	(1644797)
Item 100	April 30, 2020	(1645672)
Item 101	May 13, 2020	(1646911)
Item 102	May 18, 2020	(1650610)
Item 103	May 19, 2020	(1660014)
Item 104	June 05, 2020	(1652367)
Item 105	June 12, 2020	(1651579)
Item 106	June 18, 2020	(1666517)
Item 107	June 25, 2020	(1652026)
Item 108	July 15, 2020	(1673475)
Item 109	July 22, 2020	(1664304)
Item 110	August 13, 2020	(1664124)
Item 111	August 18, 2020	(1680249)

Item 112	August 25, 2020	(1610202)
Item 113	September 04, 2020	(1672631)
Item 114	September 16, 2020	(1686820)
Item 115	October 12, 2020	(1679741)
Item 116	October 16, 2020	(1739939)
Item 117	October 28, 2020	(1684667)
Item 118	November 30, 2020	(1691827)
Item 119	December 08, 2020	(1693138)
Item 120	December 17, 2020	(1712192)
Item 121	January 15, 2021	(1699381)
Item 122	January 29, 2021	(1700585)
Item 123	February 16, 2021	(1725246)
Item 124	February 25, 2021	(1703269)
Item 125	February 26, 2021	(1703758)
Item 126	March 18, 2021	(1725247)
Item 127	April 05, 2021	(1707744)
Item 128	April 21, 2021	(1709921)
Item 129	May 07, 2021	(1709460)
Item 130	May 12, 2021	(1707436)
Item 131	May 20, 2021	(1706771)
Item 132	June 09, 2021	(1723662)
Item 133	June 17, 2021	(1747524)
Item 134	July 16, 2021	(1751616)
Item 135	July 19, 2021	(1738750)
Item 136	July 20, 2021	(1737131)
Item 137	July 30, 2021	(1722166)
Item 138	August 05, 2021	(1739201)
Item 139	August 19, 2021	(1757088)
Item 140	September 01, 2021	(1709130)
Item 141	September 13, 2021	(1745726)
Item 142	September 18, 2021	(1766037)
Item 143	September 27, 2021	(1763574)
Item 144	October 19, 2021	(1776563)
Item 146	November 18, 2021	(1783534)
Item 147	November 22, 2021	(1760571)
Item 148	December 03, 2021	(1685789)
Item 149	December 15, 2021	(1790554)
Item 150	December 29, 2021	(1781875)
Item 151	January 19, 2022	(1798351)
Item 152	January 20, 2022	(1774721)
Item 153	February 15, 2022	(1806228)
Item 154	February 23, 2022	(1773070)
Item 155	February 25, 2022	(1760589)
Item 156	March 08, 2022	(1795827)
Item 157	March 09, 2022	(1795674)
Item 158	April 21, 2022	(1795253)
Item 159	April 25, 2022	(1794942)

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

second valve.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)  
STC 1(A) PERMIT  
Description: Failure to limit visible emissions from the HCC- 3 plant flare for less than five minutes in a two-hour period.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(1)(C)  
5C THSC Chapter 382 382.085(b)  
STC 1(A) PERMIT  
STC 15 PERMIT  
Description: Failure to submit the semiannual NSPS NNN report within 30 days after the end of the reporting period.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)  
5C THSC Chapter 382 382.085(b)  
STC 1(A) PERMIT  
STC 15 PERMIT  
STC 6C PERMIT  
Description: Failure to limit visible emissions from the B-25 flare for less than five minutes in a two-hour period.

2 Date: 07/21/2021 (1722159)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
STC 3A PERMIT  
Description: Failure to maintain visible emissions under 20% opacity during catalyst change out of HR-403.

3 Date: 07/21/2021 (1698061)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Terms and Conditions 8 OP  
Description: Failure to perform monthly NOx monitoring on the Boiler 11 stack.

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

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)  
30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
5C THSC Chapter 382 382.085(b)  
Description: Failure to submit a PBR application within 10-days of construction for PBRs 106.261 and 106.262.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(1)(C)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Description: Failure to submit a semiannual report within 30 days of the end of the reporting period.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Terms and Conditions 2(F) OP  
Description: Failure to create a final report within 14 days from the end of an emissions event.

5 Date: 07/28/2021 (1746689)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THSC Chapter 382 382.085(b)  
Special Condition 15E PERMIT  
Special Condition 3E PERMIT  
Special Terms and Conditions 14 OP  
Description: Failure to equip open ended lines with a cap, blind flange plug, or second valve on one line in VOC service.

Self Report? NO Classification: Minor  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)  
5C THSC Chapter 382 382.085(b)  
Description: Failure to monitor a repair attempt within 15 days of start-up.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)  
5C THSC Chapter 382 382.085(b)  
Description: Failure to make notification for 30 TAC 106.26(a)(7)(B) in a timely manner.

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

7 Date: 07/28/2021 (1722168)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.520  
30 TAC Chapter 113, SubChapter C 113.890  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)  
5C THSC Chapter 382 382.085(b)  
STC 1(A) PERMIT  
STC 10 PERMIT  
STC 24E PERMIT  
STC 5F PERMIT  
STC 9E PERMIT  
Description: Failure to equip Seven (7) open-ended lines with a cap, blind flange, plug, or second valve.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(1)(C)  
5C THSC Chapter 382 382.085(b)  
STC 1(A) PERMIT  
Description: Failure to submit the semiannual NSPS NNN report within 30 days after the end of the reporting period.



- 8 Date: 07/28/2021 (1722163)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THSC Chapter 382 382.085(b)  
STC 1(A) PERMIT  
STC 10 PERMIT  
STC 5E PERMIT  
Description: Failure to equip one (1) open-ended line with a cap, blind flange, plug, or second valve.
- Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-1(a)(1)(i)(C)  
5C THSC Chapter 382 382.085(b)  
STC 1 PERMIT  
STC 1(A) PERMIT  
STC 10 PERMIT  
Description: Failure to combust the emissions in a flare.
- 9 Date: 07/28/2021 (1722167)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THSC Chapter 382 382.085(b)  
STC 1(A) PERMIT  
STC 11E PERMIT  
STC 14 PERMIT  
Description: Failure to equip two (2) open-ended line with a cap, blind flange, plug, or second valve.
- Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(1)  
5C THSC Chapter 382 382.085(b)  
STC 1(A) PERMIT  
Description: Failure to sample the steam stripper at least monthly as required by 40 CFR 61.354(a)(1).
- 10 Date: 08/05/2021 (1722169)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.520  
30 TAC Chapter 113, SubChapter C 113.560  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)  
5C THSC Chapter 382 382.085(b)  
STC 1(A) PERMIT  
STC 14 PERMIT  
STC 29E PERMIT  
Description: Failure to equip nine (9) open-ended lines and valves with a cap, blind flange, plug, or second valve.
- Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
STC 1(A) PERMIT  
STC 13 PERMIT  
STC 14 PERMIT  
STC 9 PERMIT  
Description: Failure to conduct monthly monitoring on BF-901A and BF-901B.
- Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

5C THSC Chapter 382 382.085(b)  
 STC 1(A) PERMIT  
 STC 14 PERMIT  
 Description: Failure to report all deviations in the reporting period for which they occurred.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 STC 1(A) PERMIT  
 STC 14 PERMIT  
 STC 9 PERMIT  
 Description: Failure to meet all stack testing requirements.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(1)(C)  
 5C THSC Chapter 382 382.085(b)  
 STC 1(A) PERMIT  
 STC 14 PERMIT  
 Description: Failure to submit the semiannual NSPS NNN report within 30 days after the end of the reporting period.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
 30 TAC Chapter 113, SubChapter C 113.100  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)  
 5C THSC Chapter 382 382.085(b)  
 STC 1(A) PERMIT  
 Description: Failure to limit visible emissions from EPN 225FL1 for less than five minutes in a two-hour period.

11 Date: 08/16/2021 (1751499)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 STC 1(F) PERMIT  
 Description: Failure to create a final record for one recordable emission event.

12 Date: 02/23/2022 (1773069)  
 Self Report? YES Classification: Moderate  
 Citation: 1977 - STC 1(A) PERMIT  
 1977 - STC 14 OP  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 5C THSC Chapter 382 382.085(b)  
 SC 15E PERMIT  
 SC 3E PERMIT  
 SC 4E PERMIT  
 Description: Failure to equip seven (7) open-ended lines with a cap, blind flange, plug, or second valve.  
 Self Report? YES 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)  
 SC 1 PERMIT  
 STC 1(A) PERMIT  
 STC 14 PERMIT  
 Description: Failure to prevent unauthorized emissions during start-up of the Texanol Plant.  
 Self Report? YES 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)  
 SC 1 PERMIT  
 STC 1(A) PERMIT  
 STC 14 PERMIT  
 Description: Failure to prevent unauthorized emissions during start-up of the Texanol Plant.  
 Self Report? YES Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

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

Description: Failure to report all deviations.

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)  
5C THSC Chapter 382 382.085(b)  
SC 1 PERMIT  
STC 1(A) PERMIT  
STC 14 PERMIT

Description: Failure to prevent unauthorized emissions.

13 Date: 02/23/2022 (1773067)

Self Report? YES 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)  
SC 1 PERMIT  
STC 1(A) PERMIT  
STC 12 PERMIT  
STC 14 PERMIT

Description: Failure to maintain hourly and annual MAERT limits due to clerical errors that occurred when the tank was permitted.

Self Report? YES Classification: Moderate

Citation: 19(D)(1) PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
STC 1(A) PERMIT  
STC 14 PERMIT

Description: Failure to meet the record keeping requirements specified in NSR Permit No. 1105, Special Condition No. 19(D)(1).

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(B)(i)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
STC 1(A) PERMIT  
STC 14 PERMIT

Description: Failure to comply with the requirements of 30 TAC Chapter 111.

## F. Environmental audits:

Disclosure Date: 07/11/2017

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10  
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Condition No. 1

Description: Failed to correctly report emissions in the 2011 Air Emissions Inventory. Specifically, emissions were reported under EPN 037T504, but the authorization is under 105T504 in the permit's MAERT.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition No. 1

Description: Failed to properly permit carbon monoxide emissions (CO) on NSR Permit No. 1329. Specifically, CO was inadvertently omitted from the MAERT for EPNs 037T621, 037T621A, and 037T621B. CO was represented in the 2006 renewal and PBR Registration No. 87018 and was also listed in the 2016 permit renewal application submitted on November 18, 2016.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 1

Description: Failed to limit CO, NOx, SO2, and VOC emissions from EPNs 141FL1 and 104FL1 to the amounts established in the permit due to a malfunction in the natural gas flow meter. The malfunction resulted in the natural gas flow meter incorrectly indicating the flow rate of natural gas to the EPNs and the excess emissions.

Notice of Intent Date: 04/05/2017 (1407199)

Disclosure Date: 05/25/2017

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
Rqmt Prov: PERMIT SC 13.D.  
OP STC 15

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

Disclosure Date: 08/07/2017

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 6.D.  
OP Special Terms and Conditions 15

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

Notice of Intent Date: 06/20/2017 (1422673)

Disclosure Date: 05/25/2018

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(a)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(c)(1)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1064(b)(1)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(c)(1)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(e)(1)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(i)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(f)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(b)(1)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(b)(1)(ii)

Rqmt Prov: OP Special Terms and Conditions No. 1.A.  
OP Special Terms and Conditions No. 5.A.

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

Notice of Intent Date: 06/22/2017 (1422748)

Disclosure Date: 11/01/2017

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT Special Conditions No. 10.D.2.

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

Viol. Classification: Moderate

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

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

Viol. Classification: Minor

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

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

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

Disclosure Date: 10/18/2018

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)

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

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

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

Notice of Intent Date: 10/25/2018 (1525197)  
Disclosure Date: 02/22/2019  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT Special Conditions No. 1

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

Notice of Intent Date: 01/11/2019 (1539083)  
No DOV Associated

Notice of Intent Date: 03/25/2019 (1553939)  
Disclosure Date: 07/17/2019  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT Special Condition Nos. 24.H and 24.I

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

Disclosure Date: 09/25/2019  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
Rqmt Prov: PERMIT Special Condition No. 12.E  
OP STC No. 10

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

Notice of Intent Date: 04/11/2019 (1555695)  
Disclosure Date: 11/19/2019  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

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

Rqmt Prov: PERMIT Special Conditions No. 9.B

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

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

Disclosure Date: 05/08/2019

Viol. Classification: Moderate

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

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

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

Viol. Classification: Moderate

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

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

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

Viol. Classification: Moderate

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

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

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

Disclosure Date: 09/25/2019

Viol. Classification: Minor

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

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

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

Viol. Classification: Moderate

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

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

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

Viol. Classification: Moderate

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

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

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

Disclosure Date: 03/26/2020

Viol. Classification: Minor

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

Rqmt Prov: PERMIT Special Condition No. 8.E

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

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

Disclosure Date: 11/20/2019

Viol. Classification: Minor

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(e)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

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

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

Viol. Classification: Minor

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

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

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

Viol. Classification: Minor

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

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

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

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

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

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

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

Disclosure Date: 09/25/2019

Viol. Classification: Moderate

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

Rqmt Prov: OP STC No. 1.A

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

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

No DOV Associated

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

Disclosure Date: 02/27/2020

Viol. Classification: Moderate

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

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

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

Viol. Classification: Moderate

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

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

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

Viol. Classification: Minor

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

Rqmt Prov: PERMIT SC 5.C

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

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 1

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

Viol. Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)



Rqmt Prov: PERMIT SC 1

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

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

Disclosure Date: 02/12/2020

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)  
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Conditions No. 1

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

Rqmt Prov: PERMIT Special Conditions No. 3

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

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 14.G

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

Viol. Classification: Major

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

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

Viol. Classification: Minor

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

Rqmt Prov: PERMIT Special Conditions No. 1

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

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

Disclosure Date: 01/28/2020

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 1

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

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

Disclosure Date: 02/27/2020

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT General Conditions No. 7

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

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

Disclosure Date: 05/24/2021

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

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

Notice of Intent Date: 10/22/2020 (1684758)  
Disclosure Date: 09/28/2021

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

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

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

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

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

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

Notice of Intent Date: 11/23/2020 (1692091)  
Disclosure Date: 05/26/2021

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter U 106.478  
30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT Special Conditions No. 1

Description: Failed to comply with the MAER for EPN 022T120 from 2015-2019. Specifically, the IFR in the tank was erroneously represented as being equipped with a double-seal rather than a single-seal and other miscellaneous errors in the IFR parameters were corrected while updating the calculation for the new API-42 resulting in the following exceedances in tpy: 2015, 0.1132; 2016, 0.0713; 2017 0.0716; 2018, 0.0724; 2019, 0.0718; and 2020, 0.0750.

Notice of Intent Date: 12/10/2020 (1696911)  
No DOV Associated

Notice of Intent Date: 12/14/2020 (1697010)  
Disclosure Date: 08/26/2021

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

Description: Failed to identify, document, and monitor seven valves and 62 connectors, as documented during the reconciliation process following a retag of the ES1 Process Unit. Specifically, seven valves are subject to the monitoring and recordkeeping requirements of the NSR Permit No. 52985 and 62 connectors and one valve are subject to the monitoring, recordkeeping, and reporting requirements of 40 CFR Part 63, Subpart H, but were not identified and monitored.

Viol. Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

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

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

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

Notice of Intent Date: 12/15/2020 (1697013)

Disclosure Date: 11/23/2021

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-10a(f)(1)(i)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-10a(f)(1)(ii)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(a)(2)(i)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(1)(i)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.486a(e)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(e)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(B)

Rqmt Prov: PERMIT Special Condition No. 12.K  
PERMIT Special Conditions No. 12.F  
OP Special Terms and Conditions No. 1.A  
OP Special Terms and Conditions No. 15

Description: Failed to identify, document, or monitor as part of a required State or Federal LDAR program 1,317 different components consisting of 256 valves, 164 difficult to monitor (DTM) valves, 894 connectors, 1 pressure relief valve, and 2 instruments as discovered during the reconciliation process following a retag of Eastman's Feedstock Supply and Distribution (FS & PD) areas.

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

Disclosure Date: 08/26/2021

Viol. Classification: Minor

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

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

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

Notice of Intent Date: 05/06/2021 (1711583)

Disclosure Date: 07/20/2021

Viol. Classification: Minor

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

Rqmt Prov: OP STC 3.C.(iii)(1)

Description: Failed to perform visible emission observations on the fire extinguisher recharging station in the Second Quarter of 2021.

Disclosure Date: 01/19/2022

Viol. Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter T 106.452

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP STC 13

OP STC 14

Description: Failed to comply with the abrasive usage limit and reporting requirements. Specifically, the daily abrasive usage limit (1 ton/day) was exceeded on two instances (5/8/17 and 5/14/17). In addition, the reporting requirements of 30 TAC 122.145(2)(A) were not met.

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

Disclosure Date: 07/26/2021

Viol. Classification: Minor

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

Rqmt Prov: PERMIT SC No. 1

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

Disclosure Date: 11/29/2021

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC1

Description: Failed to prevent non-conformance by the emergency vent valve supplier on the MIPK storage tank 36T-201, causing the emergency vent to open prematurely on two occasions and also causing an improper seal connection on the emergency vent valve gasket. [Emissions were estimated to be a total of 374 lbs of VOC]

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC1

Description: Failed to prevent emissions venting to the air from two conservation vents on the crude isobutanol tank 40T-123 as identified by an IR camera.

Notice of Intent Date: 07/02/2021 (1738530)

Disclosure Date: 11/23/2021

Viol. Classification: Minor

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

Rqmt Prov: PERMIT SC2

Description: Failed to prevent emissions and meet the recordkeeping criteria for 30 Tex. Admin. Code § 101.201(b). Specifically, the toluene storage tank (HT-52) was found to be leaking from the emergency vent when inspected with an IR camera and the recordkeeping was not met within the 14-day period.

Viol. Classification: Minor

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

Rqmt Prov: PERMIT SC2

Description: Failed to prevent emissions and meet the recordkeeping criteria for 30 Tex. Admin. Code § 101.201(b). Specifically, the solvent 85 storage tank (HT-51) was found to be leaking from the conservation vent and the emergency vent when inspected with the IR camera and the recordkeeping criteria was not met within the 14-day period.

Notice of Intent Date: 08/10/2021 (1750973)

Disclosure Date: 11/29/2021

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(iv)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(b)

Rqmt Prov: PERMIT SC 8.F  
OP STC 1.A  
OP STC 14

Description: Failed to identify, document, and monitor 4 valves in the Mixed Esters process unit as part of a State or Federal LDAR program as discovered during reconciliation after the revalidation of tagging in the Mixed Esters process unit. Specifically, 3 valves were not identified or monitored as per NSR Permit No. 6777 and 1 valve was not monitored initially per Subpart FFFF and once every 4 quarters per Subpart UU.

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

Notice of Intent Date: 08/27/2021 (1760221)  
Disclosure Date: 02/28/2022

Viol. Classification: Minor

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

Rqmt Prov: PERMIT SC 8F, 9F, 7F, 8  
OP STC 12

Description: Failed to identify, document, and monitor 199 valves, one difficult-to-monitor valve, and 693 connectors as part of a required LDAR program as discovered during the reconciliation process following a retag of the EO1 and EG1 Process Units. Of the components: 12 of the valves, one dtm valve and 693 HON connectors were subject to monitoring and recordkeeping requirements of NSR Permit No. 49363 and 693 connectors and 191 valves were subject to 40 CFR Part 63, Subpart H.

Notice of Intent Date: 09/28/2021 (1763883)  
No DOV Associated

Notice of Intent Date: 09/30/2021 (1764142)  
No DOV Associated

Notice of Intent Date: 10/18/2021 (1765836)  
No DOV Associated

Notice of Intent Date: 10/28/2021 (1771190)  
No DOV Associated

Notice of Intent Date: 04/14/2022 (1810399)  
No DOV Associated

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

§  
§  
§  
§  
§

BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2022-0523-AIR-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding EASTMAN CHEMICAL COMPANY (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates an organic chemical manufacturing plant located at 300 Kodak Boulevard in Longview, Harrison County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$8,550 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$4,275 of the penalty.

Pursuant to TEX. WATER CODE § 7.067, \$4,275 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or

required in this action, are waived in the interest of a more timely resolution of the matter.

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

## **II. ALLEGATIONS**

During a record review for the Plant conducted on March 10, 2022, 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 Permit No. 1329, Special Conditions No. 1, Federal Operating Permit No. O1974, General Terms and Conditions and Special Terms and Conditions No. 12, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 319.06 pounds of ethylene oxide as fugitive emissions, during an emissions event (Incident No. 373688) that occurred on February 1, 2022 and lasted 52 minutes. The emissions event occurred when a ball valve was inadvertently opened by a quarter turn and a plug that was installed at the end of the line was not fully seated, resulting in the release to the atmosphere. Since the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator and could have been avoided by better design and/or better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

## **III. DENIALS**

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

## **IV. ORDERING PROVISIONS**

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: EASTMAN CHEMICAL COMPANY, Docket No. 2022-0523-AIR-E" to:

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

2. The Respondent shall implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of \$4,275 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
3. The Respondent shall undertake the following technical requirements at the Plant:
  - a. Within 30 days after the effective date of this Order, implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 373688.
  - 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. 3.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  
Tyler Regional Office  
Texas Commission on Environmental Quality  
2916 Teague Drive  
Tyler, Texas 75701-3734

4. All relief not expressly granted in this Order is denied.



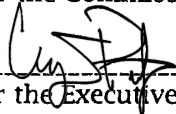
5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
6. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
7. 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.
8. 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.
9. 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.
10. 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

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For the Commission

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Date

  
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For the Executive Director

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3/10/2023

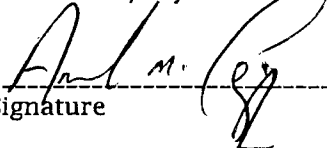
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Date

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.

  
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Signature

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9/8/22  
Date

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Andrew M. Coggins  
Name (Printed or typed)  
Authorized Representative of  
EASTMAN CHEMICAL COMPANY

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VP, CI Olefin &  
Derivatives Manufacturing TXO  
Title

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

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

**Attachment A**  
**Docket Number: 2022-0523-AIR-E**  
**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>EASTMAN CHEMICAL COMPANY</b>
<b>Payable Penalty Amount:</b>	<b>\$8,550</b>
<b>SEP Offset Amount:</b>	<b>\$4,275</b>
<b>Type of SEP:</b>	<b>Contribution to a Third-Party Pre-Approved SEP</b>
<b>Third-Party Administrator:</b>	<b>Texas Congress of Parents and Teachers dba Texas PTA</b>
<b>Project Name:</b>	<b><i>Texas PTA Clean School Bus Replacement Program</i></b>
<b>Location of SEP:</b>	<b>Texas Air Quality Control Region 022: Shreveport-Texarkana-Tyler - Preference for Harrison County</b>

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

**1. Project Description**

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Texas Congress of Parents and Teachers dba Texas PTA** for the *Texas PTA Clean School Bus Replacement Program*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the contribution will be used to reduce nitrogen oxides, volatile organic compounds, carbon monoxide, and particulate matter emissions by replacing older diesel buses with newer buses that meet more stringent emission standards. The Third-Party Administrator shall use the SEP Offset Amount for up to 100% of the purchase price of a model year 2010 or newer bus to replace a diesel school bus that is model year 2002 or older. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

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

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

b. Environmental Benefit

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

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Texas Congress of Parents and Teachers SEP** and shall mail the contribution with a copy of the Agreed Order to:

Texas PTA  
408 West 11th Street  
Austin, Texas 78701

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

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

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

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

**5. Publicity**

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

**6. Recognition**

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

**7. Other SEPs by TCEQ or Other Agencies**

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