

Executive Summary – Enforcement Matter – Case No. 62630
Eco Services Operations Corp.
RN100220581
Docket No. 2022-0879-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Eco Services Operations, 8615 Manchester Street, Houston, Harris County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: May 30, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$36,085

Amount Deferred for Expedited Settlement: \$7,217

Total Paid to General Revenue: \$28,868

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: April 29, 2022

Date(s) of NOE(s): June 29, 2022

Executive Summary – Enforcement Matter – Case No. 62630
Eco Services Operations Corp.
RN100220581
Docket No. 2022-0879-AIR-E

Violation Information

1. Failed to comply with the concentration limit. Specifically, the Respondent exceeded the ammonia (“NH₃”) concentration limit of ten parts per million by volume dry (“ppmvd”) at 3% oxygen by a range from 0.7 to 1.8 ppmvd at 3% oxygen during testing on February 4, 2021 and by a range from 4.11 to 10.98 ppmvd at 3% oxygen during testing on May 5, 2021 for the Package Boiler, Emissions Point Number (“EPN”) 117 [30 TEX. ADMIN. CODE §§ 116.115(c), 117.310(c)(2), and 122.143(4), New Source Review (“NSR”) Permit No. 56566, Special Conditions (“SC”) No. 13, Federal Operating Permit (“FOP”) O3049, General Terms and Conditions (“GTC”) and Special Terms and Conditions (“STC”) No. 19, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to maintain records containing the information and data sufficient to demonstrate compliance with the permit. Specifically, the Respondent did not provide records to demonstrate that the fiber bed mist eliminator liquid associated with EPNs 124, 125, 126, 127, and 130 was tested daily for sulfuric acid saturation [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(E)(i) and (c) and 122.143(4), NSR Permit No. 56566, SC No. 27, FOP O3049, GTC and STC No. 19, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
3. Failed to report all instances of deviations. Specifically, the deviation report for the March 3, 2021 through August 31, 2021 reporting period did not include the deviation for failing to maintain furnace heat-up hours within permitted limits for EPNs 103, 105 and 106 [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O3049, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
4. Failed to report all instances of deviations. Specifically, the deviation report for the September 1, 2020 through March 2, 2021 reporting period did not include the deviation for failing to comply with the NH₃ concentration limit for EPN 117 [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O3049, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
5. Failed to limit natural gas use for furnace heat ups to 150 hours per rolling 12 months. Specifically, the Respondent exceeded 150 hours of natural gas use during furnace heat-ups on a rolling 12-month basis by a range from 8.5 to 37 hours for the 12-month periods ending from July 2021 through February 2022 for the natural gas emitted through EPNs 103, 105, and 106 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 19282 and PSDTX1081, Special Conditions No. 2, FOP No. O3049, GTC and STC No. 19, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

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Eco Services Operations Corp.
RN100220581
Docket No. 2022-0879-AIR-E

- a. On July 29, 2021, conducted testing of the Package Boiler, EPN 117, to demonstrate compliance with the ammonia concentration limit of ten ppmvd corrected to three percent oxygen.
- b. By September 30, 2021, submitted an amended deviation report for the March 3, 2021 through August 31, 2021 reporting period to report the deviation for failing to maintain furnace heat-up hours within permitted limits for EPNs 103, 105 and 106.
- c. By September 30, 2021, submitted a deviation report for the March 3, 2021 through August 31, 2021 reporting period that included the deviation for failing to comply with the NH₃ concentration limit for EPN 117.
- d. By August 3, 2022, implemented a Daily Tracker which is verified manually every day for all daily, monthly, and annual environmental requirements/tasks to ensure that all instances of deviations are reported in a timely manner.
- e. By June 2, 2022, began limiting natural gas use for furnace heat ups to 150 hours per rolling 12 months for the natural gas emitted through EPNs 103, 105, and 106.
- f. By August 3, 2022, established procedures to conduct a daily test on days that the oleum scrubbers are in use and began maintaining records to demonstrate that the fiber bed mist eliminator liquid associated with EPNs 124, 125, 126, 127, and 130 is being tested daily for sulfuric acid saturation.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

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

Respondent: Owen Soppet, Site Manager, Eco Services Operations Corp., 8615 Manchester Street, Houston, Texas, 77012

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	6-Jul-2022	Screening	14-Jul-2022	EPA Due	26-Dec-2022
	PCW	18-Feb-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	Eco Services Operations Corp.
Reg. Ent. Ref. No.	RN100220581
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	62630	No. of Violations	5
Docket No.	2022-0879-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$43,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	7.0%	Adjustment	Subtotals 2, 3, & 7	\$3,010
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Notes	Enhancement for one NOV with same or similar violations and one NOV with dissimilar violations.
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Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$9,925
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$476
Estimated Cost of Compliance	\$15,500

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$36,085
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
Final Penalty Amount	\$36,085

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$36,085
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DEFERRAL	20.0%	Reduction	Adjustment	-\$7,217
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.
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PAYABLE PENALTY	\$28,868
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Screening Date	14-Jul-2022	Docket No.	2022-0879-AIR-E	PCW
Respondent	Eco Services Operations Corp.			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	62630			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN100220581			
Media	Air			
Enf. Coordinator	Yuliya Dunaway			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 7%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with same or similar violations and one NOV with dissimilar violations.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 7%

Screening Date 14-Jul-2022 Respondent Eco Services Operations Corp. Case ID No. 62630 Reg. Ent. Reference No. RN100220581 Media Air Enf. Coordinator Yuliya Dunaway	Docket No. 2022-0879-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	1		
Rule Cite(s)		30 Tex. Admin. Code §§ 116.115(c), 117.310(c)(2), and 122.143(4), New Source Review ("NSR") Permit No. 56566, Special Conditions ("SC") No. 13, Federal Operating Permit ("FOP") O3049, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 19, and Tex. Health & Safety Code § 382.085(b)	
Violation Description		Failed to comply with the concentration limit. Specifically, the Respondent exceeded the ammonia ("NH3") concentration limit of ten parts per million by volume dry ("ppmvd") corrected to three percent oxygen ("3% O2") by a range from 0.7 to 1.8 ppmvd at 3% O2 during testing on February 4, 2021 and by 4.11 to 10.98 ppmvd at 3% O2 during testing on May 21, 2021 for the Package Boiler, Emissions Point Number ("EPN") 117.	

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

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

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

Number of Violation Events	2		175	Number of violation days
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	daily		weekly		monthly		quarterly	x		semiannual		annual		single event	
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	Violation Base Penalty \$15,000
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Two quarterly events are recommended from the initial non-compliant test conducted on February 4, 2021 through the date of a compliant test conducted on July 29, 2021.	
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Good Faith Efforts to Comply

	25.0%				
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary					
Ordinary	x				
N/A					
Notes	The Respondent completed the corrective actions on July 29, 2021, prior to the Notice of Enforcement ("NOE") dated June 29, 2022.				

	Violation Subtotal \$11,250
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$170		
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Statutory Limit Test

		Violation Final Penalty Total	\$12,300
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This violation Final Assessed Penalty (adjusted for limits)	\$12,300
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Economic Benefit Worksheet

Respondent Eco Services Operations Corp.
Case ID No. 62630
Reg. Ent. Reference No. RN100220581
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)	\$8,000	24-Feb-2021	29-Jul-2021	0.42	\$170	n/a	\$170

Notes for DELAYED costs

Estimated cost to conduct testing of the Package Boiler, EPN 117, to demonstrate compliance with the NH3 concentration limit of ten ppmvd at 3% O2. The Date Required is the first date of non-compliance and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$8,000

TOTAL

\$170

Screening Date 14-Jul-2022 Respondent Eco Services Operations Corp. Case ID No. 62630 Reg. Ent. Reference No. RN100220581 Media Air Enf. Coordinator Yuliya Dunaway	Docket No. 2022-0879-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	2	
Rule Cite(s)		30 Tex. Admin. Code §§ 116.115(b)(2)(E)(i) and (c) and 122.143(4), NSR Permit No. 56566, SC No. 27, FOP O3049, GTC and STC No. 19, and Tex. Health & Safety Code § 382.085(b)
Violation Description		Failed to maintain records containing the information and data sufficient to demonstrate compliance with the permit. Specifically, the Respondent did not provide records to demonstrate that the fiber bed mist eliminator liquid associated with EPNs 124, 125, 126, 127, and 130 was tested daily for sulfuric acid ("H2SO4") saturation.

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

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

0.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	x	<input type="text"/>	<input type="text"/>	

20.0%

Matrix Notes	100% of the rule requirements were not met.
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Adjustment	\$20,000
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	\$5,000
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Violation Events

Number of Violation Events	1	76	Number of violation days
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	daily	<input type="text"/>	Violation Base Penalty
	weekly	<input type="text"/>	
	monthly	<input type="text"/>	
	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	x	

\$5,000

One single event is recommended.

Good Faith Efforts to Comply

10.0%	Reduction
	\$500

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

Notes	The Respondent completed the corrective actions on August 3, 2022, after the NOE dated June 29, 2022.
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Violation Subtotal	\$4,500
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$7	Statutory Limit Test
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Violation Final Penalty Total	\$4,850
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This violation Final Assessed Penalty (adjusted for limits)	\$4,850
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Economic Benefit Worksheet

Respondent Eco Services Operations Corp.
Case ID No. 62630
Reg. Ent. Reference No. RN100220581
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$500	29-Apr-2022	3-Aug-2022	0.26	\$7	n/a	\$7
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to establish procedures to conduct a daily test on days that the oleum scrubbers are in use and begin maintaining records to demonstrate that the fiber bed mist eliminator liquid associated with EPNs 124, 125, 126, 127, and 130 is being tested daily for H2SO4 saturation. The Date Required is the investigation date and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$7

Screening Date 14-Jul-2022 Respondent Eco Services Operations Corp. Case ID No. 62630 Reg. Ent. Reference No. RN100220581 Media Air Enf. Coordinator Yuliya Dunaway	Docket No. 2022-0879-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>							
Violation Number 3									
Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 03049, GTC, and Tex. Health & Safety Code § 382.085(b)									
Violation Description Failed to report all instances of deviations. Specifically, the deviation report for the March 3, 2021 through August 31, 2021 reporting period did not include the deviation for failing to maintain furnace heat-up hours within permitted limits for EPNs 103, 105 and 106.									
Base Penalty		\$25,000							
>> Environmental, Property and Human Health Matrix									
OR	Release	Harm							
	Major	Moderate							
	Minor	Minor							
Actual									
Potential									
Percent		0.0%							
>> Programmatic Matrix									
Falsification	Major	Moderate							
Minor	Minor	Minor							
Actual		x							
Potential									
Percent		1.0%							
Matrix Notes	Less than 30% of the rule requirement was not met.								
Adjustment		\$24,750							
		\$250							
Violation Events									
Number of Violation Events 1		287 Number of violation days							
daily weekly monthly quarterly semiannual annual single event	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px; text-align: center;">x</td></tr> </table>								x
x									
Violation Base Penalty		\$250							
One single event is recommended.									
Good Faith Efforts to Comply									
10.0%		Reduction \$25							
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer									
Extraordinary									
Ordinary	x								
N/A									
Notes	The Respondent completed the corrective actions by August 3, 2022, after the NOE dated June 29, 2022.								
Violation Subtotal		\$225							
Economic Benefit (EB) for this violation									
Statutory Limit Test									
Estimated EB Amount	\$63	Violation Final Penalty Total \$243							
This violation Final Assessed Penalty (adjusted for limits)		\$243							

Economic Benefit Worksheet

Respondent Eco Services Operations Corp.
Case ID No. 62630
Reg. Ent. Reference No. RN100220581
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	30-Sep-2021	3-Aug-2022	0.84	\$63	n/a	\$63
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	30-Sep-2021	30-Sep-2021	0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated costs to submit an amended deviation report for the March 3, 2021 through August 31, 2021 reporting period to report the deviation for failing to maintain furnace heat-up hours within permitted limits for EPNs 103, 105 and 106 (\$250) and to implement a Daily Tracker which is verified manually every day for all daily, monthly, and annual environmental requirements/tasks to ensure that all instances of deviations are reported in a timely manner (\$1,500). The Dates Required are the date the deviation should have been reported and the Final Dates are the date the deviation was reported and the date of compliance.						

Avoided Costs

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

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

Approx. Cost of Compliance \$1,750

TOTAL \$63

Screening Date 14-Jul-2022 Respondent Eco Services Operations Corp. Case ID No. 62630 Reg. Ent. Reference No. RN100220581 Media Air Enf. Coordinator Yuliya Dunaway	Docket No. 2022-0879-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	4	Rule Cite(s)	30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 03049, GTC, and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to report all instances of deviations. Specifically, the deviation report for the September 1, 2020 through March 2, 2021 reporting period did not include the deviation for failing to comply with the NH3 concentration limit for EPN 117.		

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

OR	Release	Harm			
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0.0%"/>

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	Percent <input type="text" value="1.0%"/>

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

Number of Violation Events	1	469	Number of violation days
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	daily	<input type="text"/>	weekly	<input type="text"/>	
	monthly	<input type="text"/>	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	annual	<input type="text"/>	
	single event	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	Violation Base Penalty <input type="text" value="\$250"/>

One single event is recommended.

Good Faith Efforts to Comply

	10.0%		Reduction <input type="text" value="\$25"/>
	Before NOE/NOV	NOE/NOV to EDP RP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	<input type="text"/>	<input type="text" value="x"/>	
N/A	<input type="text"/>	<input type="text"/>	

Notes	The Respondent completed the corrective actions by August 3, 2022, after the NOE dated June 29, 2022.
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Violation Subtotal	\$225
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Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount	\$6	Violation Final Penalty Total	\$243
This violation Final Assessed Penalty (adjusted for limits)		\$243	

Economic Benefit Worksheet

Respondent Eco Services Operations Corp.
Case ID No. 62630
Reg. Ent. Reference No. RN100220581
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	1-Apr-2021	30-Sep-2021	0.50	\$6	n/a	\$6

Notes for DELAYED costs

Estimated cost to submit a deviation report for the March 3, 2021 through August 31, 2021 reporting period that included the deviation for failing to comply with the NH3 concentration limit for EPN 117. The Date Required is the date the deviation should have been reported and the Final Date is the date the deviation was reported. See also the Training/Sampling delayed cost in the Economic Benefit Worksheet for Violation No. 3.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$6

Screening Date 14-Jul-2022 Respondent Eco Services Operations Corp. Case ID No. 62630 Reg. Ent. Reference No. RN100220581 Media Air Enf. Coordinator Yuliya Dunaway	Docket No. 2022-0879-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	5	
Rule Cite(s)		30 Tex. Admin. Code § 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 19282 and PSDTX1081, Special Conditions No. 2, FOP No. O3049, GTC and STC No. 19, and Tex. Health & Safety Code § 382.085(b)
Violation Description		Failed to limit natural gas use for furnace heat ups to 150 hours per rolling 12 months. Specifically, the Respondent exceeded 150 hours of natural gas use during furnace heat ups on a rolling 12-month basis by a range from 8.5 to 37 hours for the 12-month periods ending from July 2021 through February 2022 for the natural gas emitted through EPNs 103, 105, and 106.

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

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

>> Programmatic Matrix

Matrix Notes		Falsification	Major	Moderate	Minor	
						Percent 0.0%
Human health or the environment could have 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
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Violation Events

Number of Violation Events	3	243	Number of violation days														
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td></td></tr> <tr><td>quarterly</td><td style="text-align: center;">x</td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly		quarterly	x	semiannual		annual		single event			
daily																	
weekly																	
monthly																	
quarterly	x																
semiannual																	
annual																	
single event																	
Violation Base Penalty			\$22,500														
Three quarterly events are recommended for the period of non-compliance that occurred from July 1, 2021 through February 28, 2022.																	

Good Faith Efforts to Comply	25.0%	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		
Notes	The Respondent completed the corrective actions on June 2, 2022, prior to the NOE dated June 29, 2022.	
Violation Subtotal		\$5,625

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$230
Violation Final Penalty Total	\$18,450
This violation Final Assessed Penalty (adjusted for limits)	\$18,450

Economic Benefit Worksheet

Respondent Eco Services Operations Corp.
Case ID No. 62630
Reg. Ent. Reference No. RN100220581
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	1-Jul-2021	2-Jun-2022	0.92	\$230	n/a	\$230

Notes for DELAYED costs

The estimated cost to begin limiting natural gas use for furnace heat ups to 150 hours per rolling 12 months for the natural gas emitted through EPNs 103, 105, and 106. The Date Required is start of the non-compliance and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$230



Compliance History Report

Compliance History Report for CN605004464, RN100220581, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator:	CN605004464, Eco Services Operations Corp.	Classification:	SATISFACTORY	Rating:	2.51
Regulated Entity:	RN100220581, ECO SERVICES OPERATIONS	Classification:	SATISFACTORY	Rating:	0.62
Complexity Points:	32	Repeat Violator:	NO		
CH Group:	05 - Chemical Manufacturing				
Location:	8615 MANCHESTER ST, HOUSTON, HARRIS COUNTY, TX				
TCEQ Region:	REGION 12 - HOUSTON				

ID Number(s):

EMISSIONS BANKING AND TRADING ID NUMBER
EBT100220581

AIR OPERATING PERMITS PERMIT 3049

AIR NEW SOURCE PERMITS REGISTRATION 13219

AIR NEW SOURCE PERMITS REGISTRATION 36032

AIR NEW SOURCE PERMITS ACCOUNT NUMBER
HG06970

AIR NEW SOURCE PERMITS AFS NUM 4820100037

AIR NEW SOURCE PERMITS REGISTRATION 56485

AIR NEW SOURCE PERMITS REGISTRATION 80725

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1260

AIR NEW SOURCE PERMITS REGISTRATION 164254

AIR NEW SOURCE PERMITS REGISTRATION 162867

AIR NEW SOURCE PERMITS REGISTRATION 141833

AIR NEW SOURCE PERMITS REGISTRATION 160383

AIR NEW SOURCE PERMITS REGISTRATION 176620

IHW CORRECTIVE ACTION SOLID WASTE
REGISTRATION # (SWR) 31019

WASTEWATER EPA ID TX0007072

POLLUTION PREVENTION PLANNING ID NUMBER
P00578

INDUSTRIAL AND HAZARDOUS WASTE EPA ID
TXD008099079

TAX RELIEF ID NUMBER 18819

TAX RELIEF ID NUMBER 16065

TAX RELIEF ID NUMBER 19602

TAX RELIEF ID NUMBER 16069

TAX RELIEF ID NUMBER 19611

AIR OPERATING PERMITS ACCOUNT NUMBER HG06970

AIR NEW SOURCE PERMITS REGISTRATION 10622

AIR NEW SOURCE PERMITS PERMIT 19282

AIR NEW SOURCE PERMITS REGISTRATION 46657

AIR NEW SOURCE PERMITS PERMIT 4802

AIR NEW SOURCE PERMITS PERMIT 56566

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1081

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1081M1

AIR NEW SOURCE PERMITS REGISTRATION 161799

AIR NEW SOURCE PERMITS REGISTRATION 169373

AIR NEW SOURCE PERMITS REGISTRATION 149180

AIR NEW SOURCE PERMITS REGISTRATION 144447

AIR NEW SOURCE PERMITS REGISTRATION 173081

PETROLEUM STORAGE TANK REGISTRATION
REGISTRATION 80070

WASTEWATER PERMIT WQ0000542000

AIR EMISSIONS INVENTORY ACCOUNT NUMBER
HG06970

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50095

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
REGISTRATION # (SWR) 31019

TAX RELIEF ID NUMBER 16066

TAX RELIEF ID NUMBER 17841

TAX RELIEF ID NUMBER 18820

TAX RELIEF ID NUMBER 19610

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: February 18, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: February 18, 2020 to February 18, 2025

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

Name: Yuliya Dunaway

Phone: (210) 403-4077

Site and Owner/Operator History:

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

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	February 19, 2020	(1640688)
Item 2	March 17, 2020	(1647208)
Item 3	April 17, 2020	(1653544)
Item 4	May 14, 2020	(1660131)
Item 5	June 15, 2020	(1666635)
Item 6	July 07, 2020	(1673592)
Item 7	August 13, 2020	(1680368)
Item 8	September 11, 2020	(1686936)
Item 9	October 13, 2020	(1693283)
Item 10	November 13, 2020	(1712539)
Item 11	December 18, 2020	(1712540)
Item 12	January 15, 2021	(1712541)
Item 13	January 22, 2021	(1691938)
Item 14	February 18, 2021	(1725594)
Item 15	April 18, 2021	(1725596)
Item 16	May 14, 2021	(1740100)
Item 17	June 15, 2021	(1740101)
Item 18	July 08, 2021	(1723557)
Item 19	July 16, 2021	(1751732)
Item 20	August 16, 2021	(1757196)
Item 21	September 15, 2021	(1766276)
Item 22	October 14, 2021	(1776739)
Item 23	November 16, 2021	(1783648)
Item 24	December 01, 2021	(1771265)
Item 25	December 13, 2021	(1790674)
Item 26	January 18, 2022	(1798468)
Item 27	February 14, 2022	(1806342)
Item 28	March 18, 2022	(1813409)
Item 29	April 19, 2022	(1819980)
Item 30	May 16, 2022	(1828819)
Item 31	May 27, 2022	(1797171)
Item 32	July 20, 2022	(1835112)
Item 33	August 18, 2022	(1848449)
Item 34	September 07, 2022	(1840132)
Item 35	September 16, 2022	(1856247)
Item 36	October 19, 2022	(1862604)
Item 37	November 14, 2022	(1869518)
Item 38	December 16, 2022	(1875367)
Item 39	January 18, 2023	(1882188)
Item 40	February 17, 2023	(1890004)
Item 41	March 16, 2023	(1898563)
Item 42	April 18, 2023	(1905351)
Item 43	May 11, 2023	(1881189)
Item 44	May 17, 2023	(1912535)
Item 45	June 16, 2023	(1919137)

Item 46	July 19, 2023	(1926102)
Item 47	August 15, 2023	(1933065)
Item 48	September 15, 2023	(1939202)
Item 49	October 13, 2023	(1946052)
Item 50	November 15, 2023	(1951744)
Item 51	December 15, 2023	(1961506)
Item 52	January 19, 2024	(1968101)
Item 53	March 19, 2024	(1983730)
Item 54	April 15, 2024	(1990260)
Item 55	May 16, 2024	(1996717)
Item 56	June 18, 2024	(2003668)
Item 57	July 17, 2024	(2011221)
Item 58	August 09, 2024	(2003020)
Item 59	August 16, 2024	(2016825)
Item 60	September 18, 2024	(2023842)
Item 61	October 18, 2024	(2029966)
Item 62	November 15, 2024	(2036286)
Item 63	December 13, 2024	(2042397)

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:	06/07/2024	(1967111)		
	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 2.B PERMIT Special Term and Condition 17 OP			
	Description:	Failure to prevent exceedance of the hourly heat input limit for the Natural Gas Start Up Vents (EPN: 103, 105, and 106). (Category C4).			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Term and Condition 17 OP			
	Description:	Failure to prevent exceedance of hourly Sulfuric Acid (H2SO4) Maximum Allowable Emission Rate (MAER) limit for the Unit No. 8 Stack (EPN: 101) (Category B13).			
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Term and Condition 3(A)(iv)(1) OP			
	Description:	Failure to conduct quarterly visible emissions observations for Oleum Barge Loading Vent (EPN: 125) and Oleum Rail Loading Stack Vent (EPN: 126). (Category B1).			
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Term and Condition 16 OP			
	Description:	Failure to conduct monthly visible emissions observation for the Unit No. 8 Stack (EPN: 101) (Category C1).			
	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 7 PERMIT Special Term and Condition 17 OP			
	Description:	Failure to perform weekly pH monitoring device calibration for Spent Acid Caustic Scrubber (EPN: 123) (Category C1).			
	Self Report?	NO		Classification:	Minor
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(B) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP			
	Description:	Failure to submit deviation report (DR) for at least each six-month period			

(Category B3).

2 Date: 07/30/2024 (1973064)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 PROVISION II.A.2/V.A.1 PERMIT
Description: The facility failed to clearly identify the permitted units with the permit
 assigned numbers as required.
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.75
 PROVISION II.B.7 PERMIT
Description: The facility failed to submit Biennial Report as required.

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
ECO SERVICES OPERATIONS CORP.
RN100220581

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2022-0879-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 Eco Services Operations Corp. (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a chemical manufacturing plant located at 8615 Manchester Street in Houston, Harris 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 \$36,085 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$28,868 of the penalty and \$7,217 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
 - a. On July 29, 2021, conducted testing of the Package Boiler, Emissions Point Number ("EPN") 117, to demonstrate compliance with the ammonia ("NH₃") concentration limit of ten parts per million by volume dry ("ppmvd") corrected to three percent oxygen ("3% O₂").
 - b. By September 30, 2021, submitted an amended deviation report for the March 3, 2021 through August 31, 2021 reporting period to report the deviation for failing to maintain furnace heat-up hours within permitted limits for EPNs 103, 105 and 106.
 - c. By September 30, 2021, submitted a deviation report for the March 3, 2021 through August 31, 2021 reporting period that included the deviation for failing to comply with the NH₃ concentration limit for EPN 117.
 - d. By August 3, 2022, implemented a Daily Tracker which is verified manually every day for all daily, monthly, and annual environmental requirements/tasks to ensure that all instances of deviations are reported in a timely manner.
 - e. By June 2, 2022, began limiting natural gas use for furnace heat ups to 150 hours per rolling 12 months for the natural gas emitted through EPNs 103, 105, and 106.
 - f. By August 3, 2022, established procedures to conduct a daily test on days that the oleum scrubbers are in use and began maintaining records to demonstrate that the fiber bed mist eliminator liquid associated with EPNs 124, 125, 126, 127, and 130 is being tested daily for sulfuric acid ("H₂SO₄") saturation.

II. ALLEGATIONS

During an investigation at the Plant conducted on April 29, 2022, an investigator documented that the Respondent:

1. Failed to comply with the concentration limit, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 117.310(c)(2), and 122.143(4), New Source Review ("NSR") Permit No. 56566, Special Conditions ("SC") No. 13, Federal Operating Permit ("FOP") O3049, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 19, and

TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the NH₃ concentration limit of ten ppmvd at 3% O₂ by a range from 0.7 to 1.8 ppmvd at 3% O₂ during testing on February 4, 2021 and by a range from 4.11 to 10.98 ppmvd at 3% O₂ during testing on May 5, 2021 for the Package Boiler, EPN 117.

2. Failed to maintain records containing the information and data sufficient to demonstrate compliance with the permit, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(E)(i) and (c) and 122.143(4), NSR Permit No. 56566, SC No. 27, FOP O3049, GTC and STC No. 19, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not provide records to demonstrate that the fiber bed mist eliminator liquid associated with EPNs 124, 125, 126, 127, and 130 was tested daily for H₂SO₄ saturation.
3. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O3049, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the March 3, 2021 through August 31, 2021 reporting period did not include the deviation for failing to maintain furnace heat-up hours within permitted limits for EPNs 103, 105 and 106.
4. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O3049, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the September 1, 2020 through March 2, 2021 reporting period did not include the deviation for failing to comply with the NH₃ concentration limit for EPN 117.
5. Failed to limit natural gas use for furnace heat ups to 150 hours per rolling 12 months, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 19282 and PSDTX1081, Special Conditions No. 2, FOP No. O3049, GTC and STC No. 19, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded 150 hours of natural gas use during furnace heat-ups on a rolling 12-month basis by a range from 8.5 to 37 hours for the 12-month periods ending from July 2021 through February 2022 for the natural gas emitted through EPNs 103, 105, and 106.

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: Eco Services Operations Corp., Docket No. 2022-0879-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. All relief not expressly granted in this Order is denied.
3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
7. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

Kristi Mello-Jurack

For the Executive Director

07/16/2025

Date

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

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

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the 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.

Owen T. Soppet

Signature

4/9/2025

Date

Owen T. Soppet

Name (Printed or typed)
Authorized Representative of
Eco Services Operations Corp.

Site Manager

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.