

Executive Summary – Enforcement Matter – Case No. 62667

Equistar Chemicals, LP

RN100542281

Docket No. 2022-0907-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Equistar Chemicals Channelview Complex, 8280 Sheldon Road, Channelview, Harris County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket No. 2023-0377-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: April 7, 2023

Comments Received: No

Penalty Information

Total Penalty Assessed: \$23,883

Total Paid to General Revenue: \$11,942

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$11,941

Name of SEP: Houston Regional Monitoring Corporation (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 22, 2022 through April 30, 2022

Date(s) of NOE(s): June 17, 2022

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Violation Information

1. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), Federal Operating Permit ("FOP") No. 01426, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to prevent unauthorized emissions. Since the Respondent did not comply with the emissions event reporting requirements, the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator, and the emissions event 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 §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Nos. 1768, PSDTX1272, and N142M1, Special Conditions No. 1, FOP No. 01426, GTC and STC No. 38, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
3. Failed to report all instances of deviations [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. 01426, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. On January 26, 2021, submitted a revised deviation report for the January 1, 2020 through June 30, 2020 reporting period to report the deviation for failing to comply with the ammonia emissions limit for Cracking Heater 4419; and
- b. By February 2, 2022, emptied, cleaned, and degassed Storage Tank 3912 in order to prevent the recurrence of emissions due to the same or similar causes as the emissions event that began on November 1, 2021.

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 ensure that all instances of deviations are reported in a timely manner; and
 - b. Within 45 days, submit written certification to demonstrate compliance with a.

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Docket No. 2022-0907-AIR-E

Contact Information

TCEQ Attorney: N/A

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

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

SEP Third-Party Administrator: Houston Regional Monitoring Corporation, 1800 Post Oak Boulevard, Suite 400, Houston, Texas 77056

Respondent: Anthony Wood, Site Manager, Equistar Chemicals, LP, P.O. Box 7777, Channelview, Texas 77530

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	21-Jun-2022	Screening	1-Jul-2022	EPA Due	
	PCW	4-Jan-2023				

RESPONDENT/FACILITY INFORMATION

Respondent	Equistar Chemicals, LP
Reg. Ent. Ref. No.	RN100542281
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	62667	No. of Violations	3
Docket No.	2022-0907-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Danielle Porras
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$12,750
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	100.0%	Adjustment	Subtotals 2, 3, & 7	\$12,750
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Notes

Enhancement for one NOV with same/similar violations, two NOVs with dissimilar violations, six orders containing a denial of liability, and one order without a denial of liability. Reduction for seven notices of intent to conduct an audit and five disclosures of violations.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$1,875
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts
Estimated Cost of Compliance

\$616
\$12,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$23,625
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OTHER FACTORS AS JUSTICE MAY REQUIRE	1.1%	Adjustment	\$258
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Recommended enhancement to capture the avoided cost of compliance associated with Violation No. 1.

Final Penalty Amount	\$23,883
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$23,883
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

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

PAYABLE PENALTY	\$23,883
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Screening Date	1-Jul-2022	Docket No.	2022-0907-AIR-E	PCW
Respondent	Equistar Chemicals, LP			Policy Revision 5 (January 28, 2021)
Case ID No.	62667			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN100542281			
Media	Air			
Enf. Coordinator	Danielle Porras			

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	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	6	120%
	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	1	25%
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>)	7	-7%
	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>)	5	-10%
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) 137%

>> 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/similar violations, two NOVs with dissimilar violations, six orders containing a denial of liability, and one order without a denial of liability. Reduction for seven notices of intent to conduct an audit and five disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 137%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date	1-Jul-2022	Docket No.	2022-0907-AIR-E	PCW
Respondent	Equistar Chemicals, LP	<i>Policy Revision 5 (January 28, 2021)</i>		
Case ID No.	62667	<i>PCW Revision February 11, 2021</i>		
Reg. Ent. Reference No.	RN100542281			
Media	Air			
Enf. Coordinator	Danielle Porras			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), Federal Operating Permit ("FOP") No. O1426, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 2.F, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the Respondent had a reportable emissions event that began on November 1, 2021 at 2:00 p.m. and the initial notification was due by November 2, 2021 at 2:00 p.m., but the initial notification was not submitted.			
			Base Penalty	\$25,000

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate	Minor	
	Actual				Percent
	Potential				

>> Programmatic Matrix

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

Adjustment \$20,000

\$5,000

Violation Events

Number of Violation Events	1	241	Number of violation days
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daily		Violation Base Penalty	
weekly			
monthly			
quarterly			
semiannual			
annual			
single event	x		

Violation Base Penalty \$5,000

One single event is recommended.

Good Faith Efforts to Comply

	0.0%	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	
Notes	The Respondent does not meet the good faith criteria for this violation.	

Violation Subtotal \$5,000

Economic Benefit (EB) for this violation

Estimated EB Amount	\$258	Statutory Limit Test	
		Violation Final Penalty Total	\$10,109
This violation Final Assessed Penalty (adjusted for limits)			\$10,109

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 62667
Reg. Ent. Reference No. RN100542281
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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

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	\$250	2-Nov-2021	1-Jul-2022	0.66	\$8	\$250	\$258
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated avoided cost to submit the initial notification for the emissions event that began on November 1, 2021. The Date Required is the date the initial notification was due and the Final Date is the screening date.

Approx. Cost of Compliance

\$250

TOTAL

\$258

Screening Date	1-Jul-2022	Docket No.	2022-0907-AIR-E	PCW
Respondent	Equistar Chemicals, LP	Policy Revision 5 (January 28, 2021)		
Case ID No.	62667	PCW Revision February 11, 2021		
Reg. Ent. Reference No.	RN100542281			
Media	Air			
Enf. Coordinator	Danielle Porras			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Nos. 1768, PSDTX1272, and N142M1, Special Conditions No. 1, FOP No. O1426, GTC and STC No. 38, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 48.31 pounds ("lbs") of benzene and 41.94 lbs of volatile organic compounds as fugitive emissions, during an emissions event that began on November 1, 2021 and lasted 24 hours and 15 minutes. The emissions event occurred due to a roof defect on Storage Tank 3912, resulting in the release to the atmosphere. Since the Respondent did not comply with the emissions event reporting requirements, the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator, and the emissions event 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		
		Major Moderate Minor		
	Actual	x		
	Potential			
			Percent	30.0%
>> Programmatic Matrix				
	Falsification	Major Moderate Minor		
			Percent	0.0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
			Adjustment	\$17,500
				\$7,500
Violation Events				
Number of Violation Events		1	2	Number of violation days
	daily			
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			
			Violation Base Penalty	\$7,500
One monthly event is recommended.				
Good Faith Efforts to Comply		25.0%	Reduction	
		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary			
	Ordinary	x		
	N/A			
Notes	The Respondent completed the corrective measures by February 2, 2022, prior to the Notice of Enforcement dated June 17, 2022.			
			Violation Subtotal	\$5,625
Economic Benefit (EB) for this violation				
Statutory Limit Test				
Estimated EB Amount	\$127		Violation Final Penalty Total	\$13,268
This violation Final Assessed Penalty (adjusted for limits)			\$13,268	

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 62667
Reg. Ent. Reference No. RN100542281
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	1-Nov-2021	2-Feb-2022	0.25	\$127	n/a	\$127

Notes for DELAYED costs

Estimated cost to empty, clean, and degas Storage Tank 3912 in order to prevent the recurrence of emissions due to the same or similar causes as the emissions event that began on November 1, 2021. The Date Required is the date the emissions event began and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$127

Screening Date 1-Jul-2022 Respondent Equistar Chemicals, LP Case ID No. 62667 Reg. Ent. Reference No. RN100542281 Media Air Enf. Coordinator Danielle Porras	Docket No. 2022-0907-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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Violation Number	3	
Rule Cite(s)	30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 01426, GTC, and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to report all instances of deviations. Specifically, the deviation report for the January 1, 2020 through June 30, 2020 reporting period did not include the deviation for failing to comply with the ammonia emissions limit for Cracking Heater 4419.	

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				
	Potential				

Percent 0.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
				x	

Percent 1.0%

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

\$250

Violation Events

Number of Violation Events 1	180	Number of violation days
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daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

0.0%	Reduction \$0
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	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes	The Respondent does not meet the good faith criteria for this violation.
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Violation Subtotal \$250

Economic Benefit (EB) for this violation

Estimated EB Amount \$231	Statutory Limit Test
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Violation Final Penalty Total \$505	This violation Final Assessed Penalty (adjusted for limits) \$505
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Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 62667
Reg. Ent. Reference No. RN100542281
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
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-Jul-2020	1-Aug-2023	3.01	\$225	n/a	\$225
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	30-Jul-2020	26-Jan-2021	0.49	\$6	n/a	\$6
Notes for DELAYED costs	Estimated cost to submit a revised deviation report for the January 1, 2020 through June 30, 2020 reporting period to report the deviation for failing to comply with the ammonia emissions limit for Cracking Heater 4419 (\$250) and to implement measures and/or procedures designed 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 estimated date of compliance 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		\$231	



Compliance History Report

Compliance History Report for CN600124705, RN100542281, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

Customer, Respondent, or Owner/Operator:	CN600124705, Equistar Chemicals, LP	Classification:	SATISFACTORY	Rating:	6.81
Regulated Entity:	RN100542281, Equistar Chemicals Channelview Complex	Classification:	SATISFACTORY	Rating:	7.90
Complexity Points:	44	Repeat Violator:	NO		
CH Group:	05 - Chemical Manufacturing				
Location:	8280 Sheldon Road, Channelview, Harris County, Texas				
TCEQ Region:	REGION 12 - HOUSTON				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0033B
AIR OPERATING PERMITS PERMIT 3585

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1011578

AIR NEW SOURCE PERMITS PERMIT 1768
AIR NEW SOURCE PERMITS PERMIT 2933
AIR NEW SOURCE PERMITS PERMIT 3130A
AIR NEW SOURCE PERMITS PERMIT 6245
AIR NEW SOURCE PERMITS PERMIT 8125
AIR NEW SOURCE PERMITS REGISTRATION 10700
AIR NEW SOURCE PERMITS REGISTRATION 11735
AIR NEW SOURCE PERMITS REGISTRATION 13849
AIR NEW SOURCE PERMITS REGISTRATION 12341
AIR NEW SOURCE PERMITS REGISTRATION 23079
AIR NEW SOURCE PERMITS REGISTRATION 30868
AIR NEW SOURCE PERMITS REGISTRATION 34897
AIR NEW SOURCE PERMITS REGISTRATION 47487
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0033B
AIR NEW SOURCE PERMITS REGISTRATION 54098
AIR NEW SOURCE PERMITS REGISTRATION 153580
AIR NEW SOURCE PERMITS PERMIT 49120
AIR NEW SOURCE PERMITS REGISTRATION 74110
AIR NEW SOURCE PERMITS REGISTRATION 72946
AIR NEW SOURCE PERMITS REGISTRATION 74181
AIR NEW SOURCE PERMITS REGISTRATION 76693
AIR NEW SOURCE PERMITS REGISTRATION 78278
AIR NEW SOURCE PERMITS REGISTRATION 78191
AIR NEW SOURCE PERMITS REGISTRATION 78381
AIR NEW SOURCE PERMITS REGISTRATION 78599
AIR NEW SOURCE PERMITS REGISTRATION 80296
AIR NEW SOURCE PERMITS REGISTRATION 82226
AIR NEW SOURCE PERMITS REGISTRATION 84183
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HGA061I
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1272
AIR NEW SOURCE PERMITS EPA PERMIT N142
AIR NEW SOURCE PERMITS PERMIT 99167
AIR NEW SOURCE PERMITS EPA PERMIT N140
AIR NEW SOURCE PERMITS REGISTRATION 102688
AIR NEW SOURCE PERMITS REGISTRATION 102073
AIR NEW SOURCE PERMITS REGISTRATION 140463
AIR NEW SOURCE PERMITS REGISTRATION 107332

AIR OPERATING PERMITS PERMIT 1426
AIR QUALITY NON PERMITTED ID NUMBER LGL106088529
AIR NEW SOURCE PERMITS AFS NUM 4820101886

AIR NEW SOURCE PERMITS PERMIT 2128
AIR NEW SOURCE PERMITS PERMIT 2936
AIR NEW SOURCE PERMITS PERMIT 3294
AIR NEW SOURCE PERMITS PERMIT 6387
AIR NEW SOURCE PERMITS REGISTRATION 10586
AIR NEW SOURCE PERMITS REGISTRATION 10812
AIR NEW SOURCE PERMITS REGISTRATION 12334
AIR NEW SOURCE PERMITS REGISTRATION 15348
AIR NEW SOURCE PERMITS PERMIT 22779
AIR NEW SOURCE PERMITS PERMIT 24887
AIR NEW SOURCE PERMITS REGISTRATION 32136
AIR NEW SOURCE PERMITS REGISTRATION 42948
AIR NEW SOURCE PERMITS REGISTRATION 50141
AIR NEW SOURCE PERMITS REGISTRATION 52720
AIR NEW SOURCE PERMITS REGISTRATION 76017
AIR NEW SOURCE PERMITS AFS NUM 4820100075
AIR NEW SOURCE PERMITS PERMIT 49130
AIR NEW SOURCE PERMITS REGISTRATION 72948
AIR NEW SOURCE PERMITS REGISTRATION 74051
AIR NEW SOURCE PERMITS REGISTRATION 77640
AIR NEW SOURCE PERMITS REGISTRATION 78128
AIR NEW SOURCE PERMITS REGISTRATION 78343
AIR NEW SOURCE PERMITS REGISTRATION 78173
AIR NEW SOURCE PERMITS REGISTRATION 79431
AIR NEW SOURCE PERMITS REGISTRATION 78978
AIR NEW SOURCE PERMITS REGISTRATION 81543
AIR NEW SOURCE PERMITS PERMIT 83799
AIR NEW SOURCE PERMITS REGISTRATION 84715
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1280
AIR NEW SOURCE PERMITS REGISTRATION 96384
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1270
AIR NEW SOURCE PERMITS EPA PERMIT N146
AIR NEW SOURCE PERMITS EPA PERMIT N144
AIR NEW SOURCE PERMITS REGISTRATION 101590
AIR NEW SOURCE PERMITS REGISTRATION 140033
AIR NEW SOURCE PERMITS REGISTRATION 140461
AIR NEW SOURCE PERMITS REGISTRATION 110688

AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX10
AIR NEW SOURCE PERMITS REGISTRATION 107326
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX150
AIR NEW SOURCE PERMITS REGISTRATION 107330
AIR NEW SOURCE PERMITS REGISTRATION 107329
AIR NEW SOURCE PERMITS EPA PERMIT N236
AIR NEW SOURCE PERMITS REGISTRATION 108152
AIR NEW SOURCE PERMITS REGISTRATION 151917
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX183
AIR NEW SOURCE PERMITS REGISTRATION 153623
AIR NEW SOURCE PERMITS REGISTRATION 150586
AIR NEW SOURCE PERMITS EPA PERMIT N266
AIR NEW SOURCE PERMITS REGISTRATION 154481
AIR NEW SOURCE PERMITS REGISTRATION 167021
AIR NEW SOURCE PERMITS REGISTRATION 167206
AIR NEW SOURCE PERMITS REGISTRATION 162810
AIR NEW SOURCE PERMITS REGISTRATION 167735
AIR NEW SOURCE PERMITS REGISTRATION 170911
AIR NEW SOURCE PERMITS REGISTRATION 151575
AIR NEW SOURCE PERMITS REGISTRATION 150258
AIR NEW SOURCE PERMITS REGISTRATION 146626
AIR NEW SOURCE PERMITS REGISTRATION 150877
AIR NEW SOURCE PERMITS REGISTRATION 160251
AIR NEW SOURCE PERMITS REGISTRATION 156372
AIR NEW SOURCE PERMITS PERMIT AMOC157
AIR NEW SOURCE PERMITS REGISTRATION 159881
AIR NEW SOURCE PERMITS REGISTRATION 160287
AIR NEW SOURCE PERMITS REGISTRATION 157863
AIR NEW SOURCE PERMITS REGISTRATION 158059
AIR NEW SOURCE PERMITS REGISTRATION 160943
AIR NEW SOURCE PERMITS REGISTRATION 161239
AIR NEW SOURCE PERMITS REGISTRATION 159310
AIR NEW SOURCE PERMITS EPA PERMIT N142M1
AIR NEW SOURCE PERMITS EPA PERMIT N280
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1542
AIR NEW SOURCE PERMITS REGISTRATION 159818
AIR NEW SOURCE PERMITS REGISTRATION 156509
AIR NEW SOURCE PERMITS REGISTRATION 160252
AIR NEW SOURCE PERMITS REGISTRATION 170912

STORMWATER PERMIT TXR05BR93
STORMWATER PERMIT TXR15774W
WASTEWATER EPA ID TX0003531

AIR EMISSIONS INVENTORY ACCOUNT NUMBER HGA061I

INDUSTRIAL AND HAZARDOUS WASTE EPA ID
 TXD058275769
INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50117
TAX RELIEF ID NUMBER 17981

AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX17
AIR NEW SOURCE PERMITS REGISTRATION 107331
AIR NEW SOURCE PERMITS REGISTRATION 136396
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1484
AIR NEW SOURCE PERMITS REGISTRATION 107327
AIR NEW SOURCE PERMITS REGISTRATION 106675
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1280M1
AIR NEW SOURCE PERMITS EPA PERMIT N264
AIR NEW SOURCE PERMITS PERMIT AMOC85
AIR NEW SOURCE PERMITS PERMIT 152181
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1540
AIR NEW SOURCE PERMITS REGISTRATION 152979
AIR NEW SOURCE PERMITS REGISTRATION 163917
AIR NEW SOURCE PERMITS REGISTRATION 162844
AIR NEW SOURCE PERMITS REGISTRATION 166340
AIR NEW SOURCE PERMITS REGISTRATION 161846
AIR NEW SOURCE PERMITS REGISTRATION 163918
AIR NEW SOURCE PERMITS REGISTRATION 144313
AIR NEW SOURCE PERMITS REGISTRATION 148067
AIR NEW SOURCE PERMITS REGISTRATION 148101
AIR NEW SOURCE PERMITS REGISTRATION 150493
AIR NEW SOURCE PERMITS REGISTRATION 159958
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX182
AIR NEW SOURCE PERMITS REGISTRATION 157394
AIR NEW SOURCE PERMITS REGISTRATION 156159
AIR NEW SOURCE PERMITS REGISTRATION 157683
AIR NEW SOURCE PERMITS REGISTRATION 157139
AIR NEW SOURCE PERMITS EPA PERMIT N140M1
AIR NEW SOURCE PERMITS PERMIT 152184
AIR NEW SOURCE PERMITS REGISTRATION 159783
AIR NEW SOURCE PERMITS REGISTRATION 158833
AIR NEW SOURCE PERMITS REGISTRATION 155453
AIR NEW SOURCE PERMITS REGISTRATION 162742
AIR NEW SOURCE PERMITS REGISTRATION 159655
AIR NEW SOURCE PERMITS REGISTRATION 155486
AIR NEW SOURCE PERMITS REGISTRATION 157687
AIR NEW SOURCE PERMITS REGISTRATION 157735
AIR NEW SOURCE PERMITS REGISTRATION 169708
IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION
 # (SWR) 30030
STORMWATER PERMIT TXR05DX41
WASTEWATER PERMIT WQ0000391000
AIR EMISSIONS INVENTORY ACCOUNT NUMBER
 HG0033B
POLLUTION PREVENTION PLANNING ID NUMBER
 P00405
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
 REGISTRATION # (SWR) 30030
TAX RELIEF ID NUMBER 17982

Compliance History Period: September 01, 2017 to August 31, 2022

Rating Year: 2022

Rating Date: 09/01/2022

Date Compliance History Report Prepared: November 30, 2022

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 30, 2017 to November 30, 2022

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

Name: Danielle Porras

Phone: (713) 767-3682

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: 01/31/2018 ADMINORDER 2016-1514-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 113, SubChapter C 113.1090
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6610(a)
 5C THSC Chapter 382 382.085(b)
Description: Failure to comply with the applicable requirements of 40 Code of Federal Regulations (CFR) Part 63, Subpart ZZZZ for three engines (Unit IDs: EUTEN1, OP1EN1, and OP2EN1). (Category A8)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
 Special Term and Condition 32 OP
Description: Failure to comply with allowable emission limits on F-7001 Reformer Heater (Emission Point Number (EPN) EHTF7001). (Category B14)
Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.121
 30 TAC Chapter 122, SubChapter C 122.210(a)
 5C THSC Chapter 382 382.054
 5C THSC Chapter 382 382.085(b)
Description: Failure to obtain a revision for Federal Operating Permit (FOP) O-01426 to add the reference to 40 Code of Federal Regulations (CFR) 63.104(b)(1) for the Benzene Toluene unit (Unit ID: PRO-BT). (Category B3)
Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms and Conditions OP
Description: Failure to report all instances of deviations. (Category B3)
- 2 Effective Date: 06/04/2019 ADMINORDER 2018-0986-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 309 pounds of volatile organic compounds from the Olefins Plant 1 ("OP1") Cooling Tower, Emissions Point Number 38E11, during an avoidable emissions event (Incident No. 266775) that occurred on September 3, 2017 and lasted three hours and 30 minutes. The emissions event occurred due to a heat exchanger leaking into the OP1 Cooling Tower system, resulting in a release to the atmosphere.
- 3 Effective Date: 03/05/2020 ADMINORDER 2019-0147-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Major
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
Rqmt Prov: 1768, SPECIAL CONDITION 1 PERMIT
 GTC and STC No. 37 OP
Description: Failure to prevent unauthorized emissions.

- 4 Effective Date: 06/16/2020 ADMINORDER 2019-1360-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 No.1 PERMIT
Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event. (Category A12.i.(6))
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP O-1426, GTC and STC No. 2.F OP
Description: Failure to report the actual duration of an emissions event. (Category C3)
- 5 Effective Date: 10/06/2020 ADMINORDER 2020-0290-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 1 PERMIT
SPECIAL CONDITION 9 PERMIT
Description: Failure to prevent the release of unauthorized emissions to the atmosphere during an emissions event [Category A12i(6)].
- 6 Effective Date: 06/17/2022 ADMINORDER 2020-1437-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Major
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter H 115.722(c)(1)
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: NSR 1768 Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions and failed to limit HRVOC emissions to 1,200.00 lbs or less per one-hour block period, in violation of 30 TEX. ADMIN. CODE §§101.20(3), 115.722(c)(1), 116.115(c), and 122.143(4), New Source Review Permit Nos. 1768, PSDTX1272, and N142, Special Conditions No. 1, Federal Operating Permit ("FOP") No. O1426, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 38, and TEX Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(J)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GTC and STC No. 2.F OP
Description: Failed to identify all required information on the final record for a reportable emissions event, in violation of 30 TEX. ADMIN. CODE §§101.201(b)(1)(J) and 122.143(4), FOP No. O1426, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE §382.085(b).
- 7 Effective Date: 07/07/2022 ADMINORDER 2021-0222-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: GTC and STC 37 OP
NSR 6245, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on October 14, 2020, TCEQ/STEERS Incident No. 344019. [Category A12(i)(6)]
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GTC and STC Nos. 1.A and 37 OP
Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on February 26, 2020, TCEQ/STEERS Incident No. 331037. [Category A12(i)(6)]

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: GTC and STC 38 OP

NSR 2128, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emission event that was discovered on January 19, 2018, TCEQ/STEERS Incident No. 276744. [Category A12(i)(6)]

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	December 19, 2017	(1467779)
Item 2	January 19, 2018	(1474483)
Item 3	February 13, 2018	(1459054)
Item 4	February 19, 2018	(1486710)
Item 5	March 19, 2018	(1490388)
Item 6	March 21, 2018	(1473717)
Item 7	April 18, 2018	(1493624)
Item 8	May 17, 2018	(1500542)
Item 9	June 19, 2018	(1507659)
Item 10	June 25, 2018	(1496737)
Item 11	June 28, 2018	(1498638)
Item 12	July 17, 2018	(1499562)
Item 13	July 23, 2018	(1498606)
Item 14	July 25, 2018	(1499501)
Item 15	July 27, 2018	(1499298)
Item 16	July 30, 2018	(1499343)
Item 17	July 31, 2018	(1499427)
Item 18	August 01, 2018	(1499276)
Item 19	August 02, 2018	(1499681)
Item 20	August 08, 2018	(1499303)
Item 21	August 17, 2018	(1520038)
Item 22	August 31, 2018	(1430601)
Item 23	September 04, 2018	(1459361)
Item 24	September 12, 2018	(1499801)
Item 25	September 14, 2018	(1499704)
Item 26	September 19, 2018	(1527203)
Item 27	October 18, 2018	(1517770)
Item 28	October 25, 2018	(1499831)
Item 29	October 29, 2018	(1524816)
Item 30	November 19, 2018	(1541396)
Item 31	November 21, 2018	(1513798)
Item 32	December 20, 2018	(1545180)
Item 33	January 16, 2019	(1499798)
Item 34	January 18, 2019	(1559514)
Item 35	February 20, 2019	(1559512)
Item 36	March 20, 2019	(1559513)
Item 37	March 21, 2019	(1549959)
Item 38	April 15, 2019	(1551355)
Item 39	April 18, 2019	(1571777)
Item 40	April 24, 2019	(1554385)
Item 41	May 14, 2019	(1555082)
Item 42	May 20, 2019	(1558304)
Item 43	June 05, 2019	(1555640)
Item 44	June 06, 2019	(1555652)
Item 45	June 20, 2019	(1583164)

Item 46	June 28, 2019	(1540598)
Item 47	July 18, 2019	(1593090)
Item 48	July 29, 2019	(1581312)
Item 49	August 16, 2019	(1599436)
Item 50	September 12, 2019	(1581499)
Item 51	September 20, 2019	(1606341)
Item 52	October 17, 2019	(1613187)
Item 53	December 20, 2019	(1626353)
Item 54	January 17, 2020	(1633994)
Item 55	February 20, 2020	(1640613)
Item 56	April 28, 2020	(1639046)
Item 57	May 14, 2020	(1647047)
Item 58	May 15, 2020	(1647024)
Item 59	May 19, 2020	(1660055)
Item 60	June 01, 2020	(1612768)
Item 61	June 17, 2020	(1575143)
Item 62	July 16, 2020	(1645374)
Item 63	July 17, 2020	(1673516)
Item 64	August 04, 2020	(1663519)
Item 65	August 18, 2020	(1680290)
Item 66	August 27, 2020	(1633242)
Item 67	August 28, 2020	(1657041)
Item 68	September 17, 2020	(1686861)
Item 69	September 18, 2020	(1672612)
Item 70	October 06, 2020	(1678886)
Item 71	October 19, 2020	(1693207)
Item 72	October 23, 2020	(1652131)
Item 73	November 04, 2020	(1686001)
Item 74	November 17, 2020	(1672688)
Item 75	November 19, 2020	(1712313)
Item 76	December 17, 2020	(1712314)
Item 77	January 18, 2021	(1712315)
Item 78	February 19, 2021	(1725369)
Item 79	February 26, 2021	(1703728)
Item 80	April 12, 2021	(1707502)
Item 81	April 20, 2021	(1725371)
Item 82	May 20, 2021	(1739998)
Item 83	June 02, 2021	(1724432)
Item 84	June 14, 2021	(1701515)
Item 85	June 18, 2021	(1747548)
Item 86	July 20, 2021	(1751657)
Item 87	August 13, 2021	(1723383)
Item 88	August 20, 2021	(1757123)
Item 89	August 31, 2021	(1755437)
Item 90	September 02, 2021	(1756136)
Item 91	September 08, 2021	(1724837)
Item 92	September 17, 2021	(1766199)
Item 93	October 20, 2021	(1776604)
Item 94	November 11, 2021	(1685584)
Item 95	November 19, 2021	(1783573)
Item 96	December 20, 2021	(1790597)
Item 97	January 20, 2022	(1798392)
Item 98	February 16, 2022	(1806267)
Item 99	April 20, 2022	(1819904)
Item 100	May 20, 2022	(1828744)
Item 101	June 20, 2022	(1835034)
Item 102	June 27, 2022	(1708042)
Item 103	July 19, 2022	(1842240)
Item 104	July 22, 2022	(1832568)
Item 105	July 25, 2022	(1824530)
Item 106	August 10, 2022	(1838531)

Item 107	August 19, 2022	(1848374)
Item 108	September 19, 2022	(1856170)
Item 109	October 11, 2022	(1789778)

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: 02/28/2022 (1813332)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 2 Date: 06/17/2022 (1803191)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.310(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Terms & Conditions 1A, 37 OP
NSR, Special Condition 12 PERMIT
Description: Failure to maintain ammonia slip exceeded limit for Cracking Heater 4419 (Unit ID OP2HT4419/ EPN EF4419). (Category C7 violation)
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Description: Failure to maintain heating value for the temporary flare (EPN 99PVRLS00). (Category C4 violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THSC Chapter 382 382.085(b)
FOP, Special Terms & Conditions 1A, 37 OP
NSR, Special Condition 17E PERMIT
Description: Failure to prevent an open-ended line (OEL) in Olefins Production Unit 1 (OP-1). (Category C10 violation)
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 A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP, Special Terms & Conditions 1A, 37 OP
NSR, Special Condition 16A PERMIT
Description: Failure to maintain heating value for OP1 Flare (Unit ID OP1FL3801/ EPN 38E01). (Category C4 violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Terms & Conditions 1A, 37 OP
NSR, Special Condition 14C PERMIT
NSR, Special Condition 16C PERMIT
Description: Failure to prevent visible emissions for more than 5 minutes in a two-hour period for the OP1 Flare (Unit ID OP1FL3801/ EPN 38E01) (Category B12 violation)
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)
FOP, Special Term and Condition 37 OP
NSR, Special Condition 28 PERMIT
Description: Failure to collect the weekly total dissolved solids (TDS) sample for OP1 Cooling Tower (Unit ID OP1CT3811/ EPN 38E11). (Category C1 violation)
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)
FOP, Special Term & Condition 37 OP
NSR, Special Condition 7 PERMIT

Description: Failure to maintain loading rate. (Category C7 violation)

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 A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
FOP, Special Terms & Conditions 1A, 37 OP
NSR, Special Condition 12B PERMIT

Description: Failure to maintain the pilot flame for the Methanol Flare (Unit ID MEOHFLARE).
(Category C4 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
30 TAC Chapter 115, SubChapter B 115.142
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)
5C THSC Chapter 382 382.085(b)
FOP, Special Term & Condition 1A OP

Description: Failure to control vent gas streams for OP2 CPI Separators (Unit IDs OP2SU4406,
OP2SU4407, OP2SU4502, OP2SU4671 and OP2SU48094, and OP2SU48099).
(Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(b)
5C THSC Chapter 382 382.085(b)
FOP, Special Term & Condition 1A OP

Description: Failure to keep Pump ID P-447A out of service while on delay of repair (DOR) in
the Alkylolation Unit (EPN F4E00; Unit ID FUGITIVES). (Category B18g(1) violation)

3 Date: 08/04/2022 (1812766)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)
30 TAC Chapter 115, SubChapter H 115.726(d)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP

Description: Failure to maintain flow monitor calibration record for the East Plant Flare (Unit ID
EUTFL1701/EPN 17E01). (Category B3 violation)

F. Environmental audits:

Notice of Intent Date: 09/20/2017 (1438501)

Disclosure Date: 03/13/2018

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)

Description: Failed to monitor 36 fugitive components as required by the applicable regulations.

Notice of Intent Date: 11/09/2017 (1449670)

Disclosure Date: 04/17/2018

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(f)

30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: Failed to ensure that ancillary lines and equipment associated with Tank TK-3210 meet the secondary
containment regulatory requirements for hazardous waste tanks.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(d)

30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: Failed to meet the secondary containment requirements for hazardous waste tanks TK-3210.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(f)

30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: Failed to meet the secondary containment regulatory requirements for the hazardous waste ancillary line
from T-309 to D-12 and D-14.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(d)
30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: Failed to meet the secondary containment regulatory requirements for the secondary containment and hazardous waste ancillary lines for tanks D-12 and D-14.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(f)(3)
30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: Failed to meet the requirements for a RCRA sealless valve for the valve used to off-load hazardous waste out of Tank D-3075.

Notice of Intent Date: 06/20/2018 (1497973)
Disclosure Date: 04/24/2019
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to properly authorize one small tote. Specifically, documentation of NSR authorization for the small tote was not available due to being inadvertently removed from NSR 1768, instead of transferred to NSR 2933 during the permit renewal/amendment.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to properly authorize one small tank. Specifically, documentation of NSR authorization for one small tank was not available following chemical change service.

Notice of Intent Date: 03/19/2019 (1554361)
Disclosure Date: 09/13/2019
Viol. Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(2)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP STC 12

Description: Failed to update recordkeeping required to demonstrate compliance with the emissions limits specified in 30 TAC § 106.124(5)(A) Pilot Plant PBR which references 30 TAC § 106.262(a)(2).

Viol. Classification: Moderate
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.17(a)(1)(vii)(C)
30 TAC Chapter 335, SubChapter E 335.112(a)(8)
30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)

Description: Failed to evaluate containers with hazardous waste in the drum pad area to see if they are incompatible and in need of segregation.

Viol. Classification: Minor
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.15(a)(5)
30 TAC Chapter 335, SubChapter C 335.69(d)(2)

Description: Failed to ensure all hazardous waste containers in the facility's Satellite Accumulation Areas contain "an indication of the hazard or a chemical hazard label consistent with the NFPA code".

Notice of Intent Date: 03/29/2019 (1555303)
Disclosure Date: 07/10/2019
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)

Description: Failed to conduct quarterly inspections on some PSV monitoring systems as required by HRVOC Vent Gas Monitoring Plan.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(c)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
Rqmt Prov: PERMIT SC 16.1

Description: Failed to repair three components on DOR when associated equipment was shutdown or could be shutdown.

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(C)
Rqmt Prov: PERMIT SC 14.B(2)

Description: Failed to conduct the 2019 first quarter cylinder gas audit of the Methanol Reformer NOx CEMS.

Notice of Intent Date: 04/12/2019 (1555650)
No DOV Associated

Notice of Intent Date: 12/09/2020 (1703751)

No DOV Associated

Notice of Intent Date: 04/22/2021 (1722648)

No DOV Associated

Notice of Intent Date: 09/12/2022 (1847246)

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

Component Appendices

Appendix A

All NOV's Issued During Component Period 11/30/2017 and 11/30/2022

1	Date: 08/22/2018 (1437752)	
	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 11D PERMIT Special Term and Condition 32 OP	
	Description: Failure to operate monitor and analyzer for 95 percent of the time the flare (Unit ID EUTFL1701V/ EPN 17E01) was operational. (Category C1 violation)	
	Self Report? NO	Classification: Moderate
	Citation:	
	30 TAC Chapter 117, SubChapter B 117.310(c)(1)(B) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP	
	Description: Failure to prevent exceedance of the F-1203 regeneration heater CO emission limit of 400 parts per million. (Category B17 violation)	
	Self Report? NO	Classification: Moderate
	Citation:	
	30 TAC Chapter 117, SubChapter B 117.310(c)(1)(B) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP	
	Description: Failure to prevent exceedance of the F-4601 regeneration heater emission limit for carbon monoxide. (Category C7 violation)	
	Self Report? NO	Classification: Moderate
	Citation:	
	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(A) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 12 PERMIT Special Term and Condition 1A OP Special Term and Condition 32 OP	
	Description: Failure to prevent exceedance of ammonia slip limit (EPN EF4419). (Category B17 violation)	
	Self Report? NO	Classification: Moderate
	Citation:	
	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(A) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 11 PERMIT Special Term and Condition 1A OP Special Term and Condition 32 OP	
	Description: Failure to prevent exceedance of ammonia slip limit of cracking heater 3419 (Unit ID OP1HT3419). (Category B17 violation)	
	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 A 60.18(c)(3)(ii) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii) 5C THSC Chapter 382 382.085(b) Special Condition 11A PERMIT Special Condition 12A PERMIT Special Term and Condition 1A OP Special Term and Condition 32 OP	
	Description: Failure to meet minimum heating value for methanol flare (Unit ID MEOHFLARE/ EMERFLARE) (Category C4 violation)	
	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 Part 60, Subpart A 60.18(c)(3)(i)(A)
 5C THSC Chapter 382 382.085(b)
 Special Condition 11A PERMIT
 Special Condition 12A PERMIT
 Special Term and Condition 1A OP
 Special Term and Condition 32 OP
 Description: Failure to prevent exceedance of velocity for methanol flare (Unit ID MEOHFLARE/EMERFLARE) (Category C4 violation)
 Self Report? NO Classification: Minor
 Citation:

30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 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 1F PERMIT
 Special Condition 8F PERMIT
 Special Term and Condition 1A OP
 Special Term and Condition 32 OP
 Description: Failure to monitor valves. (Category C1 violation)
 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 61.356(j)(6)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to maintain records. (Category C3 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 115, SubChapter B 115.112(e)(1)
 30 TAC Chapter 115, SubChapter B 115.142(2)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(v)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to keep vacuum breaker vent closed. (Category C4 violation)
 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 26 PERMIT
 Special Term and Condition 32 OP
 Description: Failure to collect cooling water sample. (Category B1 violation)
 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 15A PERMIT
 Special Term and Condition 32 OP
 Description: Failure to comply with design requirement for small drum D-2812 (Category B18g(1) violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Description: Failure to report all instances of deviations from January to June, 2016. (Category C3 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Description: Failure to report all instances of deviations from July to December, 2016. (Category C3 violation)

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 Terms and Conditions 32 OP
 Description: Failure to prevent exceedance of the F-1203 regeneration heater emission limit of 0.22 pounds of CO per hour. (Category B17 violation)

2

Date: 02/13/2019 (1518003)

Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 115, SubChapter H 115.722(d)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Condition 14A PERMIT
 Special Term and Condition 1A OP

Description: Failure to maintain the flare (Unit ID OP2FL4801) net heating value above the minimum. (Category C4 violation)

Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 115, SubChapter B 115.112(e)(2)(I)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 5 PERMIT
 Special Term and Condition 1A OP

Description: Failure to maintain floating roof on the liquid surface. (Category C4 violation)

Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 8D PERMIT
 Special Term and Condition 1A PERMIT
 Special Term and Condition 38 OP

Description: Failure to prevent exceedance of ammonia concentration for the F-7001 Reformer Heater. (Category C7 violation)

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 A 60.18(c)(4)(iii)
 5C THSC Chapter 382 382.085(b)
 Special Condition 12A PERMIT
 Special Term and Condition 1A OP

Description: Failure to prevent exceedance of flare tip velocity for the methanol emergency flare. (Category C7 violation)

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 A 60.18(c)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Condition 12A PERMIT
 Special Term and Condition 1A OP

Description: Failure to prevent the net heating value for the methanol flares to go below the 300 Btu/scf minimum. (Category C7 violation)

Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THSC Chapter 382 382.085(b)

Description: Failure to maintain Tank 3210 in good working order. (Category C4 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 12 PERMIT
 Special Term and Condition 1A OP
 Special Term and Condition 38 OP

Description: Failure to prevent exceedance of ammonia slip concentration of cracking heater 4419. (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
 30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP

Description: Failure to maintain the fuel gas process vent temperature above the minimum. (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP

Description: Failure to report all instances of deviations for January 1, 2017 to June 30, 2017. (Category C3 violation)

3 Date: 03/11/2019 (1541009)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)
 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(v)

Description: Failure to provide a minimum pressure tank capacity of 220 gallons, with additional capacity if necessary.

4 Date: 08/27/2019 (1569411)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(i)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP

Description: Failure to conduct fourth quarter HRVOC calibration for IPOH flare (EPN 25E01). (Category C1 violation)

5 Date: 10/31/2019 (1619001)

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

6 Date: 11/20/2019 (1592202)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
 5C THSC Chapter 382 382.085(b)

Description: Failure to prevent exceedance of NOx/MMBtu limit for the cracking furnace F-4419 (Unit ID OP2HT4419). (Category B18g(1) violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT BB 61.300(b)
 5C THSC Chapter 382 382.085(b)

Description: Special Term and Condition 1A OP
 Failure to meet benzene loading exemption. (Category C7 violation)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 115, SubChapter B 115.142(1)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 5B OP

Description: Failure to maintain wastewater conveyance system. (Category C4 violation)
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP

Description: Failure to record temperature data for Unit IDs OP2TW4407 and OP2TW4453. (Category C3 violation)
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 115, SubChapter D 115.354(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP

Description: Failure to monitor pressure safety valve (PSV). (Category C1 violation)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP

Description: Failure to conduct sampling for the OP1 Flare (Unit ID OP1FL3801) (Category B1 violation)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
 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 Term and Condition 1A OP
 Special Term and Condition 36 OP
 Special Term and Condition 37 OP

Description: Failure to prevent opacity exceedance for cracking heater 4419 (Unit ID OP2HT4419/OP2HT4419V) (Category C7 violation)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 12 PERMIT
 Special Term and Condition 1A OP

Description: Failure to maintain ammonia slip concentration for cracking heater 4419 (Unit ID OP2HT4419) (Category C4 violation)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(a)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP

Description: Failure to complete first attempts of repair in 5 days. (Category C4 violation)

7

Date: 02/29/2020 (1647133)
 Self Report? YES Classification: Moderate
 Citation:
 2D TWC Chapter 26, SubChapter A 26.121(a)

	30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
8	Date: 03/31/2020 (1653469)		
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
9	Date: 05/31/2020 (1666558)		
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
10	Date: 06/10/2020 (1592204)		
	Self Report? NO	Classification: Minor	
	Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
	Description: Failure to use unexpired certified gas for monitor calibration for EPN 6E04. (Category C1 violation)		
	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 61.349(b) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
	Description: Failure to vent the OP2 separators to a functioning control device. (Category B18g(1) violation)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6) 30 TAC Chapter 115, SubChapter H 115.766(a)(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
	Description: Failure to provide the results of the HRVOC monitor calibrations for the East Plant Cooling Tower. (Category C3 violation)		
11	Date: 11/24/2020 (1672812)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP		
	Description: Failure to report all instances of deviations for July 1, 2018 to December 31, 2018. (Category C3 violation)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP		
	Description: Failure to report all instances of deviations for January 1, 2018 to June 30, 2018. (Category C3 violation)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)		

30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Description: Failure to report all instances of deviations for July 1, 2017 to December 31, 2017. (Category C3 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Description: Failure to report all instances of deviations for January 1, 2019 to June 30, 2019. (Category C3 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 115, SubChapter D 115.352(2)(A)
 Special Term and Condition 1A OP
 Description: Failure to maintain a delay of repair (DOR) pump out of service. (Category C7 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 11 PERMIT
 Special Term and Condition 1A OP
 Special Term and Condition 37 OP
 Description: Failure to prevent ammonia slip exceedance for cracking heater 3419 (Unit ID OP1HT3419/EPN EF3419). (Category C7 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 115, SubChapter H 115.725(d)(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13D PERMIT
 Special Term and Condition 1A OP
 Special Term and Condition 37 OP
 Description: Failure to prevent exceedance of OP1 flare monitor downtime limit. (Category C7 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 11A PERMIT
 Special Term and Condition 37 OP
 Description: Failure to collect monthly samples for the wastewater treatment plant (Unit ID MECUWWTP). (Category C1 violation)
 Self Report? NO Classification: Minor
 Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 7D PERMIT
 Special Term and Condition 37 OP
 Description: Failure to collect weekly TDS sample for IPOH/SMA cooling tower (Unit ID MIPCT2401/ EPN 24E01). (Category C1 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(i)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133(a)(2)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to maintain floating roof on the liquid surface in tank TK-38011 (Unit ID OP1TK38011/EPN 38E011). (Category C4 violation)
 Self Report? NO Classification: Minor
 Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to maintain continuous records of the flare pilots. (Category C3 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 115, SubChapter B 115.112(e)(2)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(b)(3)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to keep tank gauge float well closed on TK-32. (Category C4 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 12 PERMIT
 Special Term and Condition 1A OP
 Special Term and Condition 37 OP
 Description: Failure to prevent ammonia exceedance for cracking heater 4419 (Unit ID OP2HT4419/EPN EF4419). (Category C7 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 115, SubChapter B 115.121(a)(1)
 30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to maintain the minimum temperature for F-38001B. (Category C4 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 106, SubChapter K 106.262(a)(3)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 37 OP
 Description: Failure to submit notification for a new pressure safety valve (PSV). (Category B3 violation)
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 117, SubChapter B 117.340(c)(1)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to meet monitoring requirements for rental engine. (Category B1 violation)

12 Date: 02/28/2021 (1725370)
 Self Report? YES Classification: Moderate
 Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

13 Date: 03/08/2021 (1672813)
 Self Report? NO Classification: Minor
 Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Description: Failure to report all instances of deviations for July 1, 2019 to December 31, 2019. (Category C3 violation)

14* Date: 02/28/2022 (1813332)
 Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

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Date: 06/17/2022 (1803191)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.310(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Terms & Conditions 1A, 37 OP
NSR, Special Condition 12 PERMIT
Description: Failure to maintain ammonia slip exceeded limit for Cracking Heater 4419 (Unit ID OP2HT4419/ EPN EF4419). (Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Description: Failure to maintain heating value for the temporary flare (EPN 99PVRLS00). (Category C4 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THSC Chapter 382 382.085(b)
FOP, Special Terms & Conditions 1A, 37 OP
NSR, Special Condition 17E PERMIT
Description: Failure to prevent an open-ended line (OEL) in Olefins Production Unit 1 (OP-1). (Category C10 violation)

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 A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP, Special Terms & Conditions 1A, 37 OP
NSR, Special Condition 16A PERMIT
Description: Failure to maintain heating value for OP1 Flare (Unit ID OP1FL3801/ EPN 38E01). (Category C4 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Terms & Conditions 1A, 37 OP
NSR, Special Condition 14C PERMIT
NSR, Special Condition 16C PERMIT
Description: Failure to prevent visible emissions for more than 5 minutes in a two-hour period for the OP1 Flare (Unit ID OP1FL3801/ EPN 38E01) (Category B12 violation)

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)
FOP, Special Term and Condition 37 OP
NSR, Special Condition 28 PERMIT
Description: Failure to collect the weekly total dissolved solids (TDS) sample for OP1 Cooling Tower (Unit ID OP1CT3811/ EPN 38E11). (Category C1 violation)

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)
FOP, Special Term & Condition 37 OP
NSR, Special Condition 7 PERMIT

Description: Failure to maintain loading rate. (Category C7 violation)

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 A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
FOP, Special Terms & Conditions 1A, 37 OP
NSR, Special Condition 12B PERMIT

Description: Failure to maintain the pilot flame for the Methanol Flare (Unit ID MEOHFLARE).
(Category C4 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
30 TAC Chapter 115, SubChapter B 115.142
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)
5C THSC Chapter 382 382.085(b)
FOP, Special Term & Condition 1A OP

Description: Failure to control vent gas streams for OP2 CPI Separators (Unit IDs OP2SU4406,
OP2SU4407, OP2SU4502, OP2SU4671 and OP2SU48094, and OP2SU48099).
(Category C7 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(b)
5C THSC Chapter 382 382.085(b)
FOP, Special Term & Condition 1A OP

Description: Failure to keep Pump ID P-447A out of service while on delay of repair (DOR) in
the Alkylolation Unit (EPN F4E00; Unit ID FUGITIVES). (Category B18g(1) violation)

16* Date: 08/04/2022 (1812766)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)
30 TAC Chapter 115, SubChapter H 115.726(d)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 1A OP

Description: Failure to maintain flow monitor calibration record for the East Plant Flare (Unit ID
EUTFL1701/EPN 17E01). (Category B3 violation)

* NOV's applicable for the Compliance History rating period 9/1/2017 to 8/31/2022

Appendix B

All Investigations Conducted During Component Period November 30, 2017 and November 30, 2022

Item 1*	December 19, 2017**	(1467779)
Item 2*	January 19, 2018**	(1474483)
Item 3*	February 13, 2018**	(1459054)
Item 4*	February 19, 2018**	(1486710)
Item 5*	March 19, 2018**	(1490388)
Item 6*	March 21, 2018**	(1473717)
Item 7*	April 18, 2018**	(1493624)
Item 8*	May 17, 2018**	(1500542)
Item 9*	June 19, 2018**	(1507659)
Item 10*	June 25, 2018**	(1496737)

Item 11*	June 28, 2018**	(1498638)
Item 12	June 29, 2018**	(1459494)
Item 13*	July 17, 2018**	(1499562)
Item 14*	July 23, 2018**	(1498606)
Item 15*	July 25, 2018**	(1499501)
Item 16*	July 27, 2018**	(1499298)
Item 17*	July 30, 2018**	(1499343)
Item 18*	July 31, 2018**	(1499427)
Item 19*	August 01, 2018**	(1499276)
Item 20*	August 02, 2018**	(1499681)
Item 21*	August 08, 2018**	(1499303)
Item 22	August 10, 2018**	(1484681)
Item 23*	August 17, 2018**	(1520038)
Item 24	August 22, 2018**	(1437752)
Item 25*	August 31, 2018**	(1430601)
Item 26*	September 04, 2018**	(1459361)
Item 27*	September 12, 2018**	(1499801)
Item 28*	September 14, 2018**	(1499704)
Item 29	September 19, 2018**	(1511644)
Item 30*	October 18, 2018**	(1517770)
Item 31*	October 25, 2018**	(1499831)
Item 32*	October 29, 2018**	(1524816)
Item 33*	November 19, 2018**	(1541396)
Item 34*	November 21, 2018**	(1513798)
Item 35*	December 20, 2018**	(1545180)
Item 36	January 04, 2019**	(1377959)
Item 37*	January 16, 2019**	(1499798)
Item 38*	January 18, 2019**	(1559514)
Item 39	February 13, 2019**	(1518003)
Item 40*	February 20, 2019**	(1559512)
Item 41	March 11, 2019**	(1541009)
Item 42*	March 20, 2019**	(1559513)
Item 43*	March 21, 2019**	(1549959)
Item 44*	April 15, 2019**	(1551355)
Item 45*	April 18, 2019**	(1571777)
Item 46*	April 24, 2019**	(1554385)
Item 47*	May 14, 2019**	(1555082)
Item 48*	May 20, 2019**	(1558304)
Item 49*	June 05, 2019**	(1555640)
Item 50*	June 06, 2019**	(1555652)
Item 51*	June 20, 2019**	(1583164)
Item 52*	June 28, 2019**	(1540598)
Item 53*	July 18, 2019**	(1593090)
Item 54*	July 29, 2019**	(1581312)
Item 55*	August 16, 2019**	(1599436)
Item 56	August 27, 2019**	(1569411)
Item 57	September 11, 2019**	(1513459)
Item 58*	September 12, 2019**	(1581499)
Item 59	September 16, 2019**	(1576292)

Item 60*	September 20, 2019**	(1606341)
Item 61*	October 17, 2019**	(1613187)
Item 62	October 28, 2019**	(1599235)
Item 63	November 20, 2019**	(1592202)
Item 64*	December 20, 2019**	(1626353)
Item 65*	January 17, 2020**	(1633994)
Item 66	February 05, 2020**	(1519032)
Item 67*	February 20, 2020**	(1640613)
Item 68	March 19, 2020**	(1647133)
Item 69	April 13, 2020**	(510732)
Item 70	April 20, 2020**	(1653469)
Item 71*	April 28, 2020**	(1639046)
Item 72*	May 14, 2020**	(1647047)
Item 73*	May 15, 2020**	(1647024)
Item 74*	May 19, 2020**	(1660055)
Item 75*	June 01, 2020**	(1612768)
Item 76	June 10, 2020**	(1592204)
Item 77*	June 17, 2020**	(1575143)
Item 78	June 19, 2020**	(1666558)
Item 79*	July 16, 2020**	(1645374)
Item 80*	July 17, 2020**	(1673516)
Item 81*	August 04, 2020**	(1663519)
Item 82*	August 18, 2020**	(1680290)
Item 83*	August 27, 2020**	(1633242)
Item 84*	August 28, 2020**	(1657041)
Item 85*	September 17, 2020**	(1686861)
Item 86*	September 18, 2020**	(1672612)
Item 87	October 02, 2020**	(1678403)
Item 88*	October 06, 2020**	(1678886)
Item 89*	October 19, 2020**	(1693207)
Item 90*	October 23, 2020**	(1652131)
Item 91	October 30, 2020**	(1646480)
Item 92*	November 04, 2020**	(1686001)
Item 93*	November 17, 2020**	(1672688)
Item 94*	November 19, 2020**	(1712313)
Item 95	November 24, 2020**	(1672812)
Item 96*	December 17, 2020**	(1712314)
Item 97*	January 18, 2021**	(1712315)
Item 98	January 19, 2021**	(1697683)
Item 99	January 22, 2021**	(1692728)
Item 100	February 10, 2021**	(1538756)
Item 101*	February 19, 2021**	(1725369)
Item 102	February 25, 2021**	(1538755)
Item 103*	February 26, 2021**	(1703728)
Item 104	March 01, 2021**	(1696812)
Item 105	March 04, 2021**	(1539042)
Item 106	March 08, 2021**	(1672813)
Item 107	March 10, 2021**	(1538761)
Item 108	March 16, 2021**	(1725370)

Item 109	March 17, 2021**	(1538758)
Item 110	March 18, 2021**	(1538760)
Item 111	March 30, 2021**	(1705576)
Item 112	March 31, 2021**	(1705580)
Item 113	April 01, 2021**	(1705578)
Item 114	April 06, 2021**	(1538753)
Item 115*	April 12, 2021**	(1707502)
Item 116	April 15, 2021**	(1538764)
Item 117*	April 20, 2021**	(1725371)
Item 118	May 18, 2021**	(1692232)
Item 119*	May 20, 2021**	(1739998)
Item 120	June 02, 2021**	(1538749)
Item 121	June 03, 2021**	(1679248)
Item 122*	June 14, 2021**	(1701515)
Item 123*	June 18, 2021**	(1747548)
Item 124*	July 20, 2021**	(1751657)
Item 125	July 21, 2021**	(1735933)
Item 126	July 30, 2021**	(1706599)
Item 127*	August 13, 2021**	(1723383)
Item 128*	August 20, 2021**	(1757123)
Item 129*	August 31, 2021**	(1755437)
Item 130*	September 02, 2021**	(1756136)
Item 131*	September 08, 2021**	(1724837)
Item 132*	September 17, 2021**	(1766199)
Item 133*	October 20, 2021**	(1776604)
Item 134	November 10, 2021**	(1762135)
Item 135*	November 11, 2021**	(1685584)
Item 136*	November 19, 2021**	(1783573)
Item 137*	December 20, 2021**	(1790597)
Item 138*	January 20, 2022**	(1798392)
Item 139*	February 16, 2022**	(1806267)
Item 140	March 17, 2022**	(1813332)
Item 141*	April 20, 2022**	(1819904)
Item 142*	May 20, 2022**	(1828744)
Item 143	June 17, 2022**	(1803191)
Item 144*	June 20, 2022**	(1835034)
Item 145*	June 27, 2022**	(1708042)
Item 146*	July 19, 2022**	(1842240)
Item 147*	July 22, 2022**	(1832568)
Item 148*	July 25, 2022**	(1824530)
Item 149	August 04, 2022**	(1812766)
Item 150*	August 10, 2022**	(1838531)
Item 151*	August 19, 2022**	(1848374)
Item 152*	September 19, 2022	(1856170)
Item 153*	October 11, 2022	(1789778)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2017 and 08/31/2022.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EQUISTAR CHEMICALS, LP
RN100542281

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2022-0907-AIR-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Equistar Chemicals, LP (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 presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that 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. The duties and responsibilities imposed by this Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a chemical manufacturing plant located at 8280 Sheldon Road in Channelview, 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. During a record review for the Plant conducted from March 22, 2022 through April 30, 2022, an investigator documented that:
 - a. The Respondent had a reportable emissions event that began on November 1, 2021 at 2:00 p.m. and the initial notification was due by November 2, 2021 at 2:00 p.m., but the initial notification was not submitted.
 - b. The Respondent released 48.31 pounds ("lbs") of benzene and 41.94 lbs of volatile organic compounds as fugitive emissions, during an emissions event that began on November 1, 2021 and lasted 24 hours and 15 minutes. The emissions event occurred due to a roof defect on Storage Tank 3912, resulting in the release to the atmosphere. TCEQ staff determined that the Respondent did not comply with the emissions event reporting requirements, the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator, and the emissions event could have

been avoided by better design and/or better operational and maintenance practices.

- c. The deviation report for the January 1, 2020 through June 30, 2020 reporting period did not include the deviation for failing to comply with the ammonia emissions limit for Cracking Heater 4419.
3. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
 - a. On January 26, 2021, submitted a revised deviation report for the January 1, 2020 through June 30, 2020 reporting period to report the deviation for failing to comply with the ammonia emissions limit for Cracking Heater 4419; and
 - b. By February 2, 2022, emptied, cleaned, and degassed Storage Tank 3912 in order to prevent the recurrence of emissions due to the same or similar causes as the emissions event that began on November 1, 2021.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), Federal Operating Permit ("FOP") No. O1426, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b).
3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Nos. 1768, PSDTX1272, and N142M1, Special Conditions No. 1, FOP No. O1426, GTC and STC No. 38, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the Respondent did not comply with the emissions event reporting requirements, the emissions event was not caused by a sudden unavoidable breakdown of equipment or process beyond the control of the owner or operator, and the emissions event 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.
4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O1426, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b).
5. Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.

6. An administrative penalty in the amount of \$23,883 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent paid \$11,942 of the penalty. Pursuant to TEX. WATER CODE § 7.067, \$11,941 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.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 6 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Equistar Chemicals, LP, Docket No. 2022-0907-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 Conclusion of Law No. 6. The amount of \$11,941 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 ensure that all instances of deviations are reported in a timely manner.
 - 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
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Street, Suite H
Houston, Texas 77023-1452

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. 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 in this Order.


9. 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.
10. 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.
11. 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.
12. 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



6/16/2023

For the Executive Director

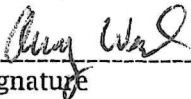
Date

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

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

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

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



Signature

02/27/2023

Date

ANTHONY WOOD

Name (Printed or typed)

Authorized Representative of
Equistar Chemicals, LP

SITE MANAGER

Title

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

Attachment A
Docket Number: 2022-0907-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Equistar Chemicals, LP
Payable Penalty Amount:	\$23,883
SEP Offset Amount:	\$11,941
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Houston Regional Monitoring Corporation
Project Name:	<i>Houston Area Air Monitoring Project</i>
Location of SEP:	Harris County

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 **Houston Regional Monitoring Corporation** for the *Houston Area Air Monitoring Project* SEP. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the SEP Offset Amount will be used to operate a network of ambient air monitoring stations that continuously measure and record concentrations of ambient air pollutants. This network includes the Houston Regional Monitor (“HRM”) 617 Wallisville Road site, the HRM 615 Lynchburg Ferry site, and the HRM 3 Haden Road site. The Third-Party Administrator shall use the SEP Offset Amount to report data from these three existing sites in the Houston Regional Monitoring Corporation ambient air quality monitoring network in the Houston-Galveston Air Quality Control Region No. 216. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of implementing 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 provide TCEQ with near real-time access to high quality, short time resolution volatile organic compound, nitrogen oxide, ozone, and meteorological data sets that can be used to evaluate and track air pollution emission events as they occur, conduct source attribution studies, and to assess potential ambient community exposure to a limited number

of hazardous air pollutants. Data from the monitors can be used with data from other monitors to provide critical information that can be used to evaluate the effectiveness of current and proposed emission control strategies aimed at achieving compliance with the 8-hour ozone National Ambient Air Quality Standards. It also provides a key source of information that is essential to furthering our overall understanding of those emission sources that contribute to ambient community exposure to toxic air contaminants. Because the information is available in near real-time, it can be used to provide both agency staff and industry personnel with time critical information to investigate emission events in a timely fashion. Another key benefit is the ability to measure the change in the ambient air concentration of the individual target species and quantify control measure effectiveness. Data from these monitors will be publicly accessible through the TCEQ's website and will be used in evaluating air quality in the area, in ozone forecasts, and ozone warnings. Thus, the public will directly benefit by having access to the data and the forecasting and notification tools which can be used for public awareness.

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 contribution payable to **Houston Regional Monitoring Corporation SEP** and shall mail the contribution with a copy of the Agreed Order to:

Houston Regional Monitoring Corporation
c/o Christopher B. Amandes
Amandes PLLC
1414 West Clay Street
Houston, Texas 77019

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