

**Executive Summary – Enforcement Matter – Case No. 62777**  
**Afton Chemical Corporation**  
**RN101613230**  
**Docket No. 2022-1013-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

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

Afton Lube and Fuel Additives Plant, 1000 North South Street, Pasadena, Harris County

**Type of Operation:**

Lube and fuel additives manufacturing plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket No. 2024-1457-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** November 29, 2024

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$66,000

**Total Paid to General Revenue:** \$66,000

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

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - High

Site/RN - High

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** January 2021

***Investigation Information***

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

**Complaint Information:** N/A

**Date(s) of Investigation:** April 26, 2022 through July 7, 2022

**Date(s) of NOE(s):** August 9, 2022

**Executive Summary – Enforcement Matter – Case No. 62777**  
**Afton Chemical Corporation**  
**RN101613230**  
**Docket No. 2022-1013-AIR-E**

***Violation Information***

Failed to comply with the maximum allowable emissions rate ("MAER"). Specifically, the Respondent exceeded the volatile organic compounds ("VOC") MAER of 0.10 ton per year ("tpy") based on a 12-month rolling period for the 12-month periods ending from December 2017 through March 2021 and the VOC MAER of 0.06 tpy based on a 12-month rolling period for the 12-month periods ending from April 2021 through April 2022 for Tank T-1413, Emissions Point Number ("EPN") X-J-11, resulting in 0.603 ton of unauthorized VOC emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review Permit No. 18161, Special Conditions No. 1, Federal Operating Permit No. O1460, General Terms and Conditions and Special Terms and Conditions No. 13, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

On March 31, 2023, the Respondent obtained a permit amendment for New Source Review Permit No. 18161 to increase the VOC annual MAER for Tank T-1413, EPN X-J-11 at the Plant.

**Technical Requirements:**

N/A

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Desmond Martin, Enforcement Division, Enforcement Team 2, MC 219, (512) 239-2814; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** Hari Sundaram, Plant Manager, Afton Chemical Corporation, 1000 North South Street, Pasadena, Texas 77503

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



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	16-Aug-2022	<b>Screening</b>	18-Aug-2022	<b>EPA Due</b>	5-Feb-2023
	<b>PCW</b>	19-Sep-2024				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Afton Chemical Corporation
<b>Reg. Ent. Ref. No.</b>	RN101613230
<b>Facility/Site Region</b>	12-Houston
<b>Major/Minor Source</b>	Major

## CASE INFORMATION

<b>Enf./Case ID No.</b>	62777	<b>No. of Violations</b>	1
<b>Docket No.</b>	2022-1013-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Desmond Martin
		<b>EC's Team</b>	Enforcement Team 2
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$82,500
---	-------------------	----------

## ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	-10.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	-\$8,250
---------------------------	--------	-------------------	--------------------------------	----------

Notes: Since the reduction for two notices of intent to conduct an audit and one disclosure of violations is below zero, the Adjustment Percentage (Subtotal 2) defaults to zero. Reduction for High Performer classification.

<b>Culpability</b>	No	0.0%	<b>Enhancement</b>	<b>Subtotal 4</b>	\$0
--------------------	----	------	--------------------	-------------------	-----

Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$8,250
--	-------------------	----------

<b>Economic Benefit</b>	0.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
-------------------------	------	---------------------	-------------------	-----

Total EB Amounts \$1,312  
Estimated Cost of Compliance \$5,000  
\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$66,000
-----------------------------	-----------------------	----------

<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
---	------	-------------------	-----

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	\$66,000
-----------------------------	----------

<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$66,000
-----------------------------------	-------------------------------	----------

<b>DEFERRAL</b>	0.0%	<b>Reduction</b>	<b>Adjustment</b>	\$0
-----------------	------	------------------	-------------------	-----

Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

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

<b>PAYABLE PENALTY</b>	\$66,000
------------------------	----------

<b>Screening Date</b>	18-Aug-2022	<b>Docket No.</b>	2022-1013-AIR-E	<b>PCW</b>
<b>Respondent</b>	Afton Chemical Corporation			Policy Revision 5 (January 28, 2021)
<b>Case ID No.</b>	62777			PCW Revision February 11, 2021
<b>Reg. Ent. Reference No.</b>	RN101613230			
<b>Media</b>	Air			
<b>Enf. Coordinator</b>	Desmond Martin			

## Compliance History Worksheet

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

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	2	-2%
	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> )	1	-2%
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)** 0%

### >> Repeat Violator (Subtotal 3)

No

**Adjustment Percentage (Subtotal 3)** 0%

### >> Compliance History Person Classification (Subtotal 7)

High Performer

**Adjustment Percentage (Subtotal 7)** -10%

### >> Compliance History Summary

#### Compliance History Notes

Since the reduction for two notices of intent to conduct an audit and one disclosure of violations is below zero, the Adjustment Percentage (Subtotal 2) defaults to zero. Reduction for High Performer classification.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** -10%

### >> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** -10%

<b>Screening Date</b> 18-Aug-2022 <b>Respondent</b> Afton Chemical Corporation <b>Case ID No.</b> 62777 <b>Reg. Ent. Reference No.</b> RN101613230 <b>Media</b> Air <b>Enf. Coordinator</b> Desmond Martin	<b>Docket No.</b> 2022-1013-AIR-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
---	-----------------------------------	--

  

<b>Violation Number</b>	1	
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review Permit No. 18161, Special Conditions No. 1, Federal Operating Permit No. O1460, General Terms and Conditions and Special Terms and Conditions No. 13, and Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>		Failed to comply with the maximum allowable emissions rate ("MAER"). Specifically, the Respondent exceeded the volatile organic compounds ("VOC") MAER of 0.10 tons per year based on a 12-month rolling period for the 12-month periods ending from December 2017 through March 2021 and the VOC MAER of 0.06 tpy based on a 12-month rolling period for the 12-month periods ending from April 2021 through April 2022 for Tank T-1413, Emissions Point Number ("EPN") X-J-11, resulting in 0.603 tons of unauthorized VOC emissions.

  

<b>Base Penalty</b>	\$25,000
---------------------	----------

  

**>> Environmental, Property and Human Health Matrix**

<b>OR</b>	<b>Release</b>	<b>Harm</b>		
		Major      Moderate      Minor		
	Actual	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
				<b>Percent</b> <input type="text" value="30.0%"/>

  

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
					<b>Percent</b> <input type="text" value="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.
--------------	--

  

<b>Adjustment</b>	\$17,500
-------------------	----------

  

	\$7,500
--	---------

  

**Violation Events**

Number of Violation Events	11	1946	Number of violation days
----------------------------	----	------	--------------------------

  

	daily	<input type="text"/>	
	weekly	<input type="text"/>	
	monthly	<input type="text"/>	
	quarterly	<input type="text"/>	
	semiannual	<input type="text" value="x"/>	
	annual	<input type="text"/>	
	single event	<input type="text"/>	

  

<b>Violation Base Penalty</b>	\$82,500
-------------------------------	----------

  

Eleven semiannual events are recommended for the period of non-compliance from December 1, 2017 through March 31, 2023.	
---	--

  

**Good Faith Efforts to Comply**

	<b>10.0%</b>	
	Before NOE/NOV      NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text" value="x"/>
N/A	<input type="text"/>	<input type="text"/>
Notes	The Respondent completed the corrective measures on March 31, 2023, after the Notice of Enforcement dated August 9, 2022.	

  

<b>Violation Subtotal</b>	\$74,250
---------------------------	----------

  

**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	<input type="text" value="\$1,312"/>
----------------------------	--------------------------------------

  

**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$66,000
--------------------------------------	----------

  

<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$66,000
--	----------

# Economic Benefit Worksheet

**Respondent** Afton Chemical Corporation  
**Case ID No.** 62777  
**Reg. Ent. Reference No.** RN101613230  
**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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

## 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	\$5,000	1-Jan-2018	31-Mar-2023	5.25	\$1,312	n/a	\$1,312
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to obtain authorization to increase the VOC annual MAER for Tank T-1413, EPN X-J-11. The Date Required is the first date of non-compliance and the Final Date is the date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

**TOTAL**

\$1,312



# Compliance History Report

Compliance History Report for CN604980136, RN101613230, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

<b>Customer, Respondent, or Owner/Operator:</b>	CN604980136, Afton Chemical Corporation	<b>Classification:</b> HIGH	<b>Rating:</b> 0.00
<b>Regulated Entity:</b>	RN101613230, Afton Lube and Fuel Additives Plant	<b>Classification:</b> HIGH	<b>Rating:</b> 0.00
<b>Complexity Points:</b>	9	<b>Repeat Violator:</b> NO	
<b>CH Group:</b>	05 - Chemical Manufacturing		
<b>Location:</b>	1000 North South Street, Pasadena, Harris County, Texas 77503-2516		
<b>TCEQ Region:</b>	REGION 12 - HOUSTON		

## ID Number(s):

**AIR OPERATING PERMITS** ACCOUNT NUMBER HG6831P  
**AIR NEW SOURCE PERMITS** PERMIT 18161  
**AIR NEW SOURCE PERMITS** REGISTRATION 45551  
**AIR NEW SOURCE PERMITS** REGISTRATION 123667  
**AIR NEW SOURCE PERMITS** REGISTRATION 157407  
**AIR NEW SOURCE PERMITS** REGISTRATION 160732  
**AIR NEW SOURCE PERMITS** REGISTRATION 158512  
**AIR NEW SOURCE PERMITS** REGISTRATION 157474

**AIR OPERATING PERMITS** PERMIT 1460  
**AIR NEW SOURCE PERMITS** AFS NUM 4820101453  
**AIR NEW SOURCE PERMITS** REGISTRATION 108205  
**AIR NEW SOURCE PERMITS** REGISTRATION 150687  
**AIR NEW SOURCE PERMITS** REGISTRATION 156492  
**AIR NEW SOURCE PERMITS** REGISTRATION 162997  
**AIR NEW SOURCE PERMITS** REGISTRATION 157695  
**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER HG6831P  
**TAX RELIEF** ID NUMBER 16001

**TAX RELIEF** ID NUMBER 16000  
**TAX RELIEF** ID NUMBER 27022

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

**Date Compliance History Report Prepared:** August 30, 2024

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** August 30, 2019 to August 30, 2024

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

**Name:** Desmond Martin

**Phone:** (512) 239-2814

## Site and Owner/Operator History:

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

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

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

N/A

### B. Criminal convictions:

N/A

### C. Chronic excessive emissions events:

N/A

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

Item 1	April 13, 2020	(1632517)
Item 2	May 21, 2021	(1703841)

### 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.

N/A

**F. Environmental audits:**

Notice of Intent Date: 01/21/2021 (1703704)

No DOV Associated

Notice of Intent Date: 07/12/2022 (1839562)

Disclosure Date: 10/21/2022

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter C 115.222(1)

Description: Failed to operate gasoline tank with required submerged fill pipe.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT SC1

Description: Failed to operate C-1130 scrubber at the flow maintained during the last satisfactory stack test.

Disclosure Date: 12/16/2022

Viol. Minor

Classification:

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

Rqmt Prov: PERMIT SC 22.F, 25

Description: Failed to identify and monitor fugitive emissions from piping components subject to Method 21 monitoring requirements.

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

N/A

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

N/A

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

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
AFTON CHEMICAL CORPORATION  
RN101613230

§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2022-1013-AIR-E

### I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owns and operates a lube and fuel additives manufacturing plant located at 1000 North South Street in Pasadena, Harris County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$66,000 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$66,000 of the penalty.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.

7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that on March 31, 2023, the Respondent obtained a permit amendment for New Source Review Permit No. 18161 to increase the volatile organic compounds ("VOC") annual maximum allowable emissions rate ("MAER") for Tank T-1413, Emissions Point Number ("EPN") X-J-11 at the Plant.

## **II. ALLEGATIONS**

During a record review for the Plant conducted from April 26, 2022 through July 7, 2022, an investigator documented that the Respondent failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review Permit No. 18161, Special Conditions No. 1, Federal Operating Permit No. O1460, General Terms and Conditions and Special Terms and Conditions No. 13, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the VOC MAER of 0.10 ton per year ("tpy") based on a 12-month rolling period for the 12-month periods ending from December 2017 through March 2021 and the VOC MAER of 0.06 tpy based on a 12-month rolling period for the 12-month periods ending from April 2021 through April 2022 for Tank T-1413, EPN X-J-11, resulting in 0.603 ton of unauthorized VOC emissions.

## **III. DENIALS**

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

## **IV. ORDERING PROVISIONS**

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Afton Chemical Corporation, Docket No. 2022-1013-AIR-E" to:

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

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

3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
7. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

-----  
For the Commission

-----  
Date

  
-----  
For the Executive Director

11/27/2024

-----  
Date

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

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

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

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

  
-----  
Signature

10/24/2024  
-----  
Date

HARI P SUNDARAM  
-----  
Name (Printed or typed)  
Authorized Representative of  
Afton Chemical Corporation

PLANT MANAGER  
-----  
Title

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

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