

**Executive Summary – Enforcement Matter – Case No. 62935**

**Natgasoline LLC**

**RN106586795**

**Docket No. 2022-1180-IWD-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

IWD

**Small Business:**

No

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

Beaumont Gas to Gasoline Plant, 2366 Sulphur Plant Road, Beaumont, Jefferson County

**Type of Operation:**

Industrial organic chemical facility

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** January 31, 2025

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$27,225

**Amount Deferred for Expedited Settlement:** \$5,445

**Total Paid to General Revenue:** \$10,890

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

Payment Plan: N/A

**Supplemental Environmental Project (“SEP”) Conditional Offset:** \$10,890

Name of SEP: Armand Bayou Nature Center, Inc. (Third-Party Pre-Approved)

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** No

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** January 2021

***Investigation Information***

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

**Complaint Information:** N/A

**Date(s) of Investigation:** June 30, 2022

**Date(s) of NOE(s):** August 24, 2022

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**Natgasoline LLC**

**RN106586795**

**Docket No. 2022-1180-IWD-E**

***Violation Information***

1. Failed to comply with permitted effluent limitations for pH, daily average flow, and biochemical oxygen demand (5-day) [30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0005143000, Outfall No. 001, Effluent Limitations and Monitoring Requirements No. 2 and Outfall No. 101, Effluent Limitations and Monitoring Requirements No. 1].

2. Failed to collect and analyze effluent samples at the intervals specified in the permit. Specifically, the Respondent did not collect and analyze pH samples for the month of September 2021 [30 TEX. ADMIN. CODE §§ 305.125(1) and 319.5(b) and TPDES Permit No. WQ0005143000, Outfall No. 001, Effluent Limitations and Monitoring Requirements No. 2].

3. Failed to submit a quarterly progress report by the 14th day following the schedule date. Specifically, the Respondent did not submit the quarterly progress report for the scheduled date of April 1, 2022 for Total Zinc [30 TEX. ADMIN. CODE § 305.125 (1) and (18) and TPDES Permit No. WQ0005143000, Other Requirements No. 1].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).

2. The Order will also require the Respondent to:

a. Within 30 days:

i. Develop and implement procedures and conduct employee training to ensure pH samples are collected and analyzed in accordance with permit requirements; and

ii. Submit the April 2022 quarterly progress report or a current quarterly progress report for Total Zinc in accordance with TPDES Permit No. WQ0005143000, Other Requirements No. 1.

b. Within 45 days, submit written certification to demonstrate compliance with a.

c. Within 130 days, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0005143000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the

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**Natgasoline LLC**

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most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance.

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Harley Hobson, Enforcement Division, Enforcement Team 1, MC 219, (512) 239-1337; 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:** Armand Bayou Nature Center, Inc., P.O. Box 58828, Houston, Texas 77258

**Respondent:** Richard Brink, Chief Executive Officer, Natgasoline LLC, 2366 Sulphur Plant Road, Beaumont, Texas 77705

Jarrold Hodson, Director, Natgasoline LLC, 2366 Sulphur Plant Road, Beaumont, Texas 77705

**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>	8-Sep-2022	<b>PCW</b>	15-Sep-2022	<b>Screening</b>	15-Sep-2022	<b>EPA Due</b>	
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## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Natgasoline LLC
<b>Reg. Ent. Ref. No.</b>	RN106586795
<b>Facility/Site Region</b>	10-Beaumont
<b>Major/Minor Source</b>	Minor

## CASE INFORMATION

<b>Enf./Case ID No.</b>	62935	<b>No. of Violations</b>	5
<b>Docket No.</b>	2022-1180-IWD-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Harley Hobson
		<b>EC's Team</b>	Enforcement Team 1
<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>	\$16,500
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	65.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$10,725
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Notes  
Enhancement for five months of self-reported effluent violations, three NOV's with the dissimilar violations, and two orders containing a denial of liability.  
Reduction for four notices of intent to conduct an audit and one disclosure of violations.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$0
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<b>Economic Benefit</b>	0.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
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Total EB Amounts \$1,050  
Estimated Cost of Compliance \$5,300  
\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$27,225
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

<b>Final Penalty Amount</b>	\$27,225
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$27,225
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<b>DEFERRAL</b>	20.0%	<b>Reduction</b>	<b>Adjustment</b>	-\$5,445
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$21,780
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<b>Screening Date</b>	15-Sep-2022	<b>Docket No.</b>	2022-1180-IWD-E	<b>PCW</b>
<b>Respondent</b>	Natgasoline LLC			
<b>Case ID No.</b>	62935			
<b>Reg. Ent. Reference No.</b>	RN106586795			
<b>Media</b>	Water Quality			
<b>Enf. Coordinator</b>	Harley Hobson			

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

## 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> )	5	25%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	4	-4%
	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)** 65%

### >> Repeat Violator (Subtotal 3)

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

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

**Adjustment Percentage (Subtotal 7)** 0%

### >> Compliance History Summary

#### Compliance History Notes

Enhancement for five months of self-reported effluent violations, three NOVs with the dissimilar violations, and two orders containing a denial of liability.  
Reduction for four notices of intent to conduct an audit and one disclosure of violations.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 65%

### >> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** 65%

<b>Screening Date</b> 15-Sep-2022 <b>Respondent</b> Natgasoline LLC <b>Case ID No.</b> 62935 <b>Reg. Ent. Reference No.</b> RN106586795 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson	<b>Docket No.</b> 2022-1180-IWD-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	1
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0005143000, Outfall No. 001, Effluent Limitations and Monitoring Requirements No. 2
<b>Violation Description</b>	Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			X	<b>Percent</b> 15.0%
	Potential				

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 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.
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<b>Adjustment</b>	\$21,250
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	\$3,750
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**Violation Events**

Number of Violation Events	1		28	Number of violation days
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	daily			<b>Violation Base Penalty</b> \$3,750
	weekly			
	monthly			
	quarterly	X		
	semiannual			
	annual			
	single event			

One quarterly event is recommended for the quarter containing the month of February 2022.
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**Good Faith Efforts to Comply**

	<b>0.0%</b>	
	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.	

<b>Violation Subtotal</b>	\$3,750
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**Economic Benefit (EB) for this violation**

	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b>	\$1,009
	<b>Violation Final Penalty Total</b> \$6,188
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$6,188	

# Economic Benefit Worksheet

**Respondent** Natgasoline LLC  
**Case ID No.** 62935  
**Reg. Ent. Reference No.** RN106586795  
**Media** Water Quality  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	31-May-2021	12-Jun-2025	4.04	\$1,009	n/a	\$1,009
<b>Notes for DELAYED costs</b> Estimated Other cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Facility, and achieve compliance with the permitted effluent limitations. The Date Required is the end date of the first month of noncompliance. The Final Date is the estimated date of compliance.							

## Avoided Costs

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

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

Approx. Cost of Compliance \$5,000

**TOTAL** \$1,009

<b>Screening Date</b> 15-Sep-2022 <b>Respondent</b> Natgasoline LLC <b>Case ID No.</b> 62935 <b>Reg. Ent. Reference No.</b> RN106586795 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson	<b>Docket No.</b> 2022-1180-IWD-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	2		
<b>Rule Cite(s)</b>		30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0005143000, Outfall No. 101, Effluent Limitations and Monitoring Requirements No. 1	
<b>Violation Description</b>		Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.	

<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

<b>OR</b>		<b>Release</b>	<b>Harm</b>			
			Major    Moderate    Minor			
	Actual	Potential	Major	Moderate	Minor	
			X			
					<b>Percent</b>	15.0%

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor		
					<b>Percent</b>	0.0%

Matrix Notes	A simplified model was used to evaluate biochemical oxygen demand (5-day) to determine whether the discharged amounts of pollutants exceeded protective levels. Flow was also considered. Human health or the environment will or could be exposed to pollutants that would exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$21,250
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	\$3,750
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**Violation Events**

Number of Violation Events	2		62	Number of violation days
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	daily					
	weekly					
	monthly		X			
	quarterly					
	semiannual					
	annual					
	single event					

<b>Violation Base Penalty</b>	\$7,500
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	Two monthly events are recommended for the months of December 2021 and March 2022.
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**Good Faith Efforts to Comply**

	<b>0.0%</b>					
	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.					

<b>Violation Subtotal</b>	\$7,500
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**Economic Benefit (EB) for this violation**

<b>Estimated EB Amount</b>	\$0
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**Statutory Limit Test**

<b>Violation Final Penalty Total</b>	\$12,375
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<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$12,375
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# Economic Benefit Worksheet

**Respondent** Natgasoline LLC  
**Case ID No.** 62935  
**Reg. Ent. Reference No.** RN106586795  
**Media** Water Quality  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated Other cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Facility, and achieve compliance with the permitted effluent limitations captured in Economic Benefit No. 1.						

## Avoided Costs

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

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

Approx. Cost of Compliance \$0

**TOTAL** \$0

<b>Screening Date</b> 15-Sep-2022 <b>Respondent</b> Natgasoline LLC <b>Case ID No.</b> 62935 <b>Reg. Ent. Reference No.</b> RN106586795 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson	<b>Docket No.</b> 2022-1180-IWD-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>				
<b>Violation Number</b> <span style="border: 1px solid black; padding: 2px;">3</span>						
<b>Rule Cite(s)</b> <span style="border: 1px solid black; padding: 5px;">30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a)(1), and TPDES Permit No. WQ0005143000, Outfall No. 101, Effluent Limitations and Monitoring Requirements No. 1</span>						
<b>Violation Description</b> <span style="border: 1px solid black; padding: 5px;">Failed to comply with permitted effluent limitations, as shown in the attached effluent violation table.</span>						
<b>Base Penalty</b>		<span style="border: 1px solid black; padding: 2px;">\$25,000</span>				
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>						
<b>OR</b>	<b>Release</b>	<b>Harm</b>				
		Major    Moderate    Minor				
	Actual Potential	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span> <span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span> <span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span> <span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px; text-align: center;">X</span>		
				<b>Percent</b>	<span style="border: 1px solid black; padding: 2px;">3.0%</span>	
<b>&gt;&gt; Programmatic Matrix</b>						
	Falsification	Major	Moderate	Minor		
	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>		
					<b>Percent</b>	<span style="border: 1px solid black; padding: 2px;">0.0%</span>
<b>Matrix Notes</b>	Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.					
<b>Adjustment</b>					<span style="border: 1px solid black; padding: 2px;">\$24,250</span>	
					<span style="border: 1px solid black; padding: 2px;">\$750</span>	
<b>Violation Events</b>						
Number of Violation Events		<span style="border: 1px solid black; padding: 2px;">2</span>		Number of violation days		
		<span style="border: 1px solid black; padding: 2px;">61</span>				
	daily	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>				
	weekly	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>				
	monthly	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>				
	quarterly	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>				
	semiannual	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>				
	annual	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>				
	single event	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px; text-align: center;">X</span>				
<b>Violation Base Penalty</b>		<span style="border: 1px solid black; padding: 2px;">\$1,500</span>				
Two single events are recommended for the months of May and November 2021.						
<b>Good Faith Efforts to Comply</b>		<span style="border: 1px solid black; padding: 2px;">0.0%</span>		Reduction		
		<span style="border: 1px solid black; padding: 2px;">\$0</span>				
	Extraordinary	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>				
	Ordinary	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px;"></span>				
	N/A	<span style="border: 1px solid black; display: inline-block; width: 50px; height: 15px; text-align: center;">X</span>				
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.					
<b>Violation Subtotal</b>					<span style="border: 1px solid black; padding: 2px;">\$1,500</span>	
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>			
<b>Estimated EB Amount</b>		<span style="border: 1px solid black; padding: 2px;">\$0</span>		<b>Violation Final Penalty Total</b>		
		<span style="border: 1px solid black; padding: 2px;">\$2,475</span>				
<b>This violation Final Assessed Penalty (adjusted for limits)</b>					<span style="border: 1px solid black; padding: 2px;">\$2,475</span>	

# Economic Benefit Worksheet

**Respondent** Natgasoline LLC  
**Case ID No.** 62935  
**Reg. Ent. Reference No.** RN106586795  
**Media** Water Quality  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs: Estimated Other cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Facility, and achieve compliance with the permitted effluent limitations captured in Economic Benefit No. 1.							

## Avoided Costs

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

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

Approx. Cost of Compliance \$0

**TOTAL** \$0

<b>Screening Date</b> 15-Sep-2022 <b>Respondent</b> Natgasoline LLC <b>Case ID No.</b> 62935 <b>Reg. Ent. Reference No.</b> RN106586795 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson	<b>Docket No.</b> 2022-1180-IWD-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Number</b>	4	
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 305.125(1) and 319.5(b) and TPDES Permit No. WQ0005143000, Outfall No. 001, Effluent Limitations and Monitoring Requirements No. 2	
<b>Violation Description</b>	Failed to collect and analyze effluent samples at the intervals specified in the permit. Specifically, the Respondent did not collect and analyze pH samples for the month of September 2021.	

**Base Penalty** \$25,000

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

<b>OR</b>		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	
	Potential	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px; text-align: center;">X</span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	

**Percent** 5.0%

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	

**Percent** 0.0%

Matrix Notes	Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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**Adjustment** \$23,750

\$1,250

**Violation Events**

Number of Violation Events <span style="border: 1px solid black; padding: 2px 20px;">1</span>	<span style="border: 1px solid black; padding: 2px 20px;">30</span>	Number of violation days
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	daily	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	
	weekly	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	
	monthly	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	
	quarterly	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	
	semiannual	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	
	annual	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	
	single event	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px; text-align: center;">X</span>	

**Violation Base Penalty** \$1,250

One single event is recommended.

**Good Faith Efforts to Comply**

	<span style="border: 1px solid black; padding: 2px 20px;">0.0%</span>	
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**Reduction** \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	
Ordinary	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	
N/A	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px; text-align: center;">X</span>	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>	

Notes	The Respondent does not meet the good faith criteria for this violation.
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**Violation Subtotal** \$1,250

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

<b>Estimated EB Amount</b> <span style="border: 1px solid black; padding: 2px 20px;">\$34</span>	<b>Statutory Limit Test</b>
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**Violation Final Penalty Total** \$2,063

**This violation Final Assessed Penalty (adjusted for limits)** \$2,063

# Economic Benefit Worksheet

**Respondent** Natgasoline LLC  
**Case ID No.** 62935  
**Reg. Ent. Reference No.** RN106586795  
**Media** Water Quality  
**Violation No.** 4

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$250	30-Jun-2022	19-Mar-2025	2.72	\$34	n/a	\$34
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs Estimated Training/Sampling cost to develop and implement procedures and conduct employee training to ensure pH samples are collected and analyzed in accordance with permit requirements. The Date Required is the investigation date. The Final Date is the estimated date of compliance.							

## Avoided Costs

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

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

Approx. Cost of Compliance \$250

**TOTAL** \$34

<b>Screening Date</b> 15-Sep-2022 <b>Respondent</b> Natgasoline LLC <b>Case ID No.</b> 62935 <b>Reg. Ent. Reference No.</b> RN106586795 <b>Media</b> Water Quality <b>Enf. Coordinator</b> Harley Hobson <b>Violation Number</b> 5 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 305.125 (1) and (18) and TPDES Permit No. WQ0005143000, Other Requirements No. 1	<b>Docket No.</b> 2022-1180-IWD-E	<b>PCW</b> <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
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<b>Violation Description</b>	Failed to submit a quarterly progress report by the 14th day following the schedule date. Specifically, the Respondent did not submit the quarterly progress report for the scheduled date of April 1, 2022 for Total Zinc.
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<b>Base Penalty</b>	\$25,000
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**>> Environmental, Property and Human Health Matrix**

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

0.0%

**>> Programmatic Matrix**

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

10.0%

Matrix Notes	100% of the rule requirements were not met.
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<b>Adjustment</b>	\$22,500
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<b>Adjustment</b>	\$2,500
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**Violation Events**

Number of Violation Events	1	153	Number of violation days
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daily	<input type="text"/>	<b>Violation Base Penalty</b>	\$2,500
weekly	<input type="text"/>		
monthly	<input type="text"/>		
quarterly	<input type="text"/>		
semiannual	<input type="text"/>		
annual	<input type="text"/>		
single event	X		

One single event is recommended.	
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**Good Faith Efforts to Comply**

<b>0.0%</b>	<b>Reduction</b>
Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>
Ordinary	<input type="text"/>
N/A	X

Notes	The Respondent does not meet the good faith criteria for this violation.
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<b>Violation Subtotal</b>	\$2,500
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**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

<b>Estimated EB Amount</b>	\$7	<b>Violation Final Penalty Total</b>	\$4,125
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$4,125

# Economic Benefit Worksheet

**Respondent** Natgasoline LLC  
**Case ID No.** 62935  
**Reg. Ent. Reference No.** RN106586795  
**Media** Water Quality  
**Violation No.** 5

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$50	15-Apr-2022	19-Mar-2025	2.93	\$7	n/a	\$7
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to submit the April 2022 quarterly progress report or a current quarterly progress report. The Date Required is the initial date of noncompliance. The Final Date is the estimated date of compliance.

## Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50

TOTAL

\$7

Natgasoline LLC  
Docket No. 2022-1180-IWD-E  
TPDES Permit No. WQ0005143000  
Case No. 62935

Effluent Violation Table

Outfall 001		Outfall 101		
	pH Minimum	BOD5 Daily Average Loading	BOD5 Daily Maximum Loading	Flow Daily Average
Monitoring Period	Limit = 6 SU	Limit = 82.6 lbs/day	Limit = 220 lbs/day	Limit = 0.33 MGD
May 2021	c	c	c	0.37
November 2021	c	c	c	0.34
December 2021	c	173.4	267.4	0.35
February 2022	4.2	c	c	c
March 2022	c	148.7	495.6	0.34

SU = standard units    c = compliant    lbs/day = pounds per day  
MGD = million gallons per day    BOD5 = biochemical oxygen demand (5-day)





# Compliance History Report

Compliance History Report for CN604256412, RN106586795, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

**Customer, Respondent, or Owner/Operator:** CN604256412, Natgasoline LLC **Classification:** SATISFACTORY **Rating:** 16.82

**Regulated Entity:** RN106586795, BEAUMONT GAS TO GASOLINE PLANT **Classification:** SATISFACTORY **Rating:** 16.82

**Complexity Points:** 16 **Repeat Violator:** NO

**CH Group:** 05 - Chemical Manufacturing

**Location:** 2366 Sulphur Plant Road, Beaumont, Jefferson County, Texas

**TCEQ Region:** REGION 10 - BEAUMONT

**ID Number(s):**

**AIR OPERATING PERMITS** PERMIT 3963

**AIR NEW SOURCE PERMITS** EPA PERMIT GHGPSDTX54

**AIR NEW SOURCE PERMITS** PERMIT AMOC215

**AIR NEW SOURCE PERMITS** AFS NUM 4824500747

**WASTEWATER** PERMIT WQ0005143000

**POLLUTION PREVENTION PLANNING** ID NUMBER P10323

**INDUSTRIAL AND HAZARDOUS WASTE** SOLID WASTE REGISTRATION # (SWR) 96775

**TAX RELIEF** ID NUMBER 20144

**TAX RELIEF** ID NUMBER 22377

**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX1340

**AIR NEW SOURCE PERMITS** PERMIT 107764

**AIR NEW SOURCE PERMITS** REGISTRATION 174371

**WASTEWATER** EPA ID TX0135836

**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER JEA035H

**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID TXR000084209

**TAX RELIEF** ID NUMBER 20143

**TAX RELIEF** ID NUMBER 22990

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

**Date Compliance History Report Prepared:** October 10, 2024

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** October 10, 2019 to October 10, 2024

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

**Name:** Harley Hobson

**Phone:** (512) 239-1337

**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: 01/28/2020 ADMINORDER 2018-1635-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(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Condition 8 PERMIT

Special Condition 1 PERMIT

Special Condition II PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 10,150.32 tons of carbon dioxide, 75.22 tons of methane, 83.63 tons of carbon monoxide, 4.55 tons of nitrogen oxides, 1.97 tons of volatile organic compounds, and 2.49 tons of methanol from the MSS, EPN S-10001, during an emissions event that began on August 29, 2018 and lasted 123 hours and 24 minutes. The emissions event occurred due to an unplanned

startup event, resulting in venting to the atmosphere. Since the e

2 Effective Date: 02/14/2022 ADMINORDER 2019-1219-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)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Condition 8 PERMIT  
Special Condition 1 PERMIT  
Special Condition II PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Condition 8 PERMIT  
Special Condition 1 PERMIT  
Special Condition II PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)  
30 TAC Chapter 101, SubChapter F 101.222(b)(1)  
5C THSC Chapter 382 382.085(b)

Description: Failure to submit an initial report for a reportable emissions event within 24 hours of discovery of the event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Condition 8 PERMIT  
Special Condition 1 PERMIT  
Special Condition II PERMIT

Description: Failure to prevent unauthorized emissions.

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: General Condition 8 PERMIT  
Special Condition 1 PERMIT  
Special Condition II PERMIT  
Special Term & Condition 16 OP

Description: Failure to prevent unauthorized emissions.

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 & Condition 16A OP

Description: Failure to prevent unauthorized emissions.

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 & Condition 16(A) OP

Description: Failure to prevent unauthorized emissions during a stack test.

## B. Criminal convictions:

N/A

**C. Chronic excessive emissions events:**

N/A

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

Item 1	October 22, 2019	(1615613)	Item 32	May 18, 2022	(1831149)
Item 2	November 01, 2019	(1604258)	Item 33	May 20, 2022	(1811721)
Item 3	November 20, 2019	(1621416)	Item 34	June 21, 2022	(1823716)
Item 4	December 23, 2019	(1628755)	Item 35	September 30, 2022	(1846207)
Item 5	January 28, 2020	(1636371)	Item 36	October 18, 2022	(1864887)
Item 6	February 20, 2020	(1642989)	Item 37	November 17, 2022	(1871777)
Item 7	March 09, 2020	(1633608)	Item 38	December 12, 2022	(1877657)
Item 8	April 25, 2020	(1640218)	Item 39	January 02, 2023	(1862163)
Item 9	April 29, 2020	(1640175)	Item 40	February 15, 2023	(1892260)
Item 10	September 20, 2020	(1689237)	Item 41	March 16, 2023	(1900849)
Item 11	November 13, 2020	(1719398)	Item 42	July 10, 2023	(1868906)
Item 12	January 18, 2021	(1719400)	Item 43	August 18, 2023	(1935308)
Item 13	February 16, 2021	(1732480)	Item 44	September 29, 2023	(1930148)
Item 14	March 20, 2021	(1732481)	Item 45	October 10, 2023	(1931187)
Item 15	April 19, 2021	(1732482)	Item 46	October 11, 2023	(1931189)
Item 16	May 18, 2021	(1743533)	Item 47	October 19, 2023	(1930497)
Item 17	July 19, 2021	(1754004)	Item 48	October 23, 2023	(1931981)
Item 19	August 18, 2021	(1759359)	Item 49	November 17, 2023	(1953979)
Item 20	September 20, 2021	(1760682)	Item 50	January 12, 2024	(1932026)
Item 21	September 22, 2021	(1768760)	Item 51	February 20, 2024	(1955940)
Item 22	October 28, 2021	(1779947)	Item 52	March 19, 2024	(1985988)
Item 23	November 16, 2021	(1786000)	Item 53	April 19, 2024	(1992529)
Item 25	January 19, 2022	(1782888)	Item 54	June 26, 2024	(1987959)
Item 27	February 16, 2022	(1787427)	Item 55	July 19, 2024	(2013489)
Item 28	February 17, 2022	(1787329)	Item 56	August 15, 2024	(2019294)
Item 29	March 10, 2022	(1781437)	Item 57	August 20, 2024	(2000828)
Item 30	May 13, 2022	(1810786)	Item 58	October 07, 2024	(2010832)
Item 31	May 16, 2022	(1816927)			

**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: 10/27/2023 (1925686)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.165(a)(7)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)(i)  
 5C THSC Chapter 382 382.085(b)  
 Special Term & Condition 1(A) OP  
 Description: Failure to properly certify a 40 Code of Federal Regulations (CFR) Chapter 63 Subpart H semi-annual report.
- 2 Date: 10/31/2023 (1931542)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.165(a)(7)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)(i)  
 5C THSC Chapter 382 382.085(b)  
 Special Term & Condition 1(A) OP  
 Description: Failure to properly certify a 40 Code of Federal Regulations (CFR) semi-annual report.
- 3 Date: 11/30/2023 (1963782)  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter
- 4 Date: 12/31/2023 (1970347)  
 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

5

Date: 01/12/2024 (1936666)

Self Report? NO 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)  
Special Condition 8(A) PERMIT  
Special Term & Condition 16(A) OP

Description: Failure to maintain oxides of nitrogen (NOx) emissions at or below 0.01 pounds per million British thermal units (lb/MMBtu) from the Steam Methane Reformer (SMR), emission point number (EPN) B-01001.

Self Report? NO 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)  
Special Condition 8(C) PERMIT  
Special Term & Condition 16(A) OP

Description: Failure to maintain ammonia (NH3) emissions at or below 10 parts per million by volume dry (ppmvd), corrected to 3 percent (%) oxygen (O2) from the Steam Methane Reformer (SMR), emission point number (EPN) B-01001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
General Condition 8 PERMIT  
Special Condition 1 PERMIT  
Special Term & Condition 16(A) OP

Description: Failure to stay at or below the pound per hour (lb/hr) Maximum Allowable Emission Rates Table (MAERT) limits for ammonia (NH3) and oxides of nitrogen (NOx) from the Steam Methane Reformer (SMR), emission point number (EPN) B-01001.

Self Report? NO 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)  
Special Condition 8(A) PERMIT  
Special Term & Condition 16(A) OP

Description: Failure to maintain the oxides of nitrogen (NOx) emissions at or below 0.01 pounds per million British thermal units (lb/MMBtu) from the Auxiliary Boiler, emission point number (EPN) B-14001.

Self Report? NO 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)  
Special Condition 8(B) PERMIT  
Special Term & Condition 16(A) OP

Description: Failure to stay at or below the carbon monoxide (CO) limit of 100 parts per million by volume, dry (ppmvd) corrected to 3 percent (%) oxygen (O2), from the Auxiliary Boiler, emission point number (EPN) B-14001.

Self Report? NO 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)  
Special Condition 22(M) PERMIT  
Special Term & Condition 16(A) OP

Description: Failure to perform weekly flushing of fugitive process drains in emission point number (EPN) FUG-MeOH.

Self Report? NO 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)

Special Condition 13(A)(3) PERMIT  
Special Condition 17(A) PERMIT  
Special Term & Condition 16(A) OP

Description: Failure to prevent the Methanol (MeOH) Water Scrubber 1, emission point number (EPN) D-04001, absorber liquid flow from going below 13 gallons per minute (gpm).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
General Condition 8 PERMIT  
Special Condition 1 PERMIT  
Special Term & Condition 16(A) OP

Description: Failure to stay below the pound per hour (lb/hr) Maximum Allowable Emission Rates Table (MAERT) emission rates for oxides of nitrogen (NOx), carbon monoxide (CO), methanol (MeOH), and sulfur dioxide (SO2) from the MeOH Flare, emission point number (EPN) S-10001.

Self Report? NO 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)  
Special Condition 14(C) PERMIT  
Special Term & Condition 16(A) OP

Description: Failure to ensure that was at least 1 cubic foot (ft3) of supplemental gas was provided for every 4 ft3 of waste gas for the methanol (MeOH) Flare, emission point number (EPN) S-10001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 115, SubChapter B 115.126(1)(B)  
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(b)  
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)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)  
5C THSC Chapter 382 382.085(b)  
Special Condition 14(B) PERMIT  
Special Condition 5(A) PERMIT  
Special Condition III.A.4.g PERMIT  
Special Term & Condition 1(A) OP  
Special Term & Condition 16(A) OP

Description: Failure to operate a flare with a flame present at all times.

Self Report? NO 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)  
Special Condition 24(F) PERMIT  
Special Term & Condition 16(A) OP

Description: Failure to prevent the Steam Methane Reformer (SMR), emission point number (EPN) B-01001, ammonia (NH3) Continuous Emissions Monitoring Systems (CEMS) downtime greater than 5 percent (%).

Self Report? NO 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)  
Special Condition 24(F) PERMIT  
Special Term & Condition 16(A) OP

Description: Failure to prevent the Auxiliary Boiler, emission point number (EPN) B-14001, ammonia (NH3) Continuous Emissions Monitoring Systems (CEMS) downtime greater than 5 percent (%).

6

Date: 01/31/2024 (1979428)

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

7	Date: 04/30/2024 (1998964)		
	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: 05/31/2024 (2005929)		
	Self Report? YES	Classification:	Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		

#### F. Environmental audits:

Notice of Intent Date: 09/23/2000 (1683881)

Disclosure Date: 10/29/2020

Viol.	Minor
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Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8

Rqmt Prov: PERMIT SC 27

Description: Initial performance testing for the Reformer did not include a second test case when fueled with natural gas at a maximum percent expected to be used during normal operations.

Viol.	Minor
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Classification:

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.11

Rqmt Prov: PERMIT SC 24.F.

Description: CEMS breakdown. CEMS downtime greater than 5% (in minutes) operated over the previous rolling 12-month period.

Viol.	Minor
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Classification:

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(b)(3)

Description: The facility has not performed the initial visual inspections and semi-annual visual inspections for visible, audible or olfactory indications of leaks for fixed roof tanks.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT SC 13.E.

Description: Slop methanol tank filling is not being limited to the hours of 7a.m. to 7p.m. and no more than 52 hours per year.

Viol. Minor

Classification:

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

Description: Facility has not implemented good combustion practices for the emergency generator including preventative maintenance per manufacturer frequency.

Viol. Minor

Classification:

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

Description: Facility has not implemented good combustion practices for Fire Water Pumps 1 and 2 including preventative maintenance per manufacturer.

Viol.	Minor
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Classification:

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

Description: Facility has not been testing the cooling tower for Total Organic Carbon (TOC) on a monthly basis to determine if a GHG leak is present. However, the facility has been testing the cooling tower for GHG leaks using the El Paso Method under Subpart H.

Viol.	Minor
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Classification:

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.480a

Ramt Prov: PERMIT SC 22.M.

Description: Process drains are not being flushed once per week and monitored annually by method 21 gas analyzer.

Viol. Minor

Classification:

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

Rqmt Prov: PERMIT SC 24.D.

Description: The facility has not developed a complete written Quality Control Program for its CEMS, including a step-by-step procedure for calibration, drift testing, preventive maintenance and updated list of spare parts.

Viol. Minor

Classification:

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

Description: The facility has not maintained records and submitted a written report of all excess GHG emissions to EPA/TCEQ on a semiannual basis. The report is due on the 30th day following the end of each semi-annual period.

Viol. Minor

Classification:

Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT A 68.12(a)

Rqmt Prov: OP ST&C 23

Description: Facility has not updated RMP Registration information to reflect administrative changes including plant manager and person responsible for RMP.

Viol. Minor

Classification:

Citation:

30 TAC Chapter 106, SubChapter A 106.8(c)(5)

Description: Facility has not maintained records to calculate emissions under the following Permit-By-Rule authorizations: 106.227: Soldering, Brazing, Welding 106.263: Routine Maintenance, Startup and Shutdown of Facilities, and Temporary Maintenance Facilities 106.265: Hand-held and Manually Operated Machines 106.371: Cooling-Water Units 106.373: Refrigeration Systems 106.511: Portable and Emergency Engines and Turbines 106.452: Dry Abrasive Cleaning 106.532: Water and Wastewater Treatment

Viol. Minor

Classification:

Citation: 30 TAC Chapter 106, SubChapter K 106.263

Description: VOC breakthrough sampling using a hand-held Flame Ionization Device (FID) have not been performed and records maintained on a weekly basis.

Disclosure Date: 12/08/2020

Viol. Minor

Classification:

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

Rqmt Prov: OP STC III(A.)(2.)(i.)

Description: Auxiliary boiler operation does not consistently meet the required thermal efficiency of > 77 percent when operating on a 12 month rolling average basis.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)

Description: The facility has not reconciled the permitted number of fugitive components versus the actual number of fugitive components currently in-service.

Viol. Minor

Classification:

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

Rqmt Prov: PERMIT SC 24.C.

Description: The CEMS is not properly programed to log and mark the NOx levels as "invalid" when the system is performing the automated daily QC CID test. Currently the CEMS system is including QC data as operational data.

Viol. Minor

Classification:

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

Rqmt Prov: PERMIT SC.8.A.

Description: The facility is not using actual gas composition and flow to calculate lb NOx/MMBtu permit emission rate. The facility is using design permit application gas compositions.

Notice of Intent Date: 12/08/2020 (1701643)

No DOV Associated

Notice of Intent Date: 10/06/2023 (1937064)

No DOV Associated

Notice of Intent Date: 07/26/2024 (2002967)

No DOV Associated

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

N/A

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

N/A

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

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
NATGASOLINE LLC  
RN106586795

§ BEFORE THE  
§ TEXAS COMMISSION ON  
§ ENVIRONMENTAL QUALITY  
§

## AGREED ORDER DOCKET NO. 2022-1180-IWD-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Natgasoline LLC (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates an industrial organic chemical facility located at 2366 Sulphur Plant Road, Beaumont, in Jefferson County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$27,225 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$10,890 of the penalty and \$5,445 of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

Pursuant to TEX. WATER CODE § 7.067, \$10,890 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms

and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

## II. ALLEGATIONS

During a record review for the Facility conducted on June 30, 2022, an investigator documented that the Respondent:

1. Failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0005143000, Outfall No. 001, Effluent Limitations and Monitoring Requirements No. 2 and Outfall No. 101, Effluent Limitations and Monitoring Requirements No. 1, as shown in the effluent violation table below:

Effluent Violation Table				
Outfall 001		Outfall 101		
	pH Minimum	BOD5 Daily Average Loading	BOD5 Daily Maximum Loading	Flow Daily Average
Monitoring Period	Limit = 6 SU	Limit = 82.6 lbs/day	Limit = 220 lbs/day	Limit = 0.33 MGD
May 2021	c	c	c	0.37
November 2021	c	c	c	0.34
December 2021	c	173.4	267.4	0.35
February 2022	4.2	c	c	c
March 2022	c	148.7	495.6	0.34

SU = standard units      c = compliant      lbs/day = pounds per day  
MGD = million gallons per day      BOD5 = biochemical oxygen demand (5-day)

2. Failed to collect and analyze effluent samples at the intervals specified in the permit, in violation of 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.5(b) and TPDES Permit No. WQ0005143000, Outfall No. 001, Effluent Limitations and Monitoring Requirements No.

2. Specifically, the Respondent did not collect and analyze pH samples for the month of September 2021.
3. Failed to submit a quarterly progress report by the 14th day following the schedule date, in violation of 30 TEX. ADMIN. CODE § 305.125 (1) and (18) and TPDES Permit No. WQ0005143000, Other Requirements No. 1. Specifically, the Respondent did not submit the quarterly progress report for the scheduled date of April 1, 2022 for Total Zinc.

### **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: Natgasoline LLC, Docket No. 2022-1180-IWD-E" to:  
  

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088
2. The Respondent shall implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of \$10,890 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:
  - a. Within 30 days after the effective date of this Order:
    - i. Develop and implement procedures and conduct employee training to ensure pH samples are collected and analyzed in accordance with permit requirements.
    - ii. Submit the April 2022 quarterly progress report or a current quarterly progress report for Total Zinc in accordance with TPDES Permit No. WQ0005143000, Other Requirements No. 1.
  - 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, in accordance with Ordering Provision No. 3.c.

- c. Within 130 days after the effective date of this Order, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0005143000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. 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:

Water Section Manager  
Beaumont Regional Office  
Texas Commission on Environmental Quality  
3870 Eastex Freeway  
Beaumont, Texas 77703-1830

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 Facility operations referenced in this Order.
6. 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.

7. 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.
8. 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.
9. 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


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5/20/2025  
-----  
Date

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

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

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

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

  
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Signature

-----  
5/13/2025  
-----  
Date

-----  
Jarrod Hodson  
-----  
Name (Printed or typed)  
Authorized Representative of  
Natgasoline LLC

-----  
Director  
-----  
Title

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

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

**Attachment A**  
**Docket Number: 2022-1180-IWD-E**  
**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Natgasoline LLC</b>
<b>Payable Penalty Amount:</b>	<b>\$21,780</b>
<b>SEP Offset Amount:</b>	<b>\$10,890</b>
<b>Type of SEP:</b>	<b>Contribution to a Third-Party Pre-Approved SEP</b>
<b>Third-Party Administrator:</b>	<b>Armand Bayou Nature Center, Inc.</b>
<b>Project Name:</b>	<b><i>Coastal Prairie, Tidal Marsh, and Forested Wetland Restoration Project</i></b>
<b>Total Project Budget:</b>	<b>\$573,969</b>
<b>Location of SEP:</b>	<b>Harris County</b>

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Offset Amount set forth above and 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 **Armand Bayou Nature Center, Inc.** for the *Coastal Prairie, Tidal Marsh, and Forested Wetland Restoration Project* (the “Project”). The Project is to manage the Armand Bayou Nature Center (“ABNC”), which comprises of 2500 acres located in southeast Harris County. ABNC contains three unique and vanishing ecosystems: coastal tallgrass prairie, forested wetland, and the tidal marsh stream of Armand Bayou. Prescribed burning is one stewardship tool used to maintain a tallgrass prairie ecosystem. If the prairie is not maintained, it can be destroyed by invasive species, which primarily include the Chinese tallow tree and other woody plants. In addition, prescribed mowing shall be conducted on a rotational basis as needed for maintenance of native species and removal of non-native species. The Third-Party Administrator shall propagate terrestrial and aquatic native plants and install them to restore the Coastal Prairie, Tidal Marsh, and Forested Wetlands. The Third-Party Administrator will pay for the labor and material costs associated with conducting prescribed burns, mowing, removing non-native trees, and for planting native trees and plants. The Project will be performed in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and the TCEQ.

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 able to be 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

The ecological services provided by the restoration and management of the Coastal Prairie, Tidal Marsh, and Forested Wetlands ecosystems working in concert will help minimize pollution, reduce the amount of pollutants reaching the environment, and enhance water quality and wildlife habitat.

Coastal prairie grasslands are considered fire-dependent plant communities and require frequent exposure to fire effects for full ecological function. Prescribed fire in prairies helps control invasive species, minimize accumulated grass thatch, promote enrichment of soil nutrients and improve prairie plant vigor. One additional benefit of controlled prescribed burns is the reduction of fuels and the prevention of wildfires. This is particularly critical in the urban environment to protect human life and property and to minimize the release of large amounts of particulate matter resulting from uncontrolled wildfires. This treatment ensures that these coastal prairie grasslands will perform at their highest ecological function and provide the maximum potential ecological service to benefit water quality.

Mowing and targeted application of specialized herbicides will also help manage prairie species and remove non-native species. Propagation and installation of native plants will restore the natural balance to these ecosystems, reduce erosion, and increase habitat for wildlife. Plant installation in the Forested Wetland and Tidal Marsh will improve water quality by restoring depleted oxygen levels, providing habitat and nourishment for aquatic organisms, and reclaiming the area for native plants.

Proper management and restoration of these ecosystems will maximize the ecological services that they provide to Armand Bayou and Galveston Bay.

#### C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to 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 Third-Party Administrator. The Respondent shall make the check payable to **Armand Bayou Nature Center, Inc. SEP** and shall mail the contribution with a copy of the Agreed Order to:

Armand Bayou Nature Center, Inc.  
Attention: Chris Smith, Biologist  
P.O. Box 58828  
Houston, Texas 77258

#### 3. Records and Reporting

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



Natgasoline LLC  
Docket No. 2022-1180-IWD-E  
Agreed Order - Attachment A

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, 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 and/or project, 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.