

Executive Summary – Enforcement Matter – Case No. 63691
Huntsman Petrochemical LLC
RN100219740
Docket No. 2023-0302-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Huntsman Petrochemical Conroe Plant, 5451 Jefferson Chemical Road, Conroe, Montgomery County

Type of Operation:

Specialty chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: March 14, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$237,175

Amount Deferred for Expedited Settlement: \$47,435

Total Paid to General Revenue: \$94,870

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$94,870

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

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: December 20, 2022 through January 18, 2023 and March 2, 2023 through March 16, 2023

Date(s) of NOE(s): February 22, 2023 and June 8, 2023

Executive Summary – Enforcement Matter – Case No. 63691
Huntsman Petrochemical LLC
RN100219740
Docket No. 2023-0302-AIR-E

Violation Information

1. Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, the Respondent exceeded the volatile organic compounds ("VOC") MAER of 0.29 pound per hour ("lb/hr") by 0.28 lb/hr for 336 hours on 14 days from June 17, 2022 through July 1, 2022 and exceeded the VOC annual MAER of 0.03 ton per year based on a 12-month rolling period for the 12-month periods ending from June 2022 through August 2022 for Tank TE-21, Emissions Point Number ("EPN") TE21, resulting in 0.07 ton of unauthorized VOC emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review ("NSR") Permit No. 4788, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. 01384, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to maintain a removal efficiency for the scrubbers. Specifically, the Respondent did not maintain a removal efficiency of at least 90 percent ("%") for the scrubbers when the removal efficiency fell below 90% for a total of 243 hours from February 4, 2022 to June 23, 2022 for the FE42 Caustic Scrubber [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4788, SC No. 35, FOP No. 01384, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
3. Failed to maintain the natural gas enrichment for the flare. Specifically, the Respondent did not maintain the natural gas enrichment no less than 20% by volume of the total gas stream to the flare when the natural gas enrichment ranged from 0.0% to 3.71% for a total of 168 hours from April 14, 2022 to May 3, 2022 for the RA22 Flare [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4788, SC No. 33.D., FOP No. 01384, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
4. Failed to maintain a removal efficiency for the absorbers. Specifically, the Respondent did not operate the absorbers with no less than 99% removal efficiency for VOC and ammonia based on an hourly average when the removal efficiency fell below 99% for a total of 238 hours from February 4, 2022 to August 25, 2022 for the FE41 Caustic Scrubber [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 42682, SC No. 19, FOP No. 01384, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
5. Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,103.41 pounds of VOC as fugitive emissions, during an emissions event (Incident No. 395648) that occurred on February 17, 2023 and lasted 23 minutes [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4788, SC No. 1, FOP No. 01384, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Executive Summary – Enforcement Matter – Case No. 63691
Huntsman Petrochemical LLC
RN100219740
Docket No. 2023-0302-AIR-E

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. By July 17, 2023, began routine maintenance for the conservation vents and installed a backpressure regulator on Tank TE-21 in order to comply with the VOC hourly and annual MAERs for Tank TE-21, EPN TE21;
- b. By October 15, 2023, revised the operating procedures to provide additional information regarding flare operating modes, modified the knockout pot washout procedures to prevent the usage of the low pressure header of the flare, and added text to the natural gas flow alarm to notify the operators in order to maintain the natural gas enrichment no less than 20% by volume of the total gas stream to the RA22 Flare, when using natural gas enrichment;
- c. By November 9, 2023, rebuilt the pump with additional safeguards, installed a time delay to prevent continuous pump startup after a shutdown to minimize the strain on the pump, and tuned the pump control valve in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 395648; and
- d. By December 7, 2023, revised the operating procedures for monitoring and handling reduced water flow situations, conducted refresher training for the Plant staff on the revised procedures, and adjusted the low flow alarms that monitor the scrubber water flows in order to maintain a removal efficiency of at least 90% for the FE42 Caustic Scrubber and in order to operate the absorber with no less than 99% removal efficiency for VOC and ammonia based on an hourly average for the FE41 Caustic Scrubber.

Technical Requirements:

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

**Executive Summary – Enforcement Matter – Case No. 63691
Huntsman Petrochemical LLC
RN100219740
Docket No. 2023-0302-AIR-E**

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Johnnie Wu, Enforcement Division, Enforcement Team 2, MC 219, (512) 239-2524; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

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

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

Respondent: Jose Ignacio Garcia de Albizu, Site Manager, Huntsman Petrochemical LLC, 5451 Jefferson Chemical Road, Conroe, Texas 77301

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	27-Feb-2023	Screening	28-Feb-2023	EPA Due	27-Aug-2023
	PCW	20-May-2024				

RESPONDENT/FACILITY INFORMATION

Respondent	Huntsman Petrochemical LLC
Reg. Ent. Ref. No.	RN100219740
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	63691	No. of Violations	5
Docket No.	2023-0302-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Johnnie Wu
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$132,500
---	-------------------	------------------

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	89.0%	Adjustment	Subtotals 2, 3, & 7	\$117,925
---------------------------	--------------	-------------------	--------------------------------	------------------

Notes

Enhancement for two NOV's with same or similar violations, two NOV's with dissimilar violations, and four orders containing a denial of liability.
Reduction for three Notices of Intent to conduct an audit and one Disclosure of Violations.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
--------------------	----	-------------	--------------------	-------------------	------------

Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$13,250
--	-------------------	------------------

Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
-------------------------	-------------	---------------------	-------------------	------------

Total EB Amounts	\$2,523
Estimated Cost of Compliance	\$44,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$237,175
-----------------------------	-----------------------	------------------

OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
---	-------------	-------------------	------------

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$237,175
-----------------------------	------------------

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$237,175
-----------------------------------	-------------------------------	------------------

DEFERRAL	20.0%	Reduction	Adjustment	-\$47,435
-----------------	--------------	------------------	-------------------	------------------

Reduces the Final Assessed Penalty by the indicated percentage.

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$189,740
------------------------	------------------

Screening Date	28-Feb-2023	Docket No.	2023-0302-AIR-E	PCW
Respondent	Huntsman Petrochemical LLC			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	63691			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN100219740			
Media	Air			
Enf. Coordinator	Johnnie Wu			

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>)	2	10%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	4	80%
	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>)	3	-3%
	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) 89%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with same or similar violations, two NOVs with dissimilar violations, and four orders containing a denial of liability. Reduction for three Notices of Intent to conduct an audit and one Disclosure of Violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 89%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 89%

Screening Date	28-Feb-2023	Docket No.	2023-0302-AIR-E	PCW
Respondent	Huntsman Petrochemical LLC	Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021		
Case ID No.	63691			
Reg. Ent. Reference No.	RN100219740			
Media	Air			
Enf. Coordinator	Johnnie Wu			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review ("NSR") Permit No. 4788, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1384, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 17, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, the Respondent exceeded the volatile organic compounds ("VOC") MAER of 0.29 pound per hour ("lb/hr") by 0.28 lb/hr for 336 hours on 14 days from June 17, 2022 through July 1, 2022 and exceeded the VOC annual MAER of 0.03 ton per year based on a 12-month rolling period for the 12-month periods ending from June 2022 through August 2022 for Tank TE-21, Emissions Point Number ("EPN") TE21, resulting in 0.07 ton of unauthorized VOC emissions.			
		Base Penalty	\$25,000	

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	x			
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent

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

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events	3	91	Number of violation days
----------------------------	---	----	--------------------------

	daily		Violation Base Penalty	\$22,500
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			

Three monthly events are recommended for the period of non-compliance from June 1, 2022 through August 31, 2022.

Good Faith Efforts to Comply

	10.0%		Reduction	\$2,250
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary		x		
N/A				

Notes: The Respondent completed the corrective measures by July 17, 2023, after the Notice of Enforcement ("NOE") dated February 22, 2023.

Violation Subtotal \$20,250

Economic Benefit (EB) for this violation

Estimated EB Amount	\$1,408	Violation Final Penalty Total	\$40,275
This violation Final Assessed Penalty (adjusted for limits)		\$40,275	

Economic Benefit Worksheet

Respondent Huntsman Petrochemical LLC
Case ID No. 63691
Reg. Ent. Reference No. RN100219740
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				0.00	\$0	n/a	\$0
Other (as needed)	\$25,000	1-Jun-2022	17-Jul-2023	1.13	\$1,408	n/a	\$1,408

Notes for DELAYED costs

Estimated cost to begin routine maintenance for the conservation vents and install a backpressure regulator on Tank TE 21 in order to comply with the VOC hourly and annual MAERs for Tank TE-21, EPN TE21. 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

\$25,000

TOTAL

\$1,408

Screening Date	28-Feb-2023	Docket No.	2023-0302-AIR-E	PCW
Respondent	Huntsman Petrochemical LLC			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	63691			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN100219740			
Media	Air			
Enf. Coordinator	Johnnie Wu			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 4788, SC No. 35, FOP No. O1384, GTC and STC No. 17, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to maintain a removal efficiency for the scrubbers. Specifically, the Respondent did not maintain a removal efficiency of at least 90 percent ("%") for the scrubbers when the removal efficiency fell below 90% for a total of 243 hours from February 4, 2022 to June 23, 2022 for the FE42 Caustic Scrubber.			
		Base Penalty	\$25,000	

>> Environmental, Property and Human Health Matrix																						
OR		<table border="1"> <tr> <th></th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td>Release</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td>x</td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> </tr> </table>				Major	Moderate	Minor	Release				Actual			x	Potential				Percent	30.0%
		Major	Moderate	Minor																		
	Release																					
Actual			x																			
Potential																						
>> Programmatic Matrix																						
		<table border="1"> <tr> <th></th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td>Falsification</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Major	Moderate	Minor	Falsification								Percent	0.0%				
	Major	Moderate	Minor																			
Falsification																						
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.																					
		Adjustment	\$17,500																			
			\$7,500																			

Violation Events																		
	Number of Violation Events	5	139	Number of violation days														
	<table border="1"> <tr><td>daily</td><td></td></tr> <tr><td>weekly</td><td></td></tr> <tr><td>monthly</td><td>x</td></tr> <tr><td>quarterly</td><td></td></tr> <tr><td>semiannual</td><td></td></tr> <tr><td>annual</td><td></td></tr> <tr><td>single event</td><td></td></tr> </table>	daily		weekly		monthly	x	quarterly		semiannual		annual		single event			Violation Base Penalty	\$37,500
daily																		
weekly																		
monthly	x																	
quarterly																		
semiannual																		
annual																		
single event																		
	Five monthly events are recommended for the instances of non-compliance that occurred from February 4, 2022 to June 23, 2022.																	

Good Faith Efforts to Comply	10.0%	Reduction	\$3,750
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary		x	
N/A			
Notes	The Respondent completed the corrected measures by December 7, 2023, after the NOE dated February 22, 2023.		
	Violation Subtotal	\$33,750	

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$414
Violation Final Penalty Total	\$67,125
This violation Final Assessed Penalty (adjusted for limits)	\$67,125

Economic Benefit Worksheet

Respondent Huntsman Petrochemical LLC
Case ID No. 63691
Reg. Ent. Reference No. RN100219740
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

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)	\$4,500	4-Feb-2022	7-Dec-2023	1.84	\$414	n/a	\$414

Notes for DELAYED costs

Estimated cost to revise the operating procedures for monitoring and handling reduced water flow situations, conduct refresher training for the Plant staff on the revised procedures, and adjust the low flow alarms that monitor the scrubber water flows in order to maintain a removal efficiency of at least 90% for the FE42 Caustic Scrubber and in order to operate the absorber with no less than 99% removal efficiency for VOC and ammonia based on an hourly average for the FE41 Caustic Scrubber. 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

\$4,500

TOTAL

\$414

Screening Date 28-Feb-2023 Respondent Huntsman Petrochemical LLC Case ID No. 63691 Reg. Ent. Reference No. RN100219740 Media Air Enf. Coordinator Johnnie Wu	Docket No. 2023-0302-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
---	-----------------------------------	--

Violation Number	3	
Rule Cite(s)		30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 4788, SC No. 33.D., FOP No. O1384, GTC and STC No. 17, and Tex. Health & Safety Code § 382.085(b)
Violation Description		Failed to maintain the natural gas enrichment for the flare. Specifically, the Respondent did not maintain the natural gas enrichment no less than 20% by volume of the total gas stream to the flare when the natural gas enrichment ranged from 0.0% to 3.71% for a total of 168 hours from April 14, 2022 to May 3, 2022 for the RA22 Flare.

Base Penalty	\$25,000
---------------------	----------

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

Matrix Notes		Falsification			
		Major	Moderate	Minor	
					Percent 0.0%
		Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.			

Adjustment	\$17,500
-------------------	----------

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

Violation Events

Number of Violation Events	1	19	Number of violation days
----------------------------	---	----	--------------------------

	daily				Violation Base Penalty \$7,500
	weekly				
	monthly	x			
	quarterly				
	semiannual				
	annual				
	single event				

One monthly event is recommended for the instances of non-compliance that occurred from April 14, 2022 to May 3, 2022.

Good Faith Efforts to Comply	10.0%	Reduction \$750
-------------------------------------	--------------	------------------------

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary		x	
N/A			
Notes	The Respondent completed the corrective measures by October 15, 2023, after the NOE dated February 22, 2023.		

Violation Subtotal	\$6,750
---------------------------	---------

Economic Benefit (EB) for this violation

Estimated EB Amount	\$338	Statutory Limit Test
----------------------------	-------	-----------------------------

Violation Final Penalty Total	\$13,425
--------------------------------------	----------

This violation Final Assessed Penalty (adjusted for limits)	\$13,425
--	----------

Economic Benefit Worksheet

Respondent Huntsman Petrochemical LLC
Case ID No. 63691
Reg. Ent. Reference No. RN100219740
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				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)	\$4,500	14-Apr-2022	15-Oct-2023	1.50	\$338	n/a	\$338

Notes for DELAYED costs

Estimated cost to revise the operating procedures to provide additional information regarding flare operating modes, modify the knockout pot washout procedures to prevent the usage of the low pressure header of the flare, and add text to the natural gas flow alarm to notify the operators in order to maintain the natural gas enrichment no less than 20% by volume of the total gas stream to the RA22 Flare, when using natural gas enrichment. 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

\$4,500

TOTAL

\$338

Screening Date 28-Feb-2023 Respondent Huntsman Petrochemical LLC Case ID No. 63691 Reg. Ent. Reference No. RN100219740 Media Air Enf. Coordinator Johnnie Wu	Docket No. 2023-0302-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>			
Violation Number 4					
Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 42682, SC No. 19, FOP No. O1384, GTC and STC No. 17, and Tex. Health & Safety Code § 382.085(b)					
Violation Description Failed to maintain a removal efficiency for the absorbers. Specifically, the Respondent did not operate the absorbers with no less than 99% removal efficiency for VOC and ammonia based on an hourly average when the removal efficiency fell below 99% for a total of 238 hours from February 4, 2022 to August 25, 2022 for the FE41 Caustic Scrubber.					
Base Penalty		\$25,000			
>> Environmental, Property and Human Health Matrix					
OR	Release	Harm			
		Major Moderate Minor			
	Actual		x		
	Potential			Percent 30.0%	
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
					Percent 0.0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that did not exceed levels that are protective of human health or environmental receptors as a result of the violation.				
Adjustment \$17,500					
\$7,500					
Violation Events					
Number of Violation Events 7		202 Number of violation days			
	daily				
	weekly				
	monthly	x			
	quarterly				
	semiannual				
	annual				
	single event				
Violation Base Penalty		\$52,500			
Seven monthly events are recommended for the instances of non-compliance that occurred from February 4, 2022 to August 25, 2022.					
Good Faith Efforts to Comply		10.0%	Reduction	\$5,250	
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary				
	Ordinary		x		
	N/A				
Notes	The Respondent completed the corrective measures by December 7, 2023, after the NOE dated February 22, 2023.				
Violation Subtotal		\$47,250			
Economic Benefit (EB) for this violation Statutory Limit Test					
Estimated EB Amount		\$0			
Violation Final Penalty Total		\$93,975			
This violation Final Assessed Penalty (adjusted for limits)		\$93,975			

Economic Benefit Worksheet

Respondent Huntsman Petrochemical LLC
Case ID No. 63691
Reg. Ent. Reference No. RN100219740
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

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	See the Economic Benefit in Violation No. 2.						

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

TOTAL

Screening Date 28-Feb-2023 Respondent Huntsman Petrochemical LLC Case ID No. 63691 Reg. Ent. Reference No. RN100219740 Media Air Enf. Coordinator Johnnie Wu	Docket No. 2023-0302-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
---	-----------------------------------	--

Violation Number	5	
Rule Cite(s)		30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 4788, SC No. 1, FOP No. O1384, GTC and STC No. 17, and Tex. Health & Safety Code § 382.085(b)
Violation Description		Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,103.41 pounds of VOC as fugitive emissions, during an emissions event (Incident No. 395648) that occurred on February 17, 2023 and lasted 23 minutes.

Base Penalty	\$25,000
---------------------	----------

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent	
		Major	Moderate	Minor		
	Actual	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>		50.0%
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>		

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent	
		<input type="text"/>	<input type="text"/>	<input type="text"/>		
		<input type="text"/>	<input type="text"/>	<input type="text"/>		0.0%
		<input type="text"/>	<input type="text"/>	<input type="text"/>		

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

Adjustment	\$12,500
-------------------	----------

Adjustment	\$12,500
-------------------	----------

Violation Events

Number of Violation Events	1		1	Number of violation days
----------------------------	---	--	---	--------------------------

daily	<input type="text"/>	Violation Base Penalty	\$12,500
weekly	<input checked="" type="text" value="x"/>		
monthly	<input type="text"/>		
quarterly	<input type="text"/>		
semiannual	<input type="text"/>		
annual	<input type="text"/>		
single event	<input type="text"/>		

One weekly event is recommended.

Good Faith Efforts to Comply

10.0%	Reduction
Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>
Ordinary	<input checked="" type="text" value="x"/>
N/A	<input type="text"/>
Notes	The Respondent completed the corrective measures by November 9, 2023, after the NOE dated June 8, 2023.

Violation Subtotal	\$11,250
---------------------------	----------

Economic Benefit (EB) for this violation

Estimated EB Amount	\$363	Statutory Limit Test
		Violation Final Penalty Total
		\$22,375
This violation Final Assessed Penalty (adjusted for limits)		\$22,375

Economic Benefit Worksheet

Respondent Huntsman Petrochemical LLC
Case ID No. 63691
Reg. Ent. Reference No. RN100219740
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	17-Feb-2023	9-Nov-2023	0.73	\$363	n/a	\$363
Notes for DELAYED costs	Estimated cost to rebuild the pump with additional safeguards, install a time delay to prevent continuous pump startup after a shutdown to minimize the strain on the pump, and tune the pump control valve in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 395648. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.						
Avoided Costs							
ANNUALIZE avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance	\$10,000			TOTAL		\$363	



Compliance History Report

Compliance History Report for CN603603093, RN100219740, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN603603093, Huntsman Petrochemical LLC **Classification:** SATISFACTORY **Rating:** 8.16

Regulated Entity: RN100219740, HUNTSMAN PETROCHEMICAL CONROE PLANT **Classification:** SATISFACTORY **Rating:** 7.84

Complexity Points: 28 **Repeat Violator:** NO

CH Group: 05 - Chemical Manufacturing

Location: 5451 JEFFERSON CHEMICAL ROAD, CONROE, MONTGOMERY COUNTY, TEXAS

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER MQ0012Q

AIR NEW SOURCE PERMITS ACCOUNT NUMBER MQ0012Q

AIR NEW SOURCE PERMITS PERMIT 20123

AIR NEW SOURCE PERMITS REGISTRATION 170646

AIR NEW SOURCE PERMITS REGISTRATION 168826

AIR NEW SOURCE PERMITS REGISTRATION 167850

AIR NEW SOURCE PERMITS REGISTRATION 168229

AIR NEW SOURCE PERMITS REGISTRATION 167516

AIR NEW SOURCE PERMITS REGISTRATION 166075

AIR NEW SOURCE PERMITS REGISTRATION 169691

AIR NEW SOURCE PERMITS REGISTRATION 169858

AIR NEW SOURCE PERMITS REGISTRATION 165748

AIR NEW SOURCE PERMITS REGISTRATION 166336

AIR NEW SOURCE PERMITS REGISTRATION 169645

AIR NEW SOURCE PERMITS REGISTRATION 170930

AIR NEW SOURCE PERMITS REGISTRATION 166598

AIR NEW SOURCE PERMITS REGISTRATION 154695

AIR NEW SOURCE PERMITS REGISTRATION 162465

AIR NEW SOURCE PERMITS REGISTRATION 160658

AIR NEW SOURCE PERMITS REGISTRATION 156134

AIR NEW SOURCE PERMITS REGISTRATION 170197

AIR NEW SOURCE PERMITS REGISTRATION 170587

AIR NEW SOURCE PERMITS REGISTRATION 173688

IHW CORRECTIVE ACTION SOLID WASTE

REGISTRATION # (SWR) 30094

WASTEWATER PERMIT WQ0000584000

AIR EMISSIONS INVENTORY ACCOUNT NUMBER MQ0012Q

INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD008076853

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50227

TAX RELIEF ID NUMBER 16156

AIR OPERATING PERMITS PERMIT 1384

AIR NEW SOURCE PERMITS PERMIT 4788

AIR NEW SOURCE PERMITS PERMIT 42682

AIR NEW SOURCE PERMITS REGISTRATION 170859

AIR NEW SOURCE PERMITS AFS NUM 4833900005

AIR NEW SOURCE PERMITS REGISTRATION 166329

AIR NEW SOURCE PERMITS REGISTRATION 165816

AIR NEW SOURCE PERMITS REGISTRATION 168228

AIR NEW SOURCE PERMITS REGISTRATION 169485

AIR NEW SOURCE PERMITS REGISTRATION 163050

AIR NEW SOURCE PERMITS REGISTRATION 163806

AIR NEW SOURCE PERMITS REGISTRATION 166769

AIR NEW SOURCE PERMITS REGISTRATION 169890

AIR NEW SOURCE PERMITS REGISTRATION 171302

AIR NEW SOURCE PERMITS REGISTRATION 162983

AIR NEW SOURCE PERMITS REGISTRATION 161247

AIR NEW SOURCE PERMITS REGISTRATION 155478

AIR NEW SOURCE PERMITS REGISTRATION 158313

AIR NEW SOURCE PERMITS REGISTRATION 157035

AIR NEW SOURCE PERMITS REGISTRATION 170142

AIR NEW SOURCE PERMITS REGISTRATION 173689

AIR NEW SOURCE PERMITS REGISTRATION 173690

AIR NEW SOURCE PERMITS REGISTRATION 172268

STORMWATER PERMIT TXR05FC17

WASTEWATER EPA ID TX0005592

POLLUTION PREVENTION PLANNING ID NUMBER P00680

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 30094

TAX RELIEF ID NUMBER 16157

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

Date Compliance History Report Prepared: February 28, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: February 28, 2019 to February 28, 2024

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

Name: Johnnie Wu

Phone: (512) 239-2524

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: 01/21/2020 ADMINORDER 2019-0365-IWD-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: Eff Lim & Mon Req No. 1 Outfall No. 001 PERMIT
Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.
- 2 Effective Date: 12/21/2021 ADMINORDER 2020-1593-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 4788 PERMIT
Description: Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 4788, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1384, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 16, and TEX. HEALTH & SAFETY CODE §382.085(b). Specifically, the Respondent released 36.50 pounds ("lbs") of ethylene oxide as fugitive emissions, during an emissions event (Incident No. 294131 was due by October 25, 2018, but was not submitted until November 9, 2018.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Description: Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event, in violation of 30 TEX. ADMIN. CODE §§101.201(c) and 122.143(4), FOP No. O1384, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE §382.085(b). Specifically, the final record for Incident No. 294131 was due by October 25, 2018, but was not submitted until November 9, 2018.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 4788 PERMIT
Description: Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4788, SC No. 1, FOP No. O1384, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE §382.085(b). Specifically, the Respondent released 150 lbs of ammonia as fugitive emissions, during an emissions event (Incident No. 320177) that occurred on September 3, 2019 and lasted seven hours. The emissions event occurred due to a pinhole leak on the Ammonia Tower bottom level tap,
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 4788 PERMIT
Description: Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4788, SC No. 1, FOP No. O1384, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE §382.085(b). Specifically, the Respondent released 500 lbs of 3-methoxypropylamine as fugitive emissions, during an emissions event (Incident No. 294131) that occurred on October 11, 2018 and lasted five hours. The emissions event occurred due to a gasket failure on the manway while materi

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	March 20, 2019	(1559622)
Item 2	June 20, 2019	(1583236)
Item 3	August 20, 2019	(1599472)
Item 4	August 28, 2019	(1582943)
Item 5	December 18, 2019	(1626389)
Item 6	January 20, 2020	(1634030)
Item 7	February 18, 2020	(1640649)
Item 8	February 19, 2020	(1630846)
Item 9	March 13, 2020	(1647169)
Item 10	April 15, 2020	(1653505)
Item 11	May 12, 2020	(1660091)
Item 12	May 26, 2020	(1646644)
Item 13	June 11, 2020	(1666596)
Item 14	July 13, 2020	(1673553)
Item 15	August 19, 2020	(1680328)
Item 16	August 20, 2020	(1633854)
Item 17	September 30, 2020	(1672811)
Item 18	October 12, 2020	(1693244)
Item 19	November 13, 2020	(1712422)
Item 20	November 19, 2020	(1686050)
Item 21	December 18, 2020	(1712423)
Item 22	January 18, 2021	(1712424)
Item 23	February 17, 2021	(1725477)
Item 24	March 19, 2021	(1725478)
Item 25	April 19, 2021	(1725479)
Item 26	May 19, 2021	(1740048)
Item 27	June 17, 2021	(1747570)
Item 28	July 13, 2021	(1751693)
Item 29	August 17, 2021	(1757157)
Item 30	August 25, 2021	(1672559)
Item 31	October 19, 2021	(1776640)
Item 32	December 14, 2021	(1790633)
Item 33	January 18, 2022	(1798428)
Item 34	February 14, 2022	(1806303)
Item 35	February 17, 2022	(1794747)
Item 36	March 17, 2022	(1813368)
Item 37	April 14, 2022	(1803263)
Item 38	April 20, 2022	(1819940)
Item 39	May 18, 2022	(1828780)
Item 40	June 13, 2022	(1835070)
Item 41	July 20, 2022	(1812789)
Item 42	August 15, 2022	(1848410)
Item 43	October 10, 2022	(1862564)
Item 44	November 15, 2022	(1869479)
Item 45	December 13, 2022	(1875326)
Item 46	February 16, 2023	(1889965)
Item 47	February 28, 2023	(1874600)
Item 48	March 22, 2023	(1894404)
Item 49	April 17, 2023	(1842080)
Item 50	May 18, 2023	(1912496)
Item 51	May 23, 2023	(1896907)
Item 52	May 26, 2023	(1888979)
Item 53	June 15, 2023	(1919096)
Item 54	July 19, 2023	(1926061)
Item 55	August 15, 2023	(1933026)
Item 56	September 18, 2023	(1939160)
Item 57	October 16, 2023	(1946012)
Item 58	November 09, 2023	(1879767)
Item 59	December 14, 2023	(1961466)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

- 1 Date: 02/28/2023 (1898522)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 2 Date: 05/17/2023 (1880177)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 11I PERMIT
 Special Condition 21I PERMIT
 Special Condition 5J PERMIT
 Special Term and Condition 17 OP
 Special Term and Condition 1A OP
Description: Failure to repair leak within the required time frame for tag numbers
 66895-000 and 70070-000 (Category C4).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
Description: Failure to operate engine (EPN: PF92) for testing or maintenance after the
 hours of 6 AM to noon (Category C4).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
Description: Failure to operate engine (EPN: PF41) for testing or maintenance after the
 hours of 6 AM to noon (Category C4).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
Description: Failure to report all instances of deviations for the reporting period of
 September 1, 2021 through February 28, 2022 (Category B3).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
Description: Failure to report all instances of deviations for the reporting period of March
 1, 2022 through August 31, 2022 (Category B3).
- 3 Date: 10/31/2023 (1951704)
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: 01/04/2024 (1938760)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 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 5F PERMIT
 Special Term and Condition 17 OP
 Special Term and Condition 1A OP
Description: Failure to prevent an open-ended line (OEL) on Tag Number: 68436-000
 (Category C10).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 38 PERMIT
Special Term and Condition 17 OP

Description: Failure to maintain temperature for Caustic Scrubbers (EPNs: FD42 and FG32) within permitted limits (Category C4).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(2)(i)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
Special Term and Condition 17 OP
Special Term and Condition 1A OP

Description: Failure to conduct the annual thermocouple calibrations for Incinerator (EPN: RF-70) (Category B1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term and Condition 17 OP

Description: Failure to prevent exceedance of the Maximum Allowable Emission Rate (MAER) pounds per hour limit for carbon monoxide (CO) from the Flare (EPN: RF60) (Category B13).

Self Report? NO Classification: Minor

Citation: 5C THSC Chapter 382 382.085(b)
Special Term and Condition 3(A)(iv)(1) OP

Description: Failure to conduct quarterly visible emission observations for Thermal Oxidizer (EPN: RA85) (Category C1).

Self Report? NO Classification: Moderate

Citation: Special Condition 6 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(6)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 17 OP
Special Term and Condition 1A OP

Description: Failure to conduct annual recertification training for personnel operating the Incinerator (EPN: RF-70) (Category B17).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 2F OP

Description: Failure to complete a final record for one non-reportable emissions event within 14 days (Category B3).

Self Report? NO Classification: Minor

Citation: Special Condition 39 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 17 OP

Description: Failure to conduct the weekly Total Dissolved Solids (TDS)sampling for Cooling Towers (EPN: UC678 and UF349) (Category C1).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(1)(i)
5C THSC Chapter 382 382.085(b)
Special Condition 5E PERMIT
Special Term and Condition 17 OP
Special Term and Condition 1A OP

Description: Failure to conduct monthly monitoring for fugitive components for Fugitive Units (EPNs: DKETT-PPP, BCAREA-VHP, GKETT-VHP, SAU-MON, TKFARM-HON, TKFARM-MON, TKFARM-VHP, and UNLOAD-HON) (Category C1).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
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 5G PERMIT
Special Condition 5H PERMIT
Special Term and Condition 17 OP
Special Term and Condition 1A OP

Description: Failure to conduct quarterly monitoring for fugitive components for Fugitive Units (EPNs: DKETT-PPP, AAU-L-HON, TKFARM-HON, AAU-MON, BCAREA-MON, JAUII-MON, SAU-MON, TKFARM-MON, UNLOAD-MON, AAU-VHP, DKETT-VHP, BCAREA-VHP, JAUI-VHP, JAUIII-VHP, SAU-VHP, TKFARM-VHP, and UNLOAD-VHP) (Category C1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 5D OP
Special Term and Condition 17 OP

Description: Failure to conduct annual monitoring for fugitive components for Fugitive Units (EPNs: DKETT-PPP, GKETT-PPP, AAU-L-HON, TKFARM-HON, CARB1-HON, BCAREA-MON, SAU-MON, TKFARM-MON, AAU-VHP, DKETT-VHP, GKETT-VHP, BCAREA-VHP, JAUI-VHP, SAU-VHP, CARB2-VHP, RAIL-VHP) (Category B1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term and Condition 17 OP

Description: Failure to prevent exceedance of the Maximum Allowable Emission Rate (MAER) pounds per hour limit for volatile organic compounds (VOCs) from the Caustic Scrubber (EPN: FE42) (Category B13).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 9C PERMIT
Special Term and Condition 17 OP

Description: Failure to prevent exceedance of parts per million hourly limit for carbon monoxide (CO) from the Incinerator (EPN: RF70) (Category B13).

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations for the reporting period of March 1, 2019 through August 31, 2019 (Category B3).

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations for the reporting period of September 1, 2019 through February 28, 2020 (Category B3).

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations for the reporting period of March 1, 2020 through August 31, 2020 (Category B3).

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations for the reporting period of September 1, 2020 through February 28, 2021 (Category B3).

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations for the reporting period of March 1, 2021 through August 31, 2021 (Category B3).

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations for the reporting period of September 1, 2021 through February 28, 2022 (Category B3)

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations for the reporting period of March 1, 2022 through August 31, 2022 (Category B3).

F. Environmental audits:

Notice of Intent Date: 04/13/2021 (1710245)

No DOV Associated

Notice of Intent Date: 03/08/2022 (1802346)

Disclosure Date: 05/23/2022

Viol. Minor

Classification:

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP STC 18

Description: Failed to retain records required by 30 Tex. Admin. Code § 106.8, including such documentation as a copy of the rule in effect at the time of the authorization, sufficient information to demonstrate compliance, and records of air contaminants emitted.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.49b(d)

Rqmt Prov: PERMIT SC 17
 PERMIT SC 40, 44

Description: Failed to maintain certain records at the Facility to demonstrate compliance with rolling 12-month totals.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT SC 49

Description: Failed to document daily records for vacuum trucks as per NSR Permit No. 4788, Special Conditions No. 49.C(1)-(4).

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT SC 18

Description: Failed to complete R-F-70 incinerator baghouse (D-F-30A/B/C) annual inspections.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT SC 5

Description: Failed to comply with the MAER. Specifically, the CO MMBTU and lb/hr MAER limits on H-F-3 numerous occasions in 2020-2022 and possibly prior.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT SC 5

Description: Failed to comply with NOx MAER on H-F-2 at various dates in 2020-2021 and possibly prior.

Viol. Minor

Classification:

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

Rqmt Prov: PERMIT SC 33D

Description: Failed to calibrate R-A-22 low pressure header flow and R-F-60 total flow to flare tip in 2020 per the annual schedule.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 115, SubChapter B 115.126(4)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP SOB

Description: Failed to demonstrate compliance with the exemption from control (<100 lb VOC/continuous 24 hour period) for the LB008 process vent.

Viol. Moderate

Classification:

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1429(c)

Description: Failed to secure the F-B-70 bypass valves with a car-seal or a lock-and-key type configuration and perform the visual monthly inspections associated with them.

Viol. Minor

Classification:

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.107(a)

Description: Failed to identify LB008 as a process vent associated with an air oxidation reactor, distillation unit, or reactor.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b)

Description: Failed to notify an emission point was added to an existing chemical manufacturing process.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(e)(10)

Description: Failed to notify that an emission point was added to an existing miscellaneous organic chemical manufacturing process unit.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT MSGP Table 2

Description: Failed to ensure analytical reporting limits for hazardous metals achieved the Minimum Analytical Levels for numerous metal concentrations in stormwater samples.

Viol. Moderate

Classification:

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1420(g)(4)

Description: Failed to submit the required notification after an emission point was added to an existing polyether polyol manufacturing process unit.

Viol. Minor

Classification:

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

30 TAC Chapter 116, SubChapter B 116.116

Rqmt Prov: PERMIT GC 1

Description: Failed to meet permit conditions because the color of several tanks do not match the color used to calculate the associated permit limits.

Notice of Intent Date: 07/06/2023 (1918214)

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

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: HUNTSMAN CONROE PLANT

Reg Entity Add: 5451 JEFFERSON CHEMICAL RD

Reg Entity City: CONROE

Reg Entity No: RN100219740

EPA Case No: 06-2019-1815

Order Issue Date (yyyymmdd): 20190827

Case Result:

Statute: CWA

Sect of Statute: 301/402

Classification: Minor

Program: NPDES - Base Program

Citation:

Violation Type:

Cite Sect:

Cite Part:

Enforcement Action: Administrative Compliance Orders

Reg Entity Name: HUNTSMAN PETROCHEMICAL CONROE P

Reg Entity Add: 5451 JEffluent Limit Violations,Not Otherwise Specifi

Reg Entity City: CONROE

Reg Entity No: RN100219740

EPA Case No: 06-2022-3307

Order Issue Date (yyyymmdd): 20211013

Case Result: Final Order With Penalty

Statute: CAA

Sect of Statute: 112[R][7]

Classification: Minor

Program: Risk Management Progra

Citation:

Violation Type: Safety training

Cite Sect:

Cite Part:

Enforcement Action: Administrative Penalty Order With or Without Inj

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
HUNTSMAN PETROCHEMICAL LLC
RN100219740

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2023-0302-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 Huntsman Petrochemical LLC (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 specialty chemical manufacturing plant located at 5451 Jefferson Chemical Road in Conroe, Montgomery 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 \$237,175 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$94,870 of the penalty and \$47,435 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, \$94,870 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.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
 - a. By July 17, 2023, began routine maintenance for the conservation vents and installed a backpressure regulator on Tank TE-21 in order to comply with the volatile organic compounds ("VOC") hourly and annual maximum allowable emissions rates ("MAERs") for Tank TE-21, Emissions Point Number ("EPN") TE21;
 - b. By October 15, 2023, revised the operating procedures to provide additional information regarding flare operating modes, modified the knockout pot washout procedures to prevent the usage of the low pressure header of the flare, and added text to the natural gas flow alarm to notify the operators in order to maintain the natural gas enrichment no less than 20 percent ("%") by volume of the total gas stream to the RA22 Flare, when using natural gas enrichment;
 - c. By November 9, 2023, rebuilt the pump with additional safeguards, installed a time delay to prevent continuous pump startup after a shutdown to minimize the strain on the pump, and tuned the pump control valve in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 395648; and
 - d. By December 7, 2023, revised the operating procedures for monitoring and handling reduced water flow situations, conducted refresher training for the Plant staff on the revised procedures, and adjusted the low flow alarms that monitor the scrubber water flows in order to maintain a removal efficiency of at least 90% for the FE42 Caustic Scrubber and in order to operate the absorber with no less than 99% removal efficiency for VOC and ammonia based on an hourly average for the FE41 Caustic Scrubber.

II. ALLEGATIONS

1. During a record review for the Plant conducted from December 20, 2022 through January 18, 2023, an investigator documented that the Respondent:
 - a. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review ("NSR") Permit No. 4788, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1384, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the VOC MAER of 0.29 pound per hour ("lb/hr") by 0.28 lb/hr for 336 hours on 14 days from June 17, 2022 through July 1, 2022 and exceeded the VOC annual MAER of 0.03 ton per year based on a 12-month rolling period for the 12-month periods ending from June 2022 through August 2022 for Tank TE-21, EPN TE21, resulting in 0.07 ton of unauthorized VOC emissions.
 - b. Failed to maintain a removal efficiency for the scrubbers, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4788, SC No. 35, FOP No. O1384, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not maintain a removal efficiency of at least 90% for the scrubbers when the removal efficiency fell below 90% for a total of 243 hours from February 4, 2022 to June 23, 2022 for the FE42 Caustic Scrubber.
 - c. Failed to maintain the natural gas enrichment for the flare, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4788, SC No. 33.D., FOP No. O1384, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not maintain the natural gas enrichment no less than 20% by volume of the total gas stream to the flare when the natural gas enrichment ranged from 0.0% to 3.71% for a total of 168 hours from April 14, 2022 to May 3, 2022 for the RA22 Flare.
 - d. Failed to maintain a removal efficiency for the absorbers, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 42682, SC No. 19, FOP No. O1384, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not operate the absorbers with no less than 99% removal efficiency for VOC and ammonia based on an hourly average when the removal efficiency fell below 99% for a total of 238 hours from February 4, 2022 to August 25, 2022 for the FE41 Caustic Scrubber.
2. During a record review for the Plant conducted from March 2, 2023 through March 16, 2023, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4788, SC No. 1, FOP No. O1384, GTC and STC No. 17, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 12,103.41 pounds of VOC as fugitive emissions, during an emissions event (Incident No. 395648) that occurred on February 17, 2023 and lasted 23 minutes.

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: Huntsman Petrochemical LLC, Docket No. 2023-0302-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, Texas 78753
2. The Respondent shall implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of \$94,870 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. All relief not expressly granted in this Order is denied.
4. 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.
5. 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.
6. 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.
7. 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.

8. 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

4/15/2025

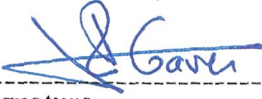
Date

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.


Signature

6/3/2024
Date

JOSE IGNACIO GARCIA DE ALBRUZ

SITE MANAGER

Name (Printed or typed)
Authorized Representative of
Huntsman Petrochemical LLC

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: 2023-0302-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Huntsman Petrochemical LLC
Payable Penalty Amount:	\$189,740
SEP Offset Amount:	\$94,870
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Texas Congress of Parents and Teachers dba Texas PTA
Project Name:	<i>Texas PTA Clean School Bus Replacement Program</i>
Location of SEP:	Texas Air Quality Control Region 216: Houston-Galveston - Preference for Montgomery County

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

1. Project Description

a. Project

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

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

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

b. Environmental Benefit

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

c. Minimum Expenditure

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

2. Performance Schedule

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

Texas PTA
408 West 11th Street
Austin, Texas 78701

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

5. Publicity

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

6. Recognition

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

7. Other SEPs by TCEQ or Other Agencies

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