

Executive Summary – Enforcement Matter – Case No. 64364
Rohm and Haas Texas Incorporated
RN100223205
Docket No. 2023-0967-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Unauthorized emissions which are excessive emissions events

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Rohm and Haas Texas Deer Park Plant, 1900 Tidal Road, Deer Park, Harris County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket No. 2024-0383-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: May 24, 2024

Comments Received: No

Penalty Information

Total Penalty Assessed: \$25,000

Total Paid to General Revenue: \$12,500

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$12,500

Name of SEP: Houston Regional Monitoring Corporation (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: \$3,750

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: July 19, 2022 through November 29, 2022

Date(s) of NOE(s): July 14, 2023

Executive Summary – Enforcement Matter – Case No. 64364
Rohm and Haas Texas Incorporated
RN100223205
Docket No. 2023-0967-AIR-E

Violation Information

Failed to prevent unauthorized emissions. The emissions event was determined to be an excessive emissions event [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.115(c), and 122.143(4), New Source Review Permit Nos. 8838 and N61, Special Conditions No. 1, Federal Operating Permit No. O2236, General Terms and Conditions and Special Terms and Conditions No. 15, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures in order to address the excessive emissions event that occurred on April 28, 2021 (Incident No. 383142):

- a. By May 17, 2021, audited other gaskets in similar service that were installed during the turnaround to ensure that the proper material of construction was used and to replace as necessary;
- b. By May 25, 2021, audited documentation for the gaskets in similar service to ensure that the correct material of construction is specified;
- c. By June 23, 2021, retrained personnel involved with the gasket selection process and procedures and verified that the training for the new staff involved in the gasket selection includes the selection process and procedures; and
- d. By August 23, 2021, implemented a process for communicating expectations to service providers.

Technical Requirements:

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

**Executive Summary – Enforcement Matter – Case No. 64364
Rohm and Haas Texas Incorporated
RN100223205
Docket No. 2023-0967-AIR-E**

Contact Information

TCEQ Attorney: N/A

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

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

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

Respondent: Sharon Hulgán, Director of Operations, Rohm and Haas Texas Incorporated, P.O. Box 1000, Deer Park, Texas 77536

Casey Rhodes, Responsible Care Director, Rohm and Haas Texas Incorporated, P.O. Box 1000, Deer Park, Texas 77536

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	17-Jul-2023	Screening	20-Jul-2023	EPA Due	
	PCW	13-Apr-2024				

RESPONDENT/FACILITY INFORMATION	
Respondent	Rohm and Haas Texas Incorporated
Reg. Ent. Ref. No.	RN100223205
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION				
Enf./Case ID No.	64364	No. of Violations	1	
Docket No.	2023-0967-AIR-E	Order Type	Findings	
Media Program(s)	Air	Government/Non-Profit	No	
Multi-Media		Enf. Coordinator	Desmond Martin	
		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	\$25,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	40.0% Adjustment	Subtotals 2, 3, & 7	\$10,000
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Notes: Enhancement for five NOVs with same/similar violations, two NOVs with dissimilar violations, and six orders containing a denial of liability. Reduction for 57 notices of intent to conduct an audit and 26 disclosures of violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$6,250
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$120
 Estimated Cost of Compliance \$7,500
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$28,750
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0% Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$28,750
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$25,000
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DEFERRAL	0.0% Reduction Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes

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

PAYABLE PENALTY	\$25,000
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Screening Date 20-Jul-2023

Docket No. 2023-0967-AIR-E

PCW

Respondent Rohm and Haas Texas Incorporated

Policy Revision 5 (January 28, 2021)

Case ID No. 64364

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN100223205

Media Air

Enf. Coordinator Desmond Martin

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	5	25%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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>)	57	-57%
	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>)	26	-52%
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) 40%

>> 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 five NOVs with same/similar violations, two NOVs with dissimilar violations, and six orders containing a denial of liability. Reduction for 57 notices of intent to conduct an audit and 26 disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 40%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 40%

Screening Date 20-Jul-2023 **Docket No.** 2023-0967-AIR-E **PCW**
Respondent Rohm and Haas Texas Incorporated *Policy Revision 5 (January 28, 2021)*
Case ID No. 64364 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN100223205
Media Air
Enf. Coordinator Desmond Martin

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(b)(2)(F), 116.115(c), and 122.143(4), New Source Review Permit Nos. 8838 and N61, Special Conditions No. 1, Federal Operating Permit No. O2236, General Terms and Conditions and Special Terms and Conditions No. 15, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 292.00 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 383142) that began on April 28, 2021 and lasted seven hours. The emissions event was determined to be an excessive emissions event.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="100.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

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

Matrix Notes Based on the Air Quality Analysis Audit performed on the air dispersion modeling that was provided by the Respondent, human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

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

Notes The Respondent completed the corrective measures by August 23, 2021, before the Notice of Enforcement dated July 14, 2023.

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Rohm and Haas Texas Incorporated
Case ID No. 64364
Reg. Ent. Reference No. RN100223205
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$7,500	28-Apr-2021	23-Aug-2021	0.32	\$120	n/a	\$120

Notes for DELAYED costs

Estimated cost to audit other gaskets in similar service that were installed during the turnaround to ensure that the proper material of construction was used and to replace as necessary, audit documentation for the gaskets in similar service to ensure that the correct material of construction is specified, retrain personnel involved with the gasket selection process and procedures, verify that the training for the new staff involved in the gasket selection includes the selection process and procedures, and implement a process for communicating expectations to service providers in order to address the excessive emissions events that occurred on April 28, 2021 (Incident No. 383142). The Date Required is the date the emissions event began and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$7,500

TOTAL \$120

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

Compliance History Report for CN605605831, RN100223205, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN605605831, Rohm and Haas Texas Incorporated	Classification:	SATISFACTORY	Rating:	0.72
Regulated Entity:	RN100223205, Rohm and Haas Texas Deer Park Plant	Classification:	SATISFACTORY	Rating:	0.72
Complexity Points:	37	Repeat Violator:	NO		
CH Group:	05 - Chemical Manufacturing				
Location:	1900 Tidal Road, Deer Park, Harris County, Texas				
TCEQ Region:	REGION 12 - HOUSTON				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0632T
AIR OPERATING PERMITS PERMIT 2232
AIR OPERATING PERMITS PERMIT 2234
AIR OPERATING PERMITS PERMIT 2236
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1011717
AIR NEW SOURCE PERMITS PERMIT 723
AIR NEW SOURCE PERMITS PERMIT 1257A
AIR NEW SOURCE PERMITS PERMIT 2165
AIR NEW SOURCE PERMITS PERMIT 5802
AIR NEW SOURCE PERMITS PERMIT 6654
AIR NEW SOURCE PERMITS PERMIT 7309
AIR NEW SOURCE PERMITS PERMIT 8838
AIR NEW SOURCE PERMITS REGISTRATION 11779
AIR NEW SOURCE PERMITS PERMIT 17392
AIR NEW SOURCE PERMITS REGISTRATION 28728
AIR NEW SOURCE PERMITS REGISTRATION 28913
AIR NEW SOURCE PERMITS REGISTRATION 30727
AIR NEW SOURCE PERMITS REGISTRATION 33817
AIR NEW SOURCE PERMITS REGISTRATION 35142
AIR NEW SOURCE PERMITS REGISTRATION 38913
AIR NEW SOURCE PERMITS REGISTRATION 42914
AIR NEW SOURCE PERMITS PERMIT 27131
AIR NEW SOURCE PERMITS EPA PERMIT N61
AIR NEW SOURCE PERMITS REGISTRATION 54970
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX828M1
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX987
AIR NEW SOURCE PERMITS REGISTRATION 77200

AIR NEW SOURCE PERMITS REGISTRATION 80267
AIR NEW SOURCE PERMITS REGISTRATION 83418
AIR NEW SOURCE PERMITS REGISTRATION 92062
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX987M1
AIR NEW SOURCE PERMITS REGISTRATION 105302
AIR NEW SOURCE PERMITS REGISTRATION 127377
AIR NEW SOURCE PERMITS REGISTRATION 139799
AIR NEW SOURCE PERMITS REGISTRATION 126177
AIR NEW SOURCE PERMITS REGISTRATION 137720
AIR NEW SOURCE PERMITS REGISTRATION 136484
AIR NEW SOURCE PERMITS REGISTRATION 111655

AIR OPERATING PERMITS PERMIT 1583
AIR OPERATING PERMITS PERMIT 2233
AIR OPERATING PERMITS PERMIT 2235
AIR OPERATING PERMITS PERMIT 2237
AIR NEW SOURCE PERMITS AFS NUM 4820100034

AIR NEW SOURCE PERMITS PERMIT 751
AIR NEW SOURCE PERMITS PERMIT 1957
AIR NEW SOURCE PERMITS PERMIT 5051
AIR NEW SOURCE PERMITS PERMIT 6233
AIR NEW SOURCE PERMITS PERMIT 6894
AIR NEW SOURCE PERMITS PERMIT 7648
AIR NEW SOURCE PERMITS REGISTRATION 10715
AIR NEW SOURCE PERMITS REGISTRATION 13804
AIR NEW SOURCE PERMITS REGISTRATION 26728
AIR NEW SOURCE PERMITS PERMIT 29010
AIR NEW SOURCE PERMITS REGISTRATION 29705
AIR NEW SOURCE PERMITS REGISTRATION 32671
AIR NEW SOURCE PERMITS REGISTRATION 34654
AIR NEW SOURCE PERMITS REGISTRATION 37086
AIR NEW SOURCE PERMITS REGISTRATION 42737
AIR NEW SOURCE PERMITS REGISTRATION 44595
AIR NEW SOURCE PERMITS REGISTRATION 47480
AIR NEW SOURCE PERMITS REGISTRATION 142365
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX828
AIR NEW SOURCE PERMITS REGISTRATION 50454
AIR NEW SOURCE PERMITS REGISTRATION 54056
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0632T
AIR NEW SOURCE PERMITS REGISTRATION 83810
AIR NEW SOURCE PERMITS REGISTRATION 87544
AIR NEW SOURCE PERMITS REGISTRATION 93841
AIR NEW SOURCE PERMITS REGISTRATION 105286
AIR NEW SOURCE PERMITS REGISTRATION 111198
AIR NEW SOURCE PERMITS REGISTRATION 105290
AIR NEW SOURCE PERMITS REGISTRATION 119736
AIR NEW SOURCE PERMITS REGISTRATION 126178
AIR NEW SOURCE PERMITS REGISTRATION 105358
AIR NEW SOURCE PERMITS REGISTRATION 105289
AIR NEW SOURCE PERMITS REGISTRATION 105361

AIR NEW SOURCE PERMITS REGISTRATION 105362
AIR NEW SOURCE PERMITS REGISTRATION 105291
AIR NEW SOURCE PERMITS REGISTRATION 163731
AIR NEW SOURCE PERMITS REGISTRATION 169479
AIR NEW SOURCE PERMITS REGISTRATION 164537
AIR NEW SOURCE PERMITS REGISTRATION 168399
AIR NEW SOURCE PERMITS REGISTRATION 162074
AIR NEW SOURCE PERMITS REGISTRATION 169134
AIR NEW SOURCE PERMITS REGISTRATION 165032
AIR NEW SOURCE PERMITS REGISTRATION 145125
AIR NEW SOURCE PERMITS REGISTRATION 145135
AIR NEW SOURCE PERMITS PERMIT AMOC56
AIR NEW SOURCE PERMITS PERMIT AMOC25
AIR NEW SOURCE PERMITS REGISTRATION 160778
AIR NEW SOURCE PERMITS REGISTRATION 160782
AIR NEW SOURCE PERMITS REGISTRATION 155970
AIR NEW SOURCE PERMITS REGISTRATION 161251
AIR NEW SOURCE PERMITS REGISTRATION 162001
AIR NEW SOURCE PERMITS REGISTRATION 158468
AIR NEW SOURCE PERMITS REGISTRATION 160008
AIR NEW SOURCE PERMITS REGISTRATION 156309
AIR NEW SOURCE PERMITS REGISTRATION 172281
AIR NEW SOURCE PERMITS REGISTRATION 172035
AIR NEW SOURCE PERMITS REGISTRATION 172167
AIR NEW SOURCE PERMITS REGISTRATION 168146
AIR NEW SOURCE PERMITS REGISTRATION 168462
AIR NEW SOURCE PERMITS REGISTRATION 172913
AIR NEW SOURCE PERMITS REGISTRATION 172092
AIR NEW SOURCE PERMITS REGISTRATION 172091

WASTEWATER PERMIT WQ0000458000
AIR EMISSIONS INVENTORY ACCOUNT NUMBER HG0632T
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD065096273
INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50102
TAX RELIEF ID NUMBER 16035

AIR NEW SOURCE PERMITS REGISTRATION 108131
AIR NEW SOURCE PERMITS REGISTRATION 105299
AIR NEW SOURCE PERMITS REGISTRATION 166109
AIR NEW SOURCE PERMITS REGISTRATION 168411
AIR NEW SOURCE PERMITS REGISTRATION 167093
AIR NEW SOURCE PERMITS REGISTRATION 164566
AIR NEW SOURCE PERMITS REGISTRATION 164452
AIR NEW SOURCE PERMITS REGISTRATION 164533
AIR NEW SOURCE PERMITS REGISTRATION 165924
AIR NEW SOURCE PERMITS REGISTRATION 145119
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX828M2
AIR NEW SOURCE PERMITS REGISTRATION 150676
AIR NEW SOURCE PERMITS REGISTRATION 160798
AIR NEW SOURCE PERMITS REGISTRATION 156445
AIR NEW SOURCE PERMITS REGISTRATION 160785
AIR NEW SOURCE PERMITS REGISTRATION 156317
AIR NEW SOURCE PERMITS REGISTRATION 156313
AIR NEW SOURCE PERMITS PERMIT AMOC152
AIR NEW SOURCE PERMITS PERMIT AMOC153
AIR NEW SOURCE PERMITS REGISTRATION 156311
AIR NEW SOURCE PERMITS REGISTRATION 172239
AIR NEW SOURCE PERMITS REGISTRATION 172144
AIR NEW SOURCE PERMITS REGISTRATION 168470
AIR NEW SOURCE PERMITS REGISTRATION 172349
AIR NEW SOURCE PERMITS REGISTRATION 171729
AIR NEW SOURCE PERMITS REGISTRATION 172219
AIR NEW SOURCE PERMITS REGISTRATION 172651
AIR NEW SOURCE PERMITS REGISTRATION 168482
IHW CORRECTIVE ACTION SOLID WASTE
 REGISTRATION # (SWR) 30041
WASTEWATER EPA ID TX0006084
POLLUTION PREVENTION PLANNING ID NUMBER P00587
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
 REGISTRATION # (SWR) 30041
TAX RELIEF ID NUMBER 16036

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

Date Compliance History Report Prepared: January 29, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 29, 2019 to January 29, 2024

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

Name: Desmond Martin

Phone: (512) 239-2814

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? YES
- 3) Who is the current owner/operator?
 - Rohm and Haas Texas Incorporated OWNER OPERATOR since 1/1/1800
 - Rohm And Haas Company OWNER since 1/1/1800
 - Rohm And Haas Chemicals LLC OWNER OPERATOR since 1/1/2006
 - Rohm Haas OWNER since 1/1/1800
 - Rohm Haas Texas Inc OWNER since 1/1/1800
 - Veolia WTS Usa, Inc. OWNER OPERATOR since 8/2/2018
 - Rohm And Haas Texas Incorporated OWNER OPERATOR since 12/13/2018
- 4) Who was/were the prior owner(s)/operator(s)? Alamo Iron Works, Inc., OWNER OPERATOR, 1/1/1800 to 6/19/2019

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

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

- 1 Effective Date: 03/01/2019 ADMINORDER 2017-1416-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 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)
Rqmt Prov: Special Condition 1 PERMIT
Special Terms and Conditions (ST&C) 8 OP
Description: Failure to comply with the maximum allowable emission rate (MAER) for NH3 and VOC. Category A Criterion 2.
- 2 Effective Date: 04/27/2020 ADMINORDER 2018-1364-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Major
Citation: 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)
Rqmt Prov: General Condition 8 PERMIT
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Terms and Conditions14 OP
Description: Failed to comply with the MAERs. Specifically, during a stack test conducted on September 13, 2017, the Respondent exceeded the acetone MAER of 0.01 lb/hr by 0.90 lb/hr, the VOC MAER of 0.38 lb/hr by 0.60 lb/hr, and the SO2 MAER of 0.08 lb/hr by 0.14 lb/hr for the Scrubber, EPN B-3-51, resulting in an estimated amount of 852 lbs of unauthorized acetone, 552 lbs of unauthorized VOC, and 129 lbs of unauthorized SO2.
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)
Rqmt Prov: General Terms and Conditions OP
Special Term and Condition 1 PA
Special Term and Condition 14 OP
Description: Failed to comply with the MAERs.
Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms and Conditions OP
Description: Failed to report all instances of deviations. Specifically, the deviation reports for the October 1, 2016 through March 31, 2017 and April 1, 2017 through September 30, 2017 reporting periods did not include the deviations for the failure to comply with the NOx, VOC, and PM MAERs for EPN N-3.
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)
Rqmt Prov: GTC OP
SC 1 PERMIT
STC 14 OP
Description: Failed to comply with the maximum allowable emissions rate ("MAER"). Specifically, the Respondent exceeded the particulate matter ("PM") MAER of 1.37 tons per year ("tpy") based on a 12-month rolling period for the 12-month periods ending on May 2016 and from July 2016 through May 2017 for the HR-III Preheater, Emissions Point Number ("EPN") 38-HR-5, resulting in 0.09 ton of unauthorized PM.
Classification: Minor
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: GTC OP
SC 17 PERMIT
STC 14 OP

Description: Failed to maintain records of the instrument type used to determine sulfur dioxide ("SO2") concentration during Maintenance, Startup, and Shutdown ("MSS") activities. Specifically, the Respondent did not record the type of instrument/detector used to measure SO2 concentrations during the MSS activities on May 3, 2016, June 7, 2016, and September 26, 2016.

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: GTC OP
SC 20 PERMIT
SC 22 PERMIT
STC 14 OP

Description: Failed to revalidate the estimated emissions from instrument maintenance annually. Specifically, the Respondent did not have records documenting that the estimated emissions from instrument maintenance were revalidated by October 28, 2015.

Classification: Minor

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

Rqmt Prov: GENERAL TERMS AND CONDITIONS OP

Description: Failed to report all instances of deviations. Specifically, the deviation report for the November 1, 2016 through April 30, 2017 reporting period did not include the deviations for the failure to maintain records of the instrument type used to determine SO2 concentration during MSS activities and the failure to revalidate the estimated emissions from instrument maintenance annually.

Classification: Moderate

Citation: 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)

Rqmt Prov: General Condition 8 PERMIT
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Term and Condition 16 OP

Description: Failed to comply with the maximum allowable emissions rate ("MAER"). Specifically, during a required boiler tune-up conducted on December 20, 2017 from 12:40 p.m. to 2:40 p.m., the Respondent exceeded the carbon monoxide ("CO") MAER of 4.54 pounds per hour ("lbs/hr") by 5.24 lbs/hr for the C-Train Start-Up Heater, Emissions Point Number ("EPN") HT-9, resulting in 10.48 pounds of unauthorized CO.

Classification: Moderate

Citation: 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)

Rqmt Prov: General Condition 8 PERMIT
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Term and Condition 16 OP

Description: Failed to comply with the MAER. Specifically, during a planned startup on February 10, 2018, the Respondent exceeded the CO MAER of 30.48 lbs/hr by 8.24 lbs/hr for one hour for the E-Train Thermal Oxidizer, EPN HT-46, resulting in 8.24 pounds of unauthorized CO.

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)

Rqmt Prov: General Terms and Conditions OP
Special Condition 12.B(2)(b) PERMIT
Special Terms and Conditions 16 OP

Description: Failed to conduct quarterly quality assurance for a continuous emission monitoring system ("CEMS").

Specifically, the Respondent did not conduct a cylinder gas audit of the CEMS for the HT-1 Thermal Oxidizer, EPN HT-3, during the first quarter of 2018.

- 3 Effective Date: 06/16/2020 ADMINORDER 2019-0874-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: O2233 GTC and STC No. 14 OP
Special Condition 1 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(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)
Rqmt Prov: Special Condition 1 PERMIT
Special Term & Condition 14 OP
Description: Failed to comply with the MAERs.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: O2233 GTC and STC No. 2.F OP
Description: Failure to identify all required information on the final record for a reportable emissions event.
- 4 Effective Date: 08/24/2021 ADMINORDER 2020-0942-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)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GTC and STC No. 14 OP
NSR Authorization 14 PERMIT
Special Condition 1 PERMIT
Special Term and Condition 14 PERMIT
Description: Failure to comply with the maximum allowable emissions rates (EPN: 35-HR-11). (Category A8 High Priority Violation General Criterion 2).
- 5 Effective Date: 11/08/2022 ADMINORDER 2021-0980-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: General Terms and Conditions OP
Special Term & Condition 2(F) OP
Description: Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 281429 was due by April 3, 2018 at 8:30 a.m., but was not submitted until April 3, 2018 at 8:46 a.m.
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: GTC OP
Special Condition 1 PERMIT
Special Conditions No. 1 PERMIT
Special Term & Condition 14(A) OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 429 pounds of ammonia as fugitive emissions, during an emissions event (Incident No. 281429) that occurred on April 2, 2018 and lasted five hours. The emissions event occurred when the steam tracing on the ammonia piping damaged the steam tubing that caused a leak in the steam tracing on the ammonia piping, resulting in a pinhole leak in the ammonia piping and in the release to the atmosphere.

6 Effective Date: 05/23/2023 ADMINORDER 2021-0729-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 2233, GTC OP
 FOP 2233, STC No. 12 OP
 NSR Permit No. 723, SC No. 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 277 pounds of ammonia as fugitive emissions, during an emissions event (Incident No. 350132) that occurred on February 5, 2021 and lasted one minute. The emissions event occurred due to a manual valve being left in the closed position which prevented the ammonia from flowing forward causing increased pressure in the equipment, which activated the relief device, resulting in the release to the atmosphere.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	February 14, 2019	(1559666)
Item 2	March 01, 2019	(1517820)
Item 3	March 19, 2019	(1559667)
Item 4	April 15, 2019	(1555579)
Item 5	April 16, 2019	(1571828)
Item 6	May 17, 2019	(1583265)
Item 7	June 19, 2019	(1583266)
Item 8	July 18, 2019	(1593141)
Item 9	August 02, 2019	(1557866)
Item 10	August 19, 2019	(1599487)
Item 11	September 16, 2019	(1606392)
Item 12	November 20, 2019	(1603744)
Item 13	December 19, 2019	(1626404)
Item 14	January 16, 2020	(1634045)
Item 15	February 20, 2020	(1640664)
Item 16	February 21, 2020	(1612513)
Item 17	April 20, 2020	(1653520)
Item 18	April 21, 2020	(1612512)
Item 19	April 28, 2020	(1603371)
Item 20	May 22, 2020	(1660107)
Item 21	June 15, 2020	(1652739)
Item 22	June 17, 2020	(1666611)
Item 23	August 03, 2020	(1659142)
Item 24	August 04, 2020	(1665921)
Item 25	August 19, 2020	(1680343)
Item 26	August 20, 2020	(1650926)
Item 27	August 24, 2020	(1666288)
Item 28	September 18, 2020	(1686912)
Item 29	October 15, 2020	(1693259)
Item 30	October 21, 2020	(1678958)
Item 31	November 09, 2020	(1672691)
Item 32	November 17, 2020	(1712467)
Item 33	November 23, 2020	(1677437)
Item 34	December 03, 2020	(1672700)

Item 35	December 16, 2020	(1712468)
Item 36	January 19, 2021	(1712469)
Item 37	February 19, 2021	(1725522)
Item 38	March 11, 2021	(1692236)
Item 39	April 23, 2021	(1725524)
Item 40	May 18, 2021	(1740067)
Item 41	June 07, 2021	(1711296)
Item 42	June 15, 2021	(1740068)
Item 43	June 30, 2021	(1686753)
Item 44	July 22, 2021	(1751708)
Item 45	August 13, 2021	(1749367)
Item 46	August 23, 2021	(1678969)
Item 47	September 08, 2021	(1691874)
Item 48	September 22, 2021	(1766252)
Item 49	September 28, 2021	(1763005)
Item 50	October 18, 2021	(1776715)
Item 51	November 17, 2021	(1783624)
Item 52	November 30, 2021	(1762611)
Item 53	December 15, 2021	(1790650)
Item 54	January 20, 2022	(1798444)
Item 55	February 22, 2022	(1806318)
Item 56	March 16, 2022	(1776057)
Item 57	March 17, 2022	(1776046)
Item 58	March 21, 2022	(1813385)
Item 59	April 21, 2022	(1819956)
Item 60	May 09, 2022	(1806165)
Item 61	May 18, 2022	(1828795)
Item 62	June 27, 2022	(1835087)
Item 63	July 25, 2022	(1842292)
Item 64	August 23, 2022	(1848425)
Item 65	September 22, 2022	(1856223)
Item 66	October 07, 2022	(1847559)
Item 67	October 20, 2022	(1846277)
Item 68	October 24, 2022	(1862580)
Item 69	November 21, 2022	(1869494)
Item 70	December 20, 2022	(1866939)
Item 71	December 23, 2022	(1875343)
Item 72	January 03, 2023	(1860995)
Item 73	January 23, 2023	(1882164)
Item 74	February 28, 2023	(1866170)
Item 75	March 21, 2023	(1898539)
Item 76	April 20, 2023	(1905327)
Item 77	May 23, 2023	(1912511)
Item 78	June 22, 2023	(1919113)
Item 79	June 28, 2023	(1910739)
Item 80	July 24, 2023	(1926077)
Item 81	August 16, 2023	(1933041)
Item 82	September 21, 2023	(1939177)
Item 83	October 04, 2023	(1931411)
Item 84	November 20, 2023	(1951720)
Item 85	November 28, 2023	(1924924)
Item 86	January 26, 2024	(1924852)

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: 01/31/2023 (1889980)
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

(EPN: N-6) (Category C4).

- 5 Date: 09/30/2023 (1946028)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 6 Date: 11/21/2023 (1925133)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term & Condition 15 OP
NSR, Special Condition 15F OP
Description: Failure to maintain the liquid temperature for Storage Tank (EPN: B-3-18)
within permitted limits. (Category B18(g)(1))
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 15 OP
NSR, Special Condition 15F OP
Description: Failure to maintain the liquid temperature for Storage Tank (EPN: B-3-19)
within permitted limits. (Category B18(g)(1))
- 7 Date: 11/30/2023 (1925933)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.100
30 TAC Chapter 113, SubChapter C 113.890
30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
SC 5C PERMIT
ST&C 4 OP
ST&C 6 OP
ST&C 7 OP
ST&C 9 OP
Description: Failure to operate flare with constant pilot flame for emission point number
(EPN) LU-1. (C4)

F. Environmental audits:

- Notice of Intent Date: 09/19/2018 (1525823)
Disclosure Date: 02/11/2019
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to maintain CO hourly emissions below permit limits.
- Notice of Intent Date: 12/18/2018 (1539220)
Disclosure Date: 10/16/2019
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.310(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
Description: Failure to maintain Carbon Monoxide emissions for N 7/8 Preheater (EPN: N-3) below permitted limits.
- Notice of Intent Date: 01/21/2019 (1548696)
Disclosure Date: 04/25/2019
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 113, SubChapter C 113.890
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(e)

Description: Failure to collect the correct samples for heat exchanger.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 113, SubChapter C 113.890
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.175
40 CFR Part 63, Subpart H 63.176

Description: Failure to accurately calculate fugitive percent leak rates.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 113, SubChapter C 113.890
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520

Description: Failure to accurately include all required information in MACT periodic report.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18

Description: Failure to maintain complete data for flares.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 106, SubChapter A 106.8

Description: Failure to maintain compliance data for PBRs.

Disclosure Date: 05/09/2019

Viol. Moderate

Classification:

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

Description: Failure to maintain emissions calculations for a minimum of 5 years (Storage Tanks, Loading Operations).

Viol. Moderate

Classification:

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

Description: Failure to maintain hourly emission limits (N14).

Viol. Minor

Classification:

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

Description: Failure to maintain annual and hourly emission records.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 115, SubChapter C 115.214(a)
30 TAC Chapter 115, SubChapter C 115.216
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain Loading/Unloading records as required (SW-29, SW-30, SW-31).

Viol. Minor

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

Description: Failure to maintain assist gas monitoring records as required (SW-1).

Viol. Minor

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

Description: Failure to maintain MSS activity records as required (SW_MSSTK, SW_DEGAS, SWMISCMSS).

Viol. Minor

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

Description: Failure to maintain exempt fugitive component records as required (SW-27).

Disclosure Date: 06/13/2019

Viol. Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)

Description: Failure to maintain records of annual and daily production rates.

Viol. Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)

Description: Failure to maintain records of tank construction and inspections (BMA-9, BMA-16).

Viol. Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)

Description: Failure to maintain records of DMMA loading.

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

Description: Failure to maintain emissions with permit limits for the safety vents (N-7. N-8).

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

Description: Failure to maintain records for MSS activities (PNBMA-MSTK, BMA16-MSS, PNBMA-MSPH, PNBMA_DGSA, PNMISCMSS).

Disclosure Date: 10/16/2019

Viol. Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(A)

Description: Failure to submit start of construction notification. Records for start of construction notification were unavailable for Unit N-12R.

Notice of Intent Date: 02/14/2019 (1550882)
No DOV Associated

Notice of Intent Date: 03/27/2019 (1554926)
No DOV Associated

Notice of Intent Date: 03/25/2019 (1554933)
No DOV Associated

Notice of Intent Date: 04/03/2019 (1577648)
No DOV Associated

Notice of Intent Date: 04/03/2019 (1577661)
No DOV Associated

Notice of Intent Date: 04/29/2019 (1569247)
No DOV Associated

Notice of Intent Date: 04/29/2019 (1569267)
No DOV Associated

Notice of Intent Date: 05/29/2019 (1571716)

Disclosure Date: 08/09/2019

Viol. Moderate

Viol.

Citation:

Classification: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)

Description: Failure to collect correct samples for heat exchanger (CT-HT-1, CT-HT-2, CT-HT-2C, HT-29, HT-36).

Disclosure Date: 08/14/2019

Viol. Minor

Classification:

Citation: 30 TAC Chapter 101, SubChapter F 101.201

Description: Failure to maintain records of non-reportable events (HT- Area).

Disclosure Date: 11/08/2019

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.144

Description: Failure to correct permit representations on NSR permit for the following units: HR, B3. Compliance documentation was not maintained.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.146

Description: Failure to maintain emissions below permit limits and report annual emission exceedance on Deviation Report for the following unit: B-3-51.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.10
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)

Description: Failure to include ammonia and acetone emissions in the annual emissions inventory.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163

Description: Failure to complete fugitive component monitoring information (Unit HTRES-FUG).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.132(d)

Description: Failure to include HTRES-FUG in the Title V permit.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failure to locate NSR authorization for cooling tower CT B-3.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.146

Description: Failure to use proper control device for degassing a storage tank. Control device other than a flare was used in the degassing process. Exceedance was not reported in the deviation report.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.144
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(a)(1)

Description: Failure to maintain Hazardous Organic NESHAP (HON) wastewater determination documentation for unit B3.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.144
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(c)(1)

Description: Failure to accurately represent Hazardous Organic NESHAP (HON) NOCS sampling for unit B3.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to maintain records for MSS activities for the following units: BGMA-MSSTK, B-3-9-MSS, BGMA-MSSFR, BGMA-MSSPH, BGMA-DEGAS, BGMA-MSSLD, BGMA-MSSPT, B3MISCMS, B3MSSICE.
Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to accurately report emissions from Davy Stack (Unit HR-8).
Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to capture accurate and complete data for flare flows (Unit B-3-1).
Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to accurately report emissions from the flare (Unit B-3-1).
Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10
30 TAC Chapter 116, SubChapter B 116.111(a)
30 TAC Chapter 122, SubChapter B 122.144

Description: Failure to update permit representations in permit calculations and emissions reporting for the following units: 35630, 96631, 96632.
Viol. Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain ventilation of sulfuric acid units below 18,600 sfc during clearing (Unit HR_DEGAS).
Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10
30 TAC Chapter 116, SubChapter B 116.111(a)
30 TAC Chapter 122, SubChapter B 122.144

Description: Failure to use accurate permit representations and emissions calculations for Unit B3-MSSLD.
Viol. Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.144
Description: Failure to maintain records for MSS activities for the following units: HR_MSSTK, HR_MSSPH, HR_DEGAS, HR_MISCMSS.
Viol. Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
Description: Failure to locate NSR authorization for the magnesium sulfate and weak sulfuric acid tanks (Unit HR-12HR-20).
Disclosure Date: 11/13/2019
Viol. Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to maintain visible emission inspection records for thermal oxidizers and start-up furnaces (Units HT-1, HT-2, HT-9, HT-32, HT-49, HT-3, HT-11, HT-30, HT-46).
Viol. Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.103
Description: Failure to maintain records of SSM activities for Unit PRO-HT.
Disclosure Date: 03/19/2020
Viol. Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to maintain records of LEL meter calibrations and functionality tests (HR Unit).
Viol. Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to maintain records of decoking activities (HT-1, HT-2, HT-9, HT-32, HT-49).
Viol. Moderate
Viol.
Citation:
Classification: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to include all required parameters in a 2015 stack test for HT-1 Boiler (A/B thermal oxidizer, HT-3).
Viol. Minor
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to maintain records for MSS activities (HT_MSSFR, HT_MSSTK, HT-MSSP, TWTP1MAA, HT-DEGAS, HT-MISCMSS, HT-MISCMSSFRAC).
Viol. Minor
Classification:
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
Description: Failure to maintain records of PRV inspections.
Viol. Moderate
Classification:
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7515(d)
Description: Failure to conduct HT Preheater tune ups within 13 months of the previous tune up.

Notice of Intent Date: 05/29/2019 (1599251)
No DOV Associated

Notice of Intent Date: 06/06/2019 (1577917)
Disclosure Date: 11/18/2019
Viol. Major
Classification:
Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to maintain PM emissions within permit limits. Stack test demonstrated an NSR permit exceedance of PM emissions limits from the HR2 preheater.

Notice of Intent Date: 07/03/2019 (1579217)
Disclosure Date: 11/15/2019
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
Description: Failure of Stack Test (B3 Acetone Scrubber) to demonstrate 98 efficiency.

Notice of Intent Date: 07/08/2019 (1579489)

Disclosure Date: 08/05/2019

Viol. Minor

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 115, SubChapter D 115.355(1)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1063(b)(1)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1063(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(b)(2)

Description: Failure to maintain fugitive monitoring instrument calibration records.

Notice of Intent Date: 07/10/2019 (1580726)

No DOV Associated

Notice of Intent Date: 07/18/2019 (1580929)

Disclosure Date: 10/16/2019

Viol. Major

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 117, SubChapter B 117.300
30 TAC Chapter 122, SubChapter B 122.121
40 CFR Chapter 60, SubChapter C, PT 60, SubPT IIII 60.4200
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6585

Description: Failure to obtain authorization and maintain associated records of a diesel engine on site.

Notice of Intent Date: 10/09/2019 (1604323)

Disclosure Date: 11/18/2019

Viol. Major

Classification:

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain PM emissions within permit limits. Stack test demonstrated an NSR permit exceedance of PM emissions limits from the A/B Thermal Oxidizer (EPN HT-3).

Notice of Intent Date: 12/19/2019 (1618356)

Disclosure Date: 12/16/2020

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1057

Description: Failure to monitor fugitive components. Specifically, fugitive components (28) have missed monitoring due to misidentification as Difficult to Monitor designation with annual monitoring frequency instead of the Normal to Monitor quarterly frequency.

Notice of Intent Date: 04/21/2020 (1646744)

No DOV Associated

Notice of Intent Date: 04/22/2020 (1646799)

Disclosure Date: 09/14/2020

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.1130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7550

Description: Failure to include 2017 tune-ups in annual report (units BH-2-3, BH 2-4)

Notice of Intent Date: 04/21/2020 (1646852)

No DOV Associated

Notice of Intent Date: 04/29/2020 (1651965)

Disclosure Date: 10/06/2020

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(a)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(4)

Description: Failure to accurately report HON Notice of Compliance Status representations for unit GRP-MMAFUG.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.890
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(e)(10)

Description: Failure to accurately report MON Notice of Compliance Status representations for units GRP-MMAFUG and MAA_Vent.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.160
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162
40 CFR Part 63, Subpart H 63.163
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168
40 CFR Part 63, Subpart H 63.174
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2450
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480

Description: Failure to include all components in fugitive monitoring program (MAA_Vent, GRP-MAAFUG, GRP-MMAFUG).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 116, SubChapter B 116.115(c)
4F TWC Chapter 63, SubChapter A 63.168(b)

Description: Failure to properly label components. Normal-to-Monitor components incorrectly labeled as Difficult-to-Monitor. Missed monitoring of components due to incorrect determination.

Notice of Intent Date: 05/04/2020 (1652555)

Disclosure Date: 10/27/2020

Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10(c)

Description: Failure to use correct Green House Gas Emission Factors for emission reporting.

Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10(c)

Description: Failure to use correct emission factors used in emission reporting.

Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10(c)

Description: Failure to use correct vent flow rates in annual emissions reporting.

Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10(c)

Description: Failure to use correct vent composition in annual emissions reporting.

Viol. Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10(c)

Description: Failure to include temporary control device emissions in annual emissions inventory.

Notice of Intent Date: 05/18/2020 (1652560)

Disclosure Date: 05/28/2020

Viol. Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)

Description: Failure to maintain compliance inspection records (HT-FUG, HT-FUG2).

Disclosure Date: 08/26/2020

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

Description: Failure to use accurate cooling tower correlation (HT-29, HT-36).

Viol. Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(a)

Description: Failure to maintain or complete quarterly visible emission observations (HT-33, HT-40).

Viol. Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.620
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(d)

Description: Failure to maintain Continuous Monitoring Systems performance Evaluation Plan (CMSPEP).

Viol. Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167

Description: Failure to equip open-ended lines with an appropriately sized cap, blind flange, plug, or second valve to seal the line (HT-FUG, HT2-FUG).

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

Description: Failure to use correct emissions factors in emissions calculations (HT-1, HT-2, HT-3, HT-4, HT-9, HT-10, HT-11, HT-30, HT-31, HT-32, HT-46, HT-49, HT-50).

Viol. Moderate
Viol.
Citation:
Classification: 30 TAC Chapter 113, SubChapter C 113.100
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11

Description: Failure to fully implement conversion of Flares from Steam Assisted to Non-assisted (HT-4, HT-40, HT-31, HT-50).

Disclosure Date: 11/17/2020
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.160

Description: Failure to include all applicable components in fugitive monitoring program (HT-FUG, HT2-FUG).

Disclosure Date: 04/22/2021
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain Attachment A representation and validation documentation.

Notice of Intent Date: 08/21/2020 (1676896)
No DOV Associated

Notice of Intent Date: 09/30/2020 (1685048)
Disclosure Date: 10/27/2020
Viol. Minor
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain Ammonia AVO inspection records.

Viol. Minor
Classification:
Citation: 30 TAC Chapter 106, SubChapter A 106.4
30 TAC Chapter 117, SubChapter B 117.354

Description: Failure to maintain records of engine inspections and operation.

Notice of Intent Date: 12/14/2020 (1701251)
No DOV Associated

Notice of Intent Date: 03/23/2021 (1723908)
Disclosure Date: 04/28/2021
Viol. Minor
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain records of cooling tower TDS-to-conductivity ratios and PM emissions.

Viol. Minor
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain records of cooling tower drift eliminator inspections.

Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to determine applicability of N-5/6 preheater. Specifically, N-5/6 preheater shows applicability to NSPS Subpart D in NSR permit, but no applicability in the Title V permit.

Viol. Major

Classification:
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Failure to document compliance with 12-month rolling emissions limits.
 Viol. Minor
 Classification:
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Failure to maintain tank throughput records.
 Viol. Minor
 Classification:
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Failure to maintain calibration records for flare flow meters (SW-1).
 Viol. Major
 Classification:
 Citation: 30 TAC Chapter 101, SubChapter A 101.10(a)
 30 TAC Chapter 116, SubChapter B 116.110(a)
 Description: Failure to obtain authorization for gas tank. Specifically the tank is not included in Title V permit and emissions were not included in the Annual Emissions Inventory.
 Disclosure Date: 05/26/2021
 Viol. Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Failure to monitor new fugitive components and AVO identified repair within applicable time frame (BMA-PRD-FUG, MMA-FUG, SW-27, FN).
 Viol. Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Failure to monitor fugitive components. Specifically, fugitive components have missed monitoring due to misidentification as Difficult to Monitor designation instead of Normal to Monitor (BMA-PRD-FUG, MMA-FUG, SW-27, FN).
 Viol. Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Failure to maintain documentation identifying heavy liquid fugitive components (BMA-PRD-FUG, MMA-FUG, SW-27, FN).
 Disclosure Date: 10/12/2021
 Viol. Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Failure calibrate Lower Explosive Limit (LEL) meters with a 25% standard.
 Viol. Moderate
 Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)
 30 TAC Chapter 122, SubChapter B 122.132
 Description: Failure to locate PBR authorization for tanks. Tank 91052 is represented as authorized under NSR 723 in Title V permit (T-07520, 91052).
 Viol. Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.111
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Failure to maintain cooling tower emissions below permit limits and permit representations are inaccurate (CT-1, CT-N5-S, CT-N5-N, CT-7).
 Viol. Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.10
 Description: Failure to include tank emissions in the emissions inventory (N-21, N-22).
 Viol. Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.111
 Description: Failure to accurately represent tanks in permit (N19).
 Viol. Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.132
 Description: Failure to include MON applicability for ACH process in Title V permit (ACRHPRO).
 Viol. Major
 Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)
 30 TAC Chapter 122, SubChapter B 122.132
 Description: Failure to include tanks in Title V Permit and PBR documentation is unavailable (Tank 96674, Tank 28054, Tank 27375, Tank 07288).
 Viol. Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 Description: Failure to equip open-ended lines with appropriately sized caps, blind flanges, plugs, or second valves

to seal the lines (FN).
Viol. Moderate
Viol.
Citation:
Classification: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to correct date in Special Condition No. 4.

Notice of Intent Date: 05/04/2021 (1724728)
Disclosure Date: 11/09/2021
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to secure the bypass line on closed-vent system in the non-diverting position. Visual inspections of the seal were not conducted monthly.

Notice of Intent Date: 05/26/2021 (1736477)
No DOV Associated

Notice of Intent Date: 06/03/2021 (1736973)
No DOV Associated

Notice of Intent Date: 07/13/2021 (1746234)
Disclosure Date: 07/12/2022
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)(I)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP STC 2.F
Description: Failed to maintain records documenting the basis used for determining the quantity of air contaminants emitted from an event that occurred on 2/27/21.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP STC 2.F
Description: Failed to notify the commission and local air pollution control agencies of an event which exceeded a reportable quantity that occurred on 4/28/21.

Notice of Intent Date: 07/12/2021 (1746991)
No DOV Associated

Notice of Intent Date: 09/01/2021 (1762700)
Disclosure Date: 06/27/2022
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.125
Description: Failure to prevent relief valve activation due to thermal expansion (DMMA Cooler).

Notice of Intent Date: 09/03/2021 (1762705)
No DOV Associated

Notice of Intent Date: 09/28/2021 (1770519)
No DOV Associated

Notice of Intent Date: 10/19/2021 (1771898)
Disclosure Date: 04/26/2022
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.132(d)(2)
Description: Failure to include engine in Title V permit and maintain required records (Substation 21).

Notice of Intent Date: 11/18/2021 (1775547)
No DOV Associated

Notice of Intent Date: 01/26/2022 (1794113)
Disclosure Date: 10/26/2022
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Description: Relief devices were not being monitored as required.

Notice of Intent Date: 02/08/2022 (1797221)
No DOV Associated

Notice of Intent Date: 04/26/2022 (1811976)
No DOV Associated

Notice of Intent Date: 04/26/2022 (1812017)
No DOV Associated

Notice of Intent Date: 05/19/2022 (1818568)
No DOV Associated

Notice of Intent Date: 05/25/2022 (1823596)
No DOV Associated

Notice of Intent Date: 07/18/2022 (1839585)
No DOV Associated

Notice of Intent Date: 09/22/2022 (1854087)
Disclosure Date: 11/18/2022
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 16.F
Description: Failure to calibrate the flow meter for flare (HT-50) for calendar year 2021.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 6.A

Description: Failure to maintain documentation identifying exempt components.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
4F TWC Chapter 63, SubChapter A 63.167(a)
Rqmt Prov: PERMIT SC 6(E)

Description: Failure to prevent an open-ended line in the HT area.
Viol. Minor
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 33

Description: Failure to maintain complete records of MSS activities.
Disclosure Date: 05/15/2023
Viol. Moderate
Classification:
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.347(c)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iii)
Rqmt Prov: PERMIT Table 111.D

Description: Inspection records required for items on Table 111.D are not available.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.352(7)
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(7)

Rqmt Prov: OP T&C 1(A), 1(E) and 19 NSR 8838 SC 6(F)

Description: Fugitive components have missed monitoring due to misidentification as Difficult to Monitor (DTM) designation instead of the Normal to Monitor (NTM) frequency.

Notice of Intent Date: 10/17/2022 (1855562)

Disclosure Date: 05/26/2023

Viol. Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(e)(1)

Rqmt Prov: OP ST&C 13

Description: Failure to have documentation of submerged fill readily available for those tanks for which submerged fill is required.

Notice of Intent Date: 11/15/2022 (1867696)

Disclosure Date: 03/30/2023

Viol. Moderate

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

Description: Connectors are not being monitored at the required frequency - Primene Area

Notice of Intent Date: 02/21/2023 (1881551)

No DOV Associated

Notice of Intent Date: 03/02/2023 (1886406)

Disclosure Date: 04/24/2023

Viol. Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Rqmt Prov: OP Title ST & C 2

Description: Failure to report emissions from emergency engines in annual emissions inventory.

Viol. Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to authorize a diesel tank and report emissions in annual emissions inventory.

Notice of Intent Date: 03/22/2023 (1888751)

Disclosure Date: 12/27/2023

Viol. Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354

30 TAC Chapter 115, SubChapter D 115.356(2)

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT SC8

OP ST&C 12

Description: Failure of missed monitoring of fugitive components due incorrect identification of vacuum service.

Viol. Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)

Rqmt Prov: PERMIT Sc 5

PERMIT SC 6

PERMIT SC 8

OP ST & C 12

OP ST & C 14

OP ST & C 19

OP ST&C 15

OP ST&C 8

Description: Failure to have monitoring instrument calibration records are available.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter D 115.354

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.480

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.160

Rqmt Prov: PERMIT SC 5

PERMIT SC 6

PERMIT SC 8
OP ST&C 1 & 12
OP ST&C 1 & 14
OP ST&C 1 & 15
OP ST&C 1 & 19
OP ST&C 1 & 8

Description: Failure in missed monitoring of fugitive components due to DOR in other applicable rule.

Notice of Intent Date: 04/27/2023 (1903626)
No DOV Associated

Notice of Intent Date: 05/03/2023 (1903649)
No DOV Associated

Notice of Intent Date: 08/30/2023 (1929826)
No DOV Associated

Notice of Intent Date: 08/30/2023 (1929830)
No DOV Associated

Notice of Intent Date: 09/06/2023 (1931996)
No DOV Associated

Notice of Intent Date: 12/06/2023 (1945888)
No DOV Associated

Notice of Intent Date: 12/12/2023 (1950137)
No DOV Associated

Notice of Intent Date: 01/05/2024 (1956134)
No DOV Associated

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOV's Issued During Component Period 1/29/2019 and 1/29/2024

- 1 Date: 06/11/2019 (1517808)
Self Report? NO Classification: Moderate
Citation:
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)
Special Condition 1 PERMIT
Special Term & Condition 14 OP
Description: Failure to prevent the exceedance of VOC listed on the MAERT for the HR Davy Stack (EPN: HR-8). (Category B13)
Self Report? NO Classification: Minor
Citation:
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)
Special Condition 1 PERMIT
Special Term & Condition 14 OP
Description: Failure to prevent the exceedance of acetone listed on the MAERT for the Acetone Water Scrubber (EPN: B-3-51) during a stack test. (Category B13)
Self Report? NO Classification: Minor
Citation:
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)
Special Condition 1 PERMIT
Special Term & Condition 14 OP
Description: Failure to prevent the exceedance of VOC listed on the MAERT for the Acetone Water Scrubber (EPN: B-3-51) during a stack test. (Category B13)
Self Report? NO Classification: Minor
Citation:
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)
Special Condition 1 PERMIT
Special Term & Condition 14 OP
Description: Failure to prevent the exceedance of SO2 listed on the MAERT for the Acetone Water Scrubber (EPN: B-3-51) during a stack test. (Category B13)
Self Report? NO Classification: Minor
Citation:
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(d)(1)
5C THSC Chapter 382 382.085(b)
Description: Failure to repair a leak on the B3 Cooling Tower (EPN: CT B-3) within 45 days of discovery. (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 & Conditions OP
Description: Failure to report a deviation. (Category B3)
- 2 Date: 07/15/2019 (1540569)
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 7 F PERMIT
Special Term and Condition 14 OP
Description: Failure to use a gas analyzer in conjunction with a fugitive leak repair. (Category C4)

- 3 Date: 09/30/2019 (1613238)
 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: 10/31/2019 (1619052)
 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: 01/29/2020 (1592455)
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 113, SubChapter C 113.890
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(a)
 5C THSC Chapter 382 382.085(b)
 SPECIAL CONDITION 2 PERMIT
 SPECIAL TERM AND CONDITION 1F PERMIT
 SPECIAL TERM AND CONDITION 4 PERMIT
 SPECIAL TERM AND CONDITION 8 PERMIT
 Description: Failure to prevent the pressure relief device (PRD) (EPN: LU-2) from exceeding 500 parts per million (ppm) while in operation.
- 6 Date: 01/29/2020 (1592458)
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 113, SubChapter C 113.130
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(a)(1)
 5C THSC Chapter 382 382.085(b)
 SPECIAL CONDITION 1 PERMIT
 SPECIAL CONDITION 12 PERMIT
 SPECIAL CONDITION 17 PERMIT
 SPECIAL CONDITION 5 PERMIT
 Description: Failure to conduct monthly inspections for an agitator and 53 pumps (EPN: HT-FUG and HT2-FUG). (Category C4)
- 7 Date: 01/29/2020 (1592459)
 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 5 PERMIT
 SPECIAL TERM AND CONDTION 14 PERMIT
 Description: Failure to maintain permitted temperature limit for Tank No. 96674 (EPN: PN MMA 2) (Category C4).
- 8 Date: 02/29/2020 (1647184)
 Self Report? YES Classification: Moderate
 Citation:
 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
- 9 Date: 06/18/2020 (1592456)
 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 7 PERMIT
Special Term and Condition 14 PERMIT
Description: Failure to prevent the exceedance of sulfur dioxide (SO2) listed on the MAERT for the HR Davy Stack (EPN: HR-8). (Category B13)

Self Report? NO Classification: Minor

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 5E PERMIT
Special Term and Condition 14 PERMIT
Special Term and Condition 1A PERMIT

Description: Failure to prevent an open-ended line. (Category C10)
Self Report? NO Classification: Moderate

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 63.168(f)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 5F PERMIT
Special Term and Condition 14 PERMIT
Special Term and Condition 1A PERMIT
Description: Failure to monitor the initial 5-day repair for valve (EPN: B-3-47). (Category C1)

10 Date: 06/30/2020 (1673568)
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

11 Date: 12/16/2020 (1685916)
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125
Provision III.D PERMIT
Description: Failure to meet a permit provision requirement.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(18)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1052(a)(2)
Provision X.C PERMIT
Description: Failure to conduct weekly visual inspections for pumps in light liquid service.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(2)
Provision II.C.1.i PERMIT
Description: Failure to report complete and correct Annual Waste Summaries.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.24(d)
30 TAC Chapter 335, SubChapter A 335.6(h)
Provision II.C.1.i PERMIT
Description: Failure to submit recycling notification.

12 Date: 02/28/2021 (1725523)
Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

Description: 30 TAC Chapter 305, SubChapter F 305.125(1)
Failure to meet the limit for one or more permit parameter

- 13 Date: 03/11/2021 (1692131)
Self Report? YES Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP 1583, ST&C 12 OP
NSR Permit 751, SC 1 PA
Description: Failure to comply with 12-month rolling emission limits for nitrogen oxides (NOx), sulfur dioxide (SO2), carbon monoxide (CO) particulate matter (PM) and volatile organic compounds (VOC) for 36-HR-11 (Category B12)
Self Report? YES Classification: Moderate
Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP 1583, ST&C 3.A(iv)(4) OP
Description: Failure to comply with flare observation requirements for EPN B-3-1. (Category C3)
Self Report? YES Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP 1583, ST&C 12 OP
NSR Permit 751, SC 1 PA
Description: Failure to comply with 12-month rolling emission limits for particulate matter (PM) for EPNs 36-HR-5 (Category B12)
Self Report? YES Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP 1583, ST&C 12 OP
NSR Permit 751, SC 1 PA
Description: Failure to comply with 12-month rolling emission limits for particulate matter (PM), for EPN 38-HR-5 (Category B12)

- 14 Date: 03/16/2021 (1692133)
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)
FOP, General Term and Condition OP
Description: Failure to report all instances of a deviation (Category C3)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 11 OP
NSR Permit Special Condition 1 PA
Description: Failure to comply with the maximum allowable hourly emission rate (MAER) for VOC at EPN: PN-MMA-2 (Category B13)

- 15 Date: 04/08/2021 (1692135)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 14 OP

Description: NSR Permit Special Condition 16.C PA
 Failure to operate flare with constant pilot flame for emission point number (EPN) HT-31 (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 14 OP
 NSR Permit Special Condition 12.C(1) PA

Description: Failure to maintain minimum firebox temperature for emission point number (EPN) HT-3 (Category C4)

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)
 FOP Special Term and Condition 14 OP
 NSR Special Condition 6.E PA

Description: Failure to prevent open ended lines (OEL) at emission point number (EPN) HT2-FUG and HT-FUG (Category C10)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 1A OP

Description: Failure to maintain flare net heating value for emission point number (EPN) HT-4 (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 14 OP
 NSR Special Condition 21(A)(1) PA

Description: Failure to record weekly audible, visible, olfactory (AVO) inspections for emission point numbers (EPN) HT-FUG and HT2-FUG (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)
 FOP Special Term and Condition 15 OP
 NSR Permit Special Condition 32.F PA

Description: Failure to conduct stack sampling at required 5 year interval for emission point number (EPN) HT-3 (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)
 NSR Special Condition 30B PA
 Special Term and Condition 15 OP

Description: Failure to maintain temperature of tank liquid below the maximum temperature for storage tank emission point number (EPN) HT-44943 (Category C4)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)
 5C THSC Chapter 382 382.085(b)

Description: FOP Special Term and Condition 1A OP
 Failure to operate flare with constant pilot flame for emission point number (EPN) HT-4 (Category C4)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)
 5C THSC Chapter 382 382.085(b)
 FOP Special Term and Condition 1A OP

Description: Failure to route tank breathing loss emissions to a control device; emission point number (EPN) HT-10 (Category C4)

16

Date: 05/24/2021 (1704260)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP, Special Terms & Conditions 12 OP
 NSR, Special Condition 15 PERMIT

Description: Failure to conduct monthly sampling on cooling towers (EPNs: CT-N5-N; CT-N5-S; CT-N7)

17

Date: 11/22/2021 (1774183)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125
 Provision III.D PERMIT

Description: Failure to meet a permit provision requirement.

18

Date: 04/08/2022 (1794494)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(4)
 Permit Conditions 2.g., page 8 PERMIT
 TWC Chapter 26 26.121

Description: Failure to prevent the unauthorized discharge of wastewater.

19

Date: 06/24/2022 (1776041)

Self Report? NO Classification: Moderate

Citation: 1257A 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)
 O1583 OP

Description: Failure to comply with permitted tank roof replacement limit for Tanks 34560 and 34730 Acid Residue Tanks [EPN: B-3-55] (Category B18g1)

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)
 751 PERMIT
 O1583 OP

Description: Failure to prevent rolling 12-month exceedances of Particulate Matter (PM) for HR-II Preheater [EPN: 36-HR-5] (Category B17)

Self Report? NO Classification: Moderate

Citation: 1257A 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)

Description: O1583 OP
 Failure to prevent temperature exceedance for liquid stored in Tank 34426 [EPN: B-3-19] (Category C7)

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)
 751 PERMIT
 O1583 OP

Description: Failure to prevent exceedances of the maximum hourly limits of Particulate Matter (PM) for HR Davy Stack [EPN: HR-8] (Category B17)

Self Report? NO Classification: Moderate
 Citation: 1257A 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)
 O1583 OP

Description: Failure to calibrate Lower Explosive Limit (LEL) Meter at standard 25 percent (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)
 751 ORDER
 O1583 OP

Description: Failure to prevent exceedances of Differential Pressure across Baghouse [EPN: HR_BAGHSE] (Category B18.g.1)

20 Date: 08/02/2022 (1796994)
 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)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
 5C THSC Chapter 382 382.085(b)
 Special Condition 8(E)(1) PERMIT
 Special Term and Condition 14 OP
 Special Term and Condition 1A OP

Description: Failure to cap an open-ended line on Fugitive (EPN: FN) (Category C10).

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 A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Condition 11A PERMIT
 Special Term and Condition 14 OP
 Special Term and Condition 1A OP

Description: Failure to maintain the net heating value within the permitted limits for Flare (EPN: N-6) (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 A 63.11(b)(7)(i)
 5C THSC Chapter 382 382.085(b)
 Special Condition 11A PERMIT
 Special Term and Condition 14 OP
 Special Term and Condition 1A OP

Description: Failure to maintain the exit velocity within the permitted limits for Flare (EPN: N-6) (Category C4).

21 Date: 08/04/2022 (1797006)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 20 OP

Description: Failure to submit annual Fugitive PBR to the TCEQ within the required time frame (Category B3).

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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 6E PERMIT
Special Term and Condition 19 OP
Special Term and Condition 1A OP

Description: Failure to cap an open-ended line on Fugitive (EPN: HT2-FUG) (Category C10).

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 63.1219(a)(5)(i)
5C THSC Chapter 382 382.085(b)
Special Condition 5B PERMIT
Special Term and Condition 19 OP
Special Term and Condition 1A OP

Description: Failure to maintain the stack carbon monoxide (CO) concentration for Hazardous Waste Combustor (EPN: HT-3) (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 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 16B PERMIT
Special Term and Condition 19 OP
Special Term and Condition 1A OP

Description: Failure to maintain the net heating value within the permitted limits for the Flare (EPN: HT-10) (Category B18(g)(1)).

22*

Date: 11/15/2022 (1846463)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.890
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 1, SubChapter C, PT 63, SubPT FFFF 63.2525(m)(3)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 1E OP
FOP, Special Term and Condition 8 OP
NSR, Special Condition 10 PERMIT

Description: Failure to maintain flow monitor records for the flare (Unit ID SW-1). (Category B3 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 8 OP
NSR, Special Condition 9D PERMIT

Description: Failure to meet the permitted natural gas to waste gas feed ratio for the flare (Unit SW-1). (Category C7 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Term and Condition 8 OP

Description: NSR, Special Condition 9D PERMIT
Failure to maintain data for the natural gas to waste gas feed ratio for the flare (Unit SW-1). (Category C3 violation)

23* Date: 12/09/2022 (1853843)
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 335, SubChapter A 335.6(c)
Permit Provision II.C.1.i. PERMIT
Description: Failure to update the Notice of Registration (NOR).
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 305, SubChapter F 305.125(1)
Permit Provision III.D. PERMIT
Description: The permittee shall follow the inspection requirements established in Permit Table III.D. – Inspection Schedule.
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 335, SubChapter H 335.261(a)
40 CFR Chapter 273, SubChapter I, PT 273, SubPT B 273.15(a)
Description: Failure to accumulate universal waste (UW) for no longer than one year from the date the UW is generated.

24* Date: 01/17/2023 (1860481)
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 21B PERMIT
Special Term and Condition 15 OP
Description: Failure to comply with permitted tank roof replacement limit for Acid Residue Tank 34560 (EPN: B-3-55-1) (Category B18(g)(1)).
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 15F PERMIT
Special Term and Condition 15 OP
Description: Failure to maintain the liquid temperature for Storage Tank (EPN: B-3-18) within permitted limits (Category B18(g)(1)).
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 15F PERMIT
Special Term and Condition 15 OP
Description: Failure to maintain the liquid temperature for Storage Tank (EPN: B-3-19) within permitted limits (Category B18(g)(1)).
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 26 PERMIT
Special Term and Condition 15 OP
Description: Failure to shut down the Thermal Oxidizer for planned Maintenance, Startup, and Shutdown (MSS) while the light ends (EPN: B3-MSSLD) were being loaded (Category B17).
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT H 60.82
5C THSC Chapter 382 382.085(b)
Special Condition 3B PERMIT

Special Condition 8 PERMIT
Special Term and Condition 15 OP
Special Term and Condition 1A OP
Description: Failure to maintain the New Source Performance Standards (NSPS) limit for the Davy Stack (EPN: HR1) within permitted limits (Category B17).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT H 60.82
5C THSC Chapter 382 382.085(b)
Special Condition 3B PERMIT
Special Condition 8 PERMIT
Special Term and Condition 15 OP
Special Term and Condition 1A OP
Description: Failure to maintain the New Source Performance Standards (NSPS) limit for the Davy Stack (EPN: HR-2) within permitted limits (Category B17).
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 21C PERMIT
Special Term and Condition 15 OP
Description: Failure to maintain the differential pressure for Baghouse (EPN: HR-BAGHSE) within permitted limits (Category B18(g)(1)).
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 18C(1) PERMIT
Special Term and Condition 15 OP
Description: Failure to maintain records of the monthly Lower Explosive Limit (LEL) meter calibrations (Category C3).

25* Date: 01/31/2023 (1889980)
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

26* Date: 02/24/2023 (1866236)
Self Report? NO Classification: Minor
Citation: 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)
FOP O-2234 Special Term & Condition 14 OP
NSR 29010 Special Condition 1 PERMIT
Description: Failure to maintain the hourly emissions rate for unit ID MMA-2. (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)
FOP O-2234 Special Term & Condition 14 OP
NSR Special Condition 8E PERMIT
Description: Failure to conduct Leak Detection and Repair (LDAR) Monitoring within 15 days. (Category B1)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(15)
5C THSC Chapter 382 382.085(b)
Description: Failure to certify the submittal of the Permit Compliance Certification (PCC).

(Category B3)

- 27* Date: 05/09/2023 (1879676)
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 16B PERMIT
Special Terms and Condition 19 PERMIT
Special Terms and Condition 1A PERMIT
Description: Failure to maintain the minimum net heating value of SEVP-4 Flare (EPN: HT-50).
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 16B PERMIT
Special Terms and Condition 19 PERMIT
Special Terms and Condition 1A PERMIT
Description: Failure to maintain the minimum net heating value of C-Train Flare (EPN: HT-10).
Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Conditions 16B PERMIT
Special Terms and Condition 19 PERMIT
Special Terms and Condition 1A PERMIT
Description: Failure to maintain the minimum net heating value of D-Train flare (EPN: HT-31).
- 28* Date: 05/30/2023 (1881718)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
NSR SPECIAL TERMS AND CONDITION 11A PERMIT
SPECIAL TERMS AND CONDITION 14 OP
SPECIAL TERMS AND CONDITION 1A PERMIT
Description: Failure to maintain the net heating value within the permitted limits for Flare (EPN: N-6) (Category C4).
- 29 Date: 09/30/2023 (1946028)
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
- 30 Date: 11/21/2023 (1925133)
Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

FOP, Special Term & Condition 15 OP
 NSR, Special Condition 15F OP
 Description: Failure to maintain the liquid temperature for Storage Tank (EPN: B-3-18)
 within permitted limits. (Category B18(g)(1))
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP, Special Term and Condition 15 OP
 NSR, Special Condition 15F OP
 Description: Failure to maintain the liquid temperature for Storage Tank (EPN: B-3-19)
 within permitted limits. (Category B18(g)(1))

31 Date: 11/30/2023 (1925933)
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 113, SubChapter C 113.100
 30 TAC Chapter 113, SubChapter C 113.890
 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THSC Chapter 382 382.085(b)
 SC 5C PERMIT
 ST&C 4 OP
 ST&C 6 OP
 ST&C 7 OP
 ST&C 9 OP
 Description: Failure to operate flare with constant pilot flame for emission point number
 (EPN) LU-1. (C4)

* NOVs applicable for the Compliance History rating period 9/1/2018 to 8/31/2023

Appendix B
All Investigations Conducted During Component Period January 29, 2019 and January 29, 2024

Item 1*	February 14, 2019**	(1559666)
Item 2*	March 01, 2019**	(1517820)
Item 3*	March 19, 2019**	(1559667)
Item 4*	April 15, 2019**	(1555579)
Item 5*	April 16, 2019**	(1571828)
Item 6*	May 17, 2019**	(1583265)
Item 7	June 11, 2019**	(1517808)
Item 8*	June 19, 2019**	(1583266)
Item 9	July 15, 2019**	(1540569)
Item 10*	July 18, 2019**	(1593141)
Item 11*	August 02, 2019**	(1557866)
Item 12*	August 19, 2019**	(1599487)
Item 13	August 20, 2019**	(1531903)
Item 14	August 28, 2019**	(1549115)
Item 15*	September 16, 2019**	(1606392)
Item 16	October 10, 2019**	(1602747)
Item 17	October 17, 2019**	(1613238)
Item 18*	November 20, 2019**	(1603744)
Item 19	November 21, 2019**	(1619052)
Item 20*	December 19, 2019**	(1626404)
Item 21*	January 16, 2020**	(1634045)
Item 22	January 29, 2020**	(1592455)

Item 23*	February 20, 2020**	(1640664)
Item 24*	February 21, 2020**	(1612513)
Item 25	March 24, 2020**	(1647184)
Item 26*	April 20, 2020**	(1653520)
Item 27*	April 21, 2020**	(1612512)
Item 28*	April 28, 2020**	(1603371)
Item 29*	May 22, 2020**	(1660107)
Item 30*	June 15, 2020**	(1652739)
Item 31*	June 17, 2020**	(1666611)
Item 32	June 18, 2020**	(1592456)
Item 33	July 16, 2020**	(1673568)
Item 34*	August 03, 2020**	(1659142)
Item 35*	August 04, 2020**	(1665921)
Item 36*	August 19, 2020**	(1680343)
Item 37*	August 20, 2020**	(1650926)
Item 38*	August 24, 2020**	(1666288)
Item 39*	September 18, 2020**	(1686912)
Item 40*	October 15, 2020**	(1693259)
Item 41*	October 21, 2020**	(1678958)
Item 42*	November 09, 2020**	(1672691)
Item 43*	November 17, 2020**	(1712467)
Item 44*	November 23, 2020**	(1677437)
Item 45*	December 03, 2020**	(1672700)
Item 46	December 16, 2020**	(1685916)
Item 47*	January 19, 2021**	(1712469)
Item 48*	February 19, 2021**	(1725522)
Item 49	March 10, 2021**	(1692131)
Item 50*	March 11, 2021**	(1692236)
Item 51	March 15, 2021**	(1692133)
Item 52	March 22, 2021**	(1725523)
Item 53	April 07, 2021**	(1692135)
Item 54*	April 23, 2021**	(1725524)
Item 55*	May 18, 2021**	(1740067)
Item 56	May 20, 2021**	(1721979)
Item 57	May 24, 2021**	(1704260)
Item 58*	June 07, 2021**	(1711296)
Item 59*	June 15, 2021**	(1740068)
Item 60*	June 30, 2021**	(1686753)
Item 61	July 15, 2021**	(1739535)
Item 62	July 19, 2021**	(1679869)
Item 63*	July 22, 2021**	(1751708)
Item 64*	August 13, 2021**	(1749367)
Item 65*	August 23, 2021**	(1678969)
Item 66*	September 08, 2021**	(1691874)
Item 67*	September 22, 2021**	(1766252)
Item 68*	September 28, 2021**	(1763005)
Item 69*	October 18, 2021**	(1776715)
Item 70*	November 17, 2021**	(1783624)

Item 71	November 22, 2021**	(1774183)
Item 72*	November 30, 2021**	(1762611)
Item 73*	December 15, 2021**	(1790650)
Item 74*	January 20, 2022**	(1798444)
Item 75*	February 22, 2022**	(1806318)
Item 76*	March 16, 2022**	(1776057)
Item 77*	March 17, 2022**	(1776046)
Item 78*	March 21, 2022**	(1813385)
Item 79	April 08, 2022**	(1794494)
Item 80*	April 21, 2022**	(1819956)
Item 81*	May 09, 2022**	(1806165)
Item 82*	May 18, 2022**	(1828795)
Item 83	June 23, 2022**	(1776041)
Item 84*	June 27, 2022**	(1835087)
Item 85*	July 25, 2022**	(1842292)
Item 86	August 02, 2022**	(1796994)
Item 87	August 04, 2022**	(1797006)
Item 88*	August 23, 2022**	(1848425)
Item 89*	September 22, 2022**	(1856223)
Item 90*	October 07, 2022**	(1847559)
Item 91*	October 20, 2022**	(1846277)
Item 92*	October 24, 2022**	(1862580)
Item 93	November 10, 2022**	(1846463)
Item 94*	November 21, 2022**	(1869494)
Item 95	December 09, 2022**	(1853843)
Item 96*	December 20, 2022**	(1866939)
Item 97*	December 23, 2022**	(1875343)
Item 98*	January 03, 2023**	(1860995)
Item 99	January 17, 2023**	(1860481)
Item 100*	January 23, 2023**	(1882164)
Item 101	February 22, 2023**	(1889980)
Item 102	February 23, 2023**	(1866236)
Item 103*	February 28, 2023**	(1866170)
Item 104*	March 21, 2023**	(1898539)
Item 105*	April 20, 2023**	(1905327)
Item 106	May 09, 2023**	(1879676)
Item 107*	May 23, 2023**	(1912511)
Item 108	May 30, 2023**	(1881718)
Item 109*	June 22, 2023**	(1919113)
Item 110*	June 28, 2023**	(1910739)
Item 111	June 30, 2023**	(1885974)
Item 112	July 14, 2023**	(1838809)
Item 113*	July 24, 2023**	(1926077)
Item 114*	August 16, 2023**	(1933041)
Item 115*	September 21, 2023	(1939177)
Item 116*	October 04, 2023	(1931411)
Item 117	October 20, 2023	(1946028)
Item 118	November 20, 2023	(1925133)

Item 119*	November 28, 2023	(1924924)
Item 120	November 30, 2023	(1925933)
Item 121*	January 26, 2024	(1924852)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2018 and 08/31/2023.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
ROHM AND HAAS TEXAS
INCORPORATED
RN100223205

§
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§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2023-0967-AIR-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Rohm and Haas Texas Incorporated (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

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

It is further understood and agreed that this Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Order are binding upon the Respondent.

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a chemical manufacturing plant located at 1900 Tidal Road in Deer Park, Harris County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. During a record review for the Plant conducted from July 19, 2022 through November 29, 2022, an investigator documented that the Respondent released 292.00 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 383142) that began on April 28, 2021 and lasted seven hours. TCEQ staff determined that the emissions event was an excessive emissions event.
3. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant in order to address the excessive emissions event that occurred on April 28, 2021 (Incident No. 383142):

- a. By May 17, 2021, audited other gaskets in similar service that were installed during the turnaround to ensure that the proper material of construction was used and to replace as necessary;
- b. By May 25, 2021, audited documentation for the gaskets in similar service to ensure that the correct material of construction is specified;
- c. By June 23, 2021, retrained personnel involved with the gasket selection process and procedures and verified that the training for the new staff involved in the gasket selection includes the selection process and procedures; and
- d. By August 23, 2021, implemented a process for communicating expectations to service providers.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.115(c), and 122.143(4), New Source Review Permit Nos. 8838 and N61, Special Conditions No. 1, Federal Operating Permit No. O2236, General Terms and Conditions and Special Terms and Conditions No. 15, and TEX. HEALTH & SAFETY CODE § 382.085(b). The emissions event was determined to be an excessive emissions event.
3. Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of \$25,000 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent paid \$12,500 of the penalty. Pursuant to TEX. WATER CODE § 7.067, \$12,500 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 4 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only

the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Rohm and Haas Texas Incorporated, Docket No. 2023-0967-AIR-E" to:

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

2. The Respondent shall implement and complete the SEP as set forth in Conclusions of Law No. 4. The amount of \$12,500 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. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
7. 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.
8. 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.
9. 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.

10. 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

6/11/2024

Date

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

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

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

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



Signature

04/25/2024

Date

Casey Rhodes

Name (Printed or typed)
Authorized Representative of
Rohm and Haas Texas Incorporated

Responsible Care 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: 2023-0967-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Rohm and Haas Texas Incorporated
Payable Penalty Amount:	\$25,000
SEP Offset Amount:	\$12,500
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Houston Regional Monitoring Corporation
Project Name:	<i>Houston Area Air Monitoring Project</i>
Location of SEP:	Harris County

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

1. Project Description

a. Project

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

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

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

b. Environmental Benefit

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

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

c. Minimum Expenditure

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

2. Performance Schedule

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

Houston Regional Monitoring Corporation
c/o Christopher B. Amandes
Amandes PLLC
1800 Post Oak Boulevard, Suite 400
Houston, Texas 77056

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

5. Publicity

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

6. Recognition

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

7. Other SEPs by TCEQ or Other Agencies

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