

**Executive Summary - Enforcement Matter - Case No. 64590**  
**INV Nylon Chemicals Americas, LLC**  
**RN104392626**  
**Docket No. 2023-1134-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

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

INV Nylon Chemicals Americas Orange Site, 3055A Farm to Market Rd 1006, Orange, Orange County

**Type of Operation:**

Nylon production company

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** October 17, 2025

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$148,400

**Total Paid to General Revenue:** \$74,200

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

Payment Plan: N/A

**Supplemental Environmental Project ("SEP") Conditional Offset:** \$74,200

Name of SEP: Southeast Texas Regional Planning Commission (Third-Party Pre-Approved)

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** January 2021

***Investigation Information***

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

**Complaint Information:** N/A

**Date(s) of Investigation:** August 2, 2023 and May 23, 2024

**Date(s) of NOE(s):** August 16, 2023 and June 14, 2024

**Executive Summary – Enforcement Matter – Case No. 64590**  
**INV Nylon Chemicals Americas, LLC**  
**RN104392626**  
**Docket No. 2023-1134-AIR-E**

***Violation Information***

1. Failed to comply with the maximum allowable emissions rate ("MAER"). Specifically, the Respondent exceeded the volatile organic compounds ("VOC") combined MAER of 0.75 ton per year ("tpy") based on a 12-month rolling period for the 12-month periods ending from October 2021 through March 2022 for tanks Emissions Point Numbers ("EPNs") PT383 and PT384, resulting in 2.10 tons of unauthorized VOC emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (C), and 122.143(4), New Source Review ("NSR") Permit Nos. 1302 and PSDTX1085, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1897, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 27, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to comply with the MAER. Specifically, the Respondent exceeded the nitrogen oxides ("NO<sub>x</sub>") MAER of 2,407.04 tpy based on a 12-month rolling period for the 12-month periods ending June 2022 and from September 2022 through December 2022 for the North and South Adiponitrile ("ADN") Boiler, EPN PF40/PF41, resulting in 14.97 tons of unauthorized NO<sub>x</sub> emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (C), and 122.143(4), NSR Permit Nos. 1302 and PSDTX1085, SC No. 1, FOP No. O1897, GTC and STC No. 27, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to comply with the MAER. Specifically, the Respondent exceeded the carbon monoxide ("CO") MAER of 4.24 tpy based on a 12-month rolling period for the 12-month periods ending from May 2023 through September 2023 for the Ammonia Flare Routine/ Maintenance, Startup, and Shutdown Operations, EPN PH70, resulting in 1.23 tons of unauthorized CO emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (C), and 122.143(4), NSR Permit Nos. 1302 and PSDTX1085, SC No. 1, FOP No. O1897, GTC and STC No. 27, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent implemented the following corrective measures:

a. By September 18, 2024, opened, cleaned, and permanently removed from service tanks EPNs PT383 and PT384;

b. By December 4, 2023, permanently removed the North and South ADN Boilers, EPN PF40/PH41, from hazardous waste service; and

c. By December 12, 2023, permanently removed from service the Ammonia Flare Routine/Maintenance, Startup, and Shutdown Operations, EPN PH70.

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**RN104392626**  
**Docket No. 2023-1134-AIR-E**

**Technical Requirements:**

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

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Krystina Sepulveda, Enforcement Division, Enforcement Team 2, MC R-15, (956) 430-6045; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548

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

**SEP Third-Party Administrator:** Southeast Texas Regional Planning Commission, 2210 Eastex Freeway, Beaumont, Texas 77703

**Respondent:** Chance Fenetz, Plant Manager, INV Nylon Chemicals Americas, LLC, 2706 Farm-to-Market Road 1006, Orange, Texas 77630

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



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	21-Aug-2023	<b>Screening</b>	22-Aug-2023	<b>EPA Due</b>	12-Feb-2024
	<b>PCW</b>	1-Jul-2025				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	INV Nylon Chemicals Americas, LLC
<b>Reg. Ent. Ref. No.</b>	RN104392626
<b>Facility/Site Region</b>	10-Beaumont
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	64590	<b>No. of Violations</b>	3
<b>Docket No.</b>	2023-1134-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Krystina Sepulveda
		<b>EC's Team</b>	Enforcement Team 2
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	<b>\$92,500</b>
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	<b>83.0%</b>	Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$76,775</b>
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Notes: Enhancement for three NOV's with same/similar violations and four orders containing a denial of liability. Reduction for six notices of intent to conduct an audit and three disclosures of violations.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	<b>-\$20,875</b>
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<b>Economic Benefit</b>	<b>0.0%</b>	Enhancement*	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts: \$2,547  
 Estimated Cost of Compliance: \$30,000  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$148,400</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>0.0%</b>	Adjustment	<b>\$0</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	<b>\$148,400</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$148,400</b>
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<b>DEFERRAL</b>	<b>0.0%</b>	Reduction	<b>Adjustment</b>	<b>\$0</b>
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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).

<b>PAYABLE PENALTY</b>	<b>\$148,400</b>
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**Screening Date** 22-Aug-2023

**Docket No.** 2023-1134-AIR-E

**PCW**

**Respondent** INV Nylon Chemicals Americas, LLC

*Policy Revision 5 (January 28, 2021)*

**Case ID No.** 64590

*PCW Revision February 11, 2021*

**Reg. Ent. Reference No.** RN104392626

**Media** Air

**Enf. Coordinator** Krystina Sepulveda

### 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> )	3	15%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	6	-6%
	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> )	3	-6%
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)** 83%

**>> 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 three NOVs with same/similar violations and four orders containing a denial of liability. Reduction for six notices of intent to conduct an audit and three disclosures of violations.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 83%

**>> Final Compliance History Adjustment**

**Final Adjustment Percentage \*capped at 100%** 83%

**Screening Date** 22-Aug-2023 **Docket No.** 2023-1134-AIR-E **PCW**  
**Respondent** INV Nylon Chemicals Americas, LLC *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 64590 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN104392626  
**Media** Air  
**Enf. Coordinator** Krystina Sepulveda

**Violation Number**

**Rule Cite(s)**

30 Tex. Admin. Code §§ 101.20(3),116.115(b)(2)(F) and (c), and 122.143(4), New Source Review ("NSR") Permit Nos. 1302 and PSDTX1085, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1897, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 27, and Tex. Health & Safety Code § 382.085(b)

**Violation Description**

Failed to comply with the maximum allowable emissions rate ("MAER"). Specifically, the Respondent exceeded the Volatile Organic Compounds ("VOC") combined MAER of 0.75 ton per year ("tpy") based on a 12-month rolling period for the 12-month periods ending from October 2021 through March 2022 for tanks Emissions Point Numbers ("EPNs") PT383 and EPN PT384, resulting in 2.10 tons of unauthorized VOC emissions.

**Base Penalty**

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

**OR**

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

**Percent**

**>> Programmatic Matrix**

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

**Percent**

**Matrix Notes**

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

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

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

**Violation Base Penalty**

Two quarterly events are recommended for the period of non-compliance from October 1, 2021 through March 31, 2022.

**Good Faith Efforts to Comply**

**Reduction**

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input checked="" type="text" value="x"/>
N/A	<input type="text"/>	<input type="text"/>

**Notes**

The Respondent completed the corrective measures by September 18, 2024, after the Notice of Enforcement ("NOE") dated August 16, 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** INV Nylon Chemicals Americas, LLC  
**Case ID No.** 64590  
**Reg. Ent. Reference No.** RN104392626  
**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)	\$10,000	1-Oct-2021	18-Sep-2024	2.97	\$1,484	n/a	\$1,484

**Notes for DELAYED costs**

Estimated cost to open, clean, and permanently remove from service tanks EPNs PT383 and PT384. The Date Required is the initial date of non-compliance and the Final Date is the date of compliance.

### Avoided Costs

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

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

**Notes for AVOIDED costs**

**Approx. Cost of Compliance**

\$10,000

**TOTAL**

\$1,484

**Screening Date** 22-Aug-2023 **Docket No.** 2023-1134-AIR-E **PCW**  
**Respondent** INV Nylon Chemicals Americas, LLC *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 64590 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN104392626  
**Media** Air  
**Enf. Coordinator** Krystina Sepulveda

**Violation Number** 2

**Rule Cite(s)** 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 1302 and PSDTX1085, SC No. 1, FOP No. O1897, GTC and STC No. 27, and Tex. Health & Safety Code § 382.085(b)

**Violation Description** Failed to comply with the MAER. Specifically, the Respondent exceeded the nitrogen oxides ("NOx") MAER of 2,407.04 tpy based on a 12-month rolling period for the 12-month periods ending June 2022 and September 2022 through December 2022 for the North and South Adiponitrile ("ADN") Boiler, EPN PF40/PF41, resulting in 14.97 tons of unauthorized NOx emissions.

**Base Penalty** \$25,000

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

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual		x		50.0%
	Potential				

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

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

**Adjustment** \$12,500

\$12,500

**Violation Events**

Number of Violation Events 5 152 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

**Violation Base Penalty** \$62,500

Five monthly events are recommended for the periods of non-compliance during the month of June 2022 and from September 1, 2022 through December 31, 2022.

**Good Faith Efforts to Comply** 25.0% Reduction \$15,625

Before NOE/NOV NOE/NOV to EDRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	

**Notes** The Respondent completed the corrective measures by December 4, 2023, prior to the NOE dated June 14, 2024.

**Violation Subtotal** \$46,875

**Economic Benefit (EB) for this violation** **Statutory Limit Test**

**Estimated EB Amount** \$755 **Violation Final Penalty Total** \$98,750

**This violation Final Assessed Penalty (adjusted for limits)** \$98,750

## Economic Benefit Worksheet

**Respondent** INV Nylon Chemicals Americas, LLC  
**Case ID No.** 64590  
**Reg. Ent. Reference No.** RN104392626  
**Media** Air  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	1-Jun-2022	4-Dec-2023	1.51	\$755	n/a	\$755

**Notes for DELAYED costs**

Estimated cost to permanently remove the North and South ADN Boilers, EPN PF40/PH41, from hazardous waste service. The Date Required is the first date of non-compliance and the Final Date is the date of compliance.

### Avoided Costs

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

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

**Notes for AVOIDED costs**

**Approx. Cost of Compliance**

\$10,000

**TOTAL**

\$755

**Screening Date** 22-Aug-2023 **Docket No.** 2023-1134-AIR-E **PCW**  
**Respondent** INV Nylon Chemicals Americas, LLC *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 64590 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN104392626  
**Media** Air  
**Enf. Coordinator** Krystina Sepulveda

**Violation Number** 3

**Rule Cite(s)** 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 1302 and PSDTX1085, SC No. 1, FOP No. O1897, GTC and STC No. 27, and Tex. Health & Safety Code § 382.085(b)

**Violation Description** Failed to comply with the MAER. Specifically, the Respondent exceeded the Carbon Monoxide ("CO") MAER of 4.24 tpy based on a 12-month rolling period for the 12-month periods ending from May 2023 through September 2023 for the Ammonia Flare Routine/Maintenance, Startup, and Shutdown ("MSS") Operations, EPN PH70, resulting in 1.23 tons of unauthorized CO emissions.

**Base Penalty** \$25,000

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual			x	30.0%
Potential				

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
				0.0%

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

**Adjustment** \$17,500

\$7,500

**Violation Events**

Number of Violation Events 2 153 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

**Violation Base Penalty** \$15,000

Two quarterly events are recommended for the period of non-compliance from May 1, 2023 through September 30, 2023.

**Good Faith Efforts to Comply** 25.0% Reduction \$3,750

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary	x	
N/A		

**Notes** The Respondent completed the corrective measures by December 12, 2023, prior to the NOE dated June 14, 2024.

**Violation Subtotal** \$11,250

**Economic Benefit (EB) for this violation** **Statutory Limit Test**

**Estimated EB Amount** \$308 **Violation Final Penalty Total** \$23,700

**This violation Final Assessed Penalty (adjusted for limits)** \$23,700

## Economic Benefit Worksheet

**Respondent** INV Nylon Chemicals Americas, LLC  
**Case ID No.** 64590  
**Reg. Ent. Reference No.** RN104392626  
**Media** Air  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	1-May-2023	12-Dec-2023	0.62	\$308	n/a	\$308

**Notes for DELAYED costs**

Estimated cost to permanently remove from service the Ammonia Flare Routine/MSS Operations, EPN PH70. The Date Required is the first date of non-compliance and the Final Date is the date of compliance.

### Avoided Costs

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

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

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$10,000

**TOTAL**

\$308



# Compliance History Report

Compliance History Report for CN605811850, RN104392626, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

<b>Customer, Respondent, or Owner/Operator:</b>	CN605811850, INV Nylon Chemicals Americas, LLC	<b>Classification:</b>	SATISFACTORY	<b>Rating:</b>	5.56
<b>Regulated Entity:</b>	RN104392626, INV Nylon Chemicals Americas Orange Site	<b>Classification:</b>	SATISFACTORY	<b>Rating:</b>	12.07
<b>Complexity Points:</b>	38	<b>Repeat Violator:</b>	NO		
<b>CH Group:</b>	05 - Chemical Manufacturing				
<b>Location:</b>	3055A Farm to Market Road 1006 Orange, Orange County, Texas 77630-8045				
<b>TCEQ Region:</b>	REGION 10 - BEAUMONT				

## ID Number(s):

**AIR OPERATING PERMITS** PERMIT 1897  
**AIR NEW SOURCE PERMITS** AFS NUM 4836100244  
**AIR NEW SOURCE PERMITS** PERMIT 1387  
**AIR NEW SOURCE PERMITS** PERMIT 1302  
**AIR NEW SOURCE PERMITS** REGISTRATION 43816  
**AIR NEW SOURCE PERMITS** REGISTRATION 50464  
**AIR NEW SOURCE PERMITS** REGISTRATION 51405  
**AIR NEW SOURCE PERMITS** PERMIT 1303  
**AIR NEW SOURCE PERMITS** REGISTRATION 76879  
**AIR NEW SOURCE PERMITS** REGISTRATION 79303  
**AIR NEW SOURCE PERMITS** REGISTRATION 79898  
**AIR NEW SOURCE PERMITS** REGISTRATION 81967  
**AIR NEW SOURCE PERMITS** REGISTRATION 82438  
**AIR NEW SOURCE PERMITS** ACCOUNT NUMBER OCA002B  
**AIR NEW SOURCE PERMITS** REGISTRATION 107798  
**AIR NEW SOURCE PERMITS** REGISTRATION 139597  
**AIR NEW SOURCE PERMITS** REGISTRATION 124313  
**AIR NEW SOURCE PERMITS** REGISTRATION 112078  
**AIR NEW SOURCE PERMITS** REGISTRATION 150873  
**AIR NEW SOURCE PERMITS** REGISTRATION 153972  
**AIR NEW SOURCE PERMITS** REGISTRATION 162969  
**AIR NEW SOURCE PERMITS** REGISTRATION 166535  
**AIR NEW SOURCE PERMITS** REGISTRATION 167931  
**AIR NEW SOURCE PERMITS** REGISTRATION 163738  
**AIR NEW SOURCE PERMITS** REGISTRATION 163070  
**AIR NEW SOURCE PERMITS** REGISTRATION 166252  
**AIR NEW SOURCE PERMITS** REGISTRATION 163428  
**AIR NEW SOURCE PERMITS** REGISTRATION 164253  
**AIR NEW SOURCE PERMITS** REGISTRATION 148133  
**AIR NEW SOURCE PERMITS** REGISTRATION 147085  
**AIR NEW SOURCE PERMITS** REGISTRATION 148872  
**AIR NEW SOURCE PERMITS** REGISTRATION 148653  
**AIR NEW SOURCE PERMITS** REGISTRATION 152425  
**AIR NEW SOURCE PERMITS** REGISTRATION 154233  
**AIR NEW SOURCE PERMITS** REGISTRATION 161456  
**AIR NEW SOURCE PERMITS** REGISTRATION 160339  
**AIR NEW SOURCE PERMITS** REGISTRATION 161316  
**AIR NEW SOURCE PERMITS** REGISTRATION 160653  
**AIR NEW SOURCE PERMITS** REGISTRATION 156833  
**AIR NEW SOURCE PERMITS** REGISTRATION 161140

**AIR OPERATING PERMITS** ACCOUNT NUMBER OCA002B  
**AIR NEW SOURCE PERMITS** REGISTRATION 76134  
**AIR NEW SOURCE PERMITS** REGISTRATION 144029  
**AIR NEW SOURCE PERMITS** REGISTRATION 52687  
**AIR NEW SOURCE PERMITS** REGISTRATION 53853  
**AIR NEW SOURCE PERMITS** REGISTRATION 51530  
**AIR NEW SOURCE PERMITS** REGISTRATION 54974  
**AIR NEW SOURCE PERMITS** PERMIT 1790  
**AIR NEW SOURCE PERMITS** REGISTRATION 78657  
**AIR NEW SOURCE PERMITS** REGISTRATION 80152  
**AIR NEW SOURCE PERMITS** EPA PERMIT PSDTX1085  
**AIR NEW SOURCE PERMITS** REGISTRATION 82408  
**AIR NEW SOURCE PERMITS** REGISTRATION 86674  
**AIR NEW SOURCE PERMITS** REGISTRATION 95871  
**AIR NEW SOURCE PERMITS** REGISTRATION 124760  
**AIR NEW SOURCE PERMITS** REGISTRATION 141389  
**AIR NEW SOURCE PERMITS** REGISTRATION 141143  
**AIR NEW SOURCE PERMITS** REGISTRATION 154225  
**AIR NEW SOURCE PERMITS** REGISTRATION 151885  
**AIR NEW SOURCE PERMITS** REGISTRATION 164632  
**AIR NEW SOURCE PERMITS** REGISTRATION 163427  
**AIR NEW SOURCE PERMITS** REGISTRATION 163369  
**AIR NEW SOURCE PERMITS** REGISTRATION 162970  
**AIR NEW SOURCE PERMITS** REGISTRATION 168640  
**AIR NEW SOURCE PERMITS** REGISTRATION 162091  
**AIR NEW SOURCE PERMITS** REGISTRATION 163069  
**AIR NEW SOURCE PERMITS** REGISTRATION 163739  
**AIR NEW SOURCE PERMITS** REGISTRATION 146688  
**AIR NEW SOURCE PERMITS** REGISTRATION 148260  
**AIR NEW SOURCE PERMITS** REGISTRATION 145051  
**AIR NEW SOURCE PERMITS** REGISTRATION 141531  
**AIR NEW SOURCE PERMITS** REGISTRATION 146127  
**AIR NEW SOURCE PERMITS** REGISTRATION 160457  
**AIR NEW SOURCE PERMITS** REGISTRATION 155787  
**AIR NEW SOURCE PERMITS** REGISTRATION 162914  
**AIR NEW SOURCE PERMITS** REGISTRATION 160284  
**AIR NEW SOURCE PERMITS** REGISTRATION 159238  
**AIR NEW SOURCE PERMITS** REGISTRATION 161508  
**AIR NEW SOURCE PERMITS** REGISTRATION 158872  
**AIR NEW SOURCE PERMITS** REGISTRATION 159373

**AIR NEW SOURCE PERMITS** REGISTRATION 156543  
**AIR NEW SOURCE PERMITS** REGISTRATION 154554  
**AIR NEW SOURCE PERMITS** REGISTRATION 173547  
**AIR NEW SOURCE PERMITS** REGISTRATION 172816  
**AIR NEW SOURCE PERMITS** REGISTRATION 168641  
**AIR NEW SOURCE PERMITS** PERMIT 176183  
**AIR NEW SOURCE PERMITS** REGISTRATION 170631  
**AIR NEW SOURCE PERMITS** REGISTRATION 174463  
**AIR NEW SOURCE PERMITS** REGISTRATION 176179  
**AIR NEW SOURCE PERMITS** REGISTRATION 179491  
**IHW CORRECTIVE ACTION** SOLID WASTE  
REGISTRATION # (SWR) 87432  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW282  
**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER  
OCA002B  
**INDUSTRIAL AND HAZARDOUS WASTE** PERMIT 50395  
  
**INDUSTRIAL AND HAZARDOUS WASTE** SOLID WASTE  
REGISTRATION # (SWR) 87432  
**TAX RELIEF** ID NUMBER 18942

**AIR NEW SOURCE PERMITS** REGISTRATION 159868  
**AIR NEW SOURCE PERMITS** REGISTRATION 156059  
**AIR NEW SOURCE PERMITS** REGISTRATION 172407  
**AIR NEW SOURCE PERMITS** REGISTRATION 174238  
**AIR NEW SOURCE PERMITS** REGISTRATION 175655  
**AIR NEW SOURCE PERMITS** REGISTRATION 175154  
**AIR NEW SOURCE PERMITS** REGISTRATION 174561  
**AIR NEW SOURCE PERMITS** REGISTRATION 172543  
**AIR NEW SOURCE PERMITS** REGISTRATION 178205  
**AIR NEW SOURCE PERMITS** REGISTRATION 177773  
**UNDERGROUND INJECTION CONTROL** PERMIT WDW191  
  
**STORMWATER** PERMIT TXR05ER35  
**POLLUTION PREVENTION PLANNING** ID NUMBER  
P06863  
**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID  
TXR000057752  
**TAX RELIEF** ID NUMBER 16593  
  
**TAX RELIEF** ID NUMBER 20182

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

**Date Compliance History Report Prepared:** April 22, 2025

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** April 22, 2020 to April 22, 2025

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

**Name:** Krystina Sepulveda

**Phone:** (956) 430-6045

**Site and Owner/Operator History:**

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

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

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

- 1      Effective Date: 08/04/2020      ADMINORDER 2019-0748-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: GENERAL TERMS AND CONDITIONS PERMIT  
SPECIAL CONDITION 1 PERMIT  
Special Term and Condition 20 OP  
Description: Failure to maintain an emission rate below the allowable limits.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: General Condition 9 PERMIT  
GENERAL TERMS AND CONDITIONS OP  
Special Term and Condition 20 OP  
Special Terms and Conditions 2F OP  
Description: Failure to notify the TCEQ Beaumont Regional Office of a Reportable Emissions Event within 24 hours of the discovery of the event.  
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 Terms and Conditions OP

Special Condition 1 PERMIT  
Special Term and Condition 20 OP

Description: Failure to maintain emissions below the Maximum Allowable Emissions Rate Table (MAERT) for #1 Vent Stack (Emission Point Number [EPN] PE-20).

2 Effective Date: 10/12/2020 ADMINORDER 2020-0402-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: General Terms and Conditions OP  
Special Condition 1 PERMIT  
Special Term and Condition 27 OP

Description: Failure to prevent unauthorized emissions.

3 Effective Date: 12/21/2020 ADMINORDER 2020-0589-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP  
Special Condition 1 PERMIT  
Special Term and Condition 19 OP

Description: Failure to maintain emissions below the allowable limit.

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP  
Special Condition 1 PERMIT  
Special Term and Condition 27 OP

Description: Failure to prevent unauthorized emissions to the atmosphere during Incident 329502.

4 Effective Date: 10/16/2023 ADMINORDER 2022-0126-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP  
Special Condition 1 PERMIT  
Special Term and Condition 19 OP

Description: Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 1303, SC No. 1, FOP No. O1898, GTC and STC No. 19, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 1,971.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 368140) that occurred on October 11, 2021 and lasted two hours and 15 minutes. The emissions event occurred when the insulation on the impulse line was removed

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP  
Special Condition 1 PERMIT  
Special Term and Condition 19 OP

Description: Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 1303, SC No. 1, FOP No. O1898, GTC and STC No. 19, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 179.56 lbs of NH3 from the No. 1 Vent Stack, EPN PE-20, released 0.57 lb of VOC from B233 Fugitives, EPN PE-55, and released 1.15 lbs of NH3 and 0.26 lb of VOC from B261 Fugitives, EPN PE-52, during an emissions event (Incident No. 375578) that

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  
PSDTX1085, Special Condition 1 PERMIT  
Special Term and Condition 27 OP

Description: Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 1302 and PSDTX1085, SC No. 1, FOP No. O1897, GTC and STC No. 27, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the CO MAER of 18.62 tons per year ("tpy") based on a 12-month rolling period for the 12-month periods ending on March 2020, April 2020, and July 2020 and the NH3 MAER of 4.88 tpy based on a 12-month rolling

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, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O1897, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the October 1, 2020 through March 31, 2021 reporting period did not include the deviations for failing to comply with the NOx heat input, failing to operate the Continuous Monitoring System ("CMS") with a downtime less than or equal to five percent due to Winter Storm Uri,

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP  
Special Term and Condition 2F OP

Description: Failed to make the records for the non-reportable emissions events readily available upon request, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b) and 122.143(4), FOP No. O1897, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the final records for 35 non-reportable emissions events were requested to be provided by June 20, 2022 and the Respondent provided the final records for 28 non-reportable emissions events on June 20, 2022, but the final records for

Classification: Moderate

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

Rqmt Prov: FOP No. O1897 OP  
General Terms and Conditions OP

Description: Failed to record the quarterly visible emissions observations for the Dust Collector, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), FOP No. O1897, GTC and STC No. 27, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not record the visible emissions observation conducted for the Dust Collector during the second quarter of 2021.

Classification: Moderate

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

Rqmt Prov: FOP No. O1897 OP  
General Terms and Conditions OP

Description: Failed to record the quarterly visible emissions observations for Fire Pump Engine 1, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), FOP No. O1897, GTC and STC No. 27, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not record the visible emissions observations conducted for Fire Pump Engine 1 during the first and second quarters of 2021.

Classification: Moderate

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

Rqmt Prov: FOP No. O1897 OP  
General Terms and Conditions OP

Description: Failed to record the quarterly visible emissions observations for Fire Pump Engine 2, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), FOP No. O1897, GTC and STC No. 27, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not record the visible emissions observations conducted for Fire Pump Engine 2 during the first and second quarters of 2021.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)  
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  
PSDTX1085, General Condition 7 PERMIT  
PSDTX1085, Special Condition 12(D) PERMIT  
Special Term and Condition 27 OP

Description: Failed to maintain the calibration records for the Nickel Dumping Station Filter, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(E)(i) and (c), and 122.143(4), NSR Permit Nos. 1302 and PSDTX1085, General Conditions ("GC") No. 7 and SC No. 12.D, FOP No. O1897 GTC and STC No. 27, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not maintain the calibration records for the Nickel Dumping Station Filter.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. O1897 OP

Description: Failed to comply with the representations with regard to construction plans and operation procedures in a permit application, in violation of 30 TEX. ADMIN. CODE §§ 116.116(a)(1) and 122.143(4), FOP No. O1897, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not represent any maintenance, startup, and shutdown activities and the associated emissions in the application for NSR Permit Nos. 1302 and PSDTX1085, but the Respondent conducted planned maintenance on

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)(E)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(F)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(I)  
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 2F OP

Description: Failed to identify all required information on the final record for a non-reportable emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b)(2)(E), (F), and (I) and 122.143(4), FOP No. O1897, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not accurately identify the date and time of the discovery of the emissions event, the estimated duration of the emissions, and the basis used for determining the quantity of air contaminants

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

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

Item 1	April 28, 2020	(1645424)
Item 2	April 29, 2020	(1644424)
Item 3	April 30, 2020	(1645414)
Item 4	May 21, 2020	(1647029)
Item 5	May 22, 2020	(1633575)
Item 6	June 30, 2020	(1657507)
Item 7	July 07, 2020	(1657420)
Item 8	July 09, 2020	(1652665)
Item 9	July 31, 2020	(1656916)
Item 10	September 04, 2020	(1672620)
Item 11	September 13, 2020	(1658926)
Item 12	October 09, 2020	(1645111)
Item 13	October 21, 2020	(1676914)
Item 14	November 15, 2020	(1690153)
Item 15	November 16, 2020	(1690402)
Item 16	November 20, 2020	(1686023)
Item 17	November 23, 2020	(1677204)
Item 18	January 05, 2021	(1697662)
Item 19	January 15, 2021	(1690746)
Item 20	January 20, 2021	(1698412)
Item 21	January 22, 2021	(1692147)
Item 22	January 25, 2021	(1692152)
Item 23	February 25, 2021	(1698307)

Item 24	February 26, 2021	(1703322)
Item 25	March 26, 2021	(1704498)
Item 26	July 09, 2021	(1738882)
Item 27	July 20, 2021	(1745241)
Item 28	August 20, 2021	(1755732)
Item 29	September 10, 2021	(1760418)
Item 30	September 20, 2021	(1749640)
Item 31	September 22, 2021	(1750557)
Item 32	September 23, 2021	(1749631)
Item 33	October 04, 2021	(1761737)
Item 34	October 05, 2021	(1764346)
Item 35	October 06, 2021	(1761820)
Item 36	October 13, 2021	(1738722)
Item 37	November 30, 2021	(1774836)
Item 38	December 03, 2021	(1775297)
Item 39	March 22, 2022	(1802203)
Item 40	March 28, 2022	(1802975)
Item 41	March 31, 2022	(1802906)
Item 42	April 13, 2022	(1806184)
Item 43	July 01, 2022	(1809832)
Item 44	July 11, 2022	(1823435)
Item 45	August 26, 2022	(1840106)
Item 46	October 31, 2022	(1847627)
Item 47	November 10, 2022	(1853996)
Item 48	December 02, 2022	(1861294)
Item 49	December 15, 2022	(1866580)
Item 50	January 20, 2023	(1868681)
Item 51	February 16, 2023	(1879071)
Item 52	March 05, 2023	(1881242)
Item 53	March 10, 2023	(1881671)
Item 54	May 23, 2023	(1902578)
Item 55	May 31, 2023	(1902955)
Item 56	July 06, 2023	(1852711)
Item 57	September 01, 2023	(1924121)
Item 58	October 20, 2023	(1931612)
Item 59	November 30, 2023	(1931470)
Item 60	December 08, 2023	(1944881)
Item 61	December 19, 2023	(1943496)
Item 62	January 10, 2024	(1943537)
Item 63	February 01, 2024	(1879763)
Item 64	February 15, 2024	(1960865)
Item 65	February 23, 2024	(1965181)
Item 66	February 29, 2024	(1931830)
Item 67	March 08, 2024	(1949819)
Item 68	April 01, 2024	(1967945)
Item 69	April 03, 2024	(1972408)
Item 70	April 11, 2024	(1974890)
Item 71	May 28, 2024	(1987855)
Item 72	June 25, 2024	(1989961)
Item 73	August 09, 2024	(2002124)
Item 74	November 04, 2024	(2018484)
Item 75	November 18, 2024	(2021240)
Item 76	January 03, 2025	(2034334)
Item 77	January 17, 2025	(1951035)
Item 78	February 13, 2025	(2041990)
Item 79	February 26, 2025	(2046835)
Item 80	March 18, 2025	(2053819)

**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: 06/14/2024 (1975736)  
 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 61, SubChapter C, PT 61, SubPT FF 61.354(c)(5)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 5 PERMIT  
 Special Term and Condition 19 OP  
 Description: Failure to maintain the minimum combustion chamber temperature in the  
 Power Boilers during the combustion of waste liquid and/or gas.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.620  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(c)(5)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1217(a)(5)(i)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 13B PERMIT  
 Special Condition 6 PERMIT  
 Special Term and Condition 19 OP  
 Special Term and Condition 1A OP  
 Special Term and Condition 1E OP  
 Description: Failure to maintain carbon monoxide (CO) emissions below 100 parts per  
 million, volume (ppmv) for Power Boiler 5 (Emission Point Number [EPN] 11  
 BLR-003).  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Term and Condition 19 OP  
 Special Term and Condition 27B OP  
 Description: Failure to maintain records.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Term and Condition 2F OP  
 Description: Failure to create a final record for emissions events within two weeks after  
 the end of the event.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Description: Failure to report all deviations.

2 Date: 06/14/2024 (1975735)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.620  
 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 63.1217(a)(5)(i)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 4G PERMIT  
 Special Condition 5 PERMIT  
 Special Term and Condition 1A OP  
 Special Term and Condition 1E OP  
 Special Term and Condition 30 OP  
 Description: Failure to maintain carbon monoxide (CO) emissions below 100 parts per  
 million, volume (ppmv) for the Adiponitrile (ADN) North Boiler (Emission Point  
 Number [EPN] PF41).  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Description: Failure to report all instances of a deviation.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Term and Condition 2F OP

Description: Failure to create a final record for emissions events within two weeks after the end of the event.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 21(E) PERMIT  
 Special Condition 25(A) PERMIT  
 Special Condition 25(B)(3) PERMIT  
 Special Term and Condition 30 OP

Description: Failure to maintain Audible, Visual, and Olfactory (AVO) inspection records.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(F)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Term and Condition 29 OP  
 Special Term and Condition 30 OP

Description: Failure to conduct a Method 9 Nickel Dump opacity observation.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 19F PERMIT  
 Special Term and Condition 30 OP

Description: Failure to conduct monthly cooling tower sampling.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 65, SubChapter C, PT 65, SubPT E 65.114(b)(1)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 21E PERMIT  
 Special Term and Condition 30 OP

Description: Failure to prevent an open-ended line (OEL).  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 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 D 60.44(a)(1)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 2D PERMIT  
 Special Term and Condition 30 OP

Description: Failure to maintain NOx emissions for the North ADN Boiler (EPN PF41) below 0.20 lb/MMBtu.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 21G PERMIT  
 Special Term and Condition 30 OP  
 Description: Failure to monitor a Leak Detection and Repair (LDAR) component.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 115, SubChapter H 115.782(c)(1)(B)(i)(II)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 21H PERMIT  
 Special Term and Condition 30 OP  
 Description: Failure to update the cumulative daily emissions of components on Delay of Repair (DOR) within 10 days of the last leaking component added to DOR.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 10C PERMIT  
 Special Term and Condition 30 OP  
 Special Term and Condition 3A OP  
 Description: Failure to prevent a smoking flare for greater than 5 minutes.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 3 PERMIT  
 Special Term and Condition 30 OP  
 Description: Failure to maintain continuous records of the temperature of the gas stream in the combustion zone of the incinerator.

3 Date: 04/07/2025 (2046874)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
 30 TAC Chapter 122, SubChapter B 122.146(2)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Description: Failure to submit the Semi-annual Deviation Report (SDR) and annual Permit Compliance Certification (PCC) in a timely manner.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 25(A) PERMIT  
 Special Condition 8(A) PERMIT  
 Special Term and Condition 17 OP  
 Special Term and Condition 30 OP  
 Description: Failure to maintain Audio, Visual, and Olfactory records.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Term and Condition 3 PERMIT

Description: Failure to maintain flare visible emission logs.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.620  
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 63.1217(a)(5)(i)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Special Condition 4G PERMIT  
Special Condition 5 PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 1E OP  
Special Term and Condition 30 OP

Description: Failure to maintain CO emissions below 100 parts per million, volume (ppmv) for the Adiponitrile (ADN) South Boiler (EPN PF40).  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
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)  
General Terms and Conditions OP  
Special Condition 10A PERMIT  
Special Term and Condition 1A OP  
Special Term and Condition 30 OP

Description: Failure to maintain the minimum net heating value (NHV) for the Operating Flare (EPN FH3).  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
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 60.13(d)(1)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Special Condition 14(B) PERMIT  
Special Term and Condition 28 OP

Description: Failure to maintain CEMS calibration drift inspections.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Special Condition 10 PERMIT  
Special Term and Condition 30 OP

Description: Failure to sample the NH3 concentration in the outlet liquid from the Low-Pressure Absorber (EPN PE-21).  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(2)(i)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Special Condition 14 PERMIT  
Special Condition 28 PERMIT  
Special Term and Condition 30 OP

Description: Failure to calibrate the CMS for the Boilers.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Special Condition 9 PERMIT  
Special Term and Condition 30 OP

Description: Failure to maintain 99% removal efficiency of VOC In the Low-Pressure Absorber (EPN PE-21).  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 14(A) PERMIT  
 Special Term and Condition 30 OP

Description: Failure to continuously lower the tank liquid level after the tank floating roof initially lands on its supporting legs.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Special Condition 16(D) PERMIT  
 Special Term and Condition 30 OP

Description: Failure to maintain the annual drift eliminator inspection records for the cooling tower (EPN PF413).

Self Report? NO Classification: Moderate

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

Description: Failure to report all deviations.

**F. Environmental audits:**

Notice of Intent Date: 04/27/2021 (1724150)  
 No DOV Associated

Notice of Intent Date: 06/04/2021 (1735032)  
 Disclosure Date: 10/29/2021

Viol. Minor

Classification:

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

Description: Failed to document training for the environmental contractor that did the SWPPP Main Plant.

Notice of Intent Date: 11/05/2021 (1772184)

Disclosure Date: 04/18/2022

Viol. Minor

Classification:

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

Rqmt Prov: PERMIT SC 8.D

Description: Failed to record that the immediate corrective actions were taken within one hour in the ammonia AVO electronic leak log. Specifically, the field is not mandatory and two examples of missing information occurred on 6/28/21 and 7/7/21 at the head of the Aqua Column in HMD Synthesis Building 258.

Viol. Minor

Classification:

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

Rqmt Prov: PERMIT SC 13

Description: Failed to record the valve loading indication in the DCS for the freshwater makeup flow to the Tank Absorber (PE-39) in the data historian going back five years.

Viol. Minor

Classification:

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

Rqmt Prov: PERMIT SC 10

PERMIT SC 15

PERMIT SC 18

Description: Failed to document the annual revalidation of estimated emissions for MSS activities listed in Attachment A.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Description: Failed to report Title V deviations for Item Nos. 1-3 in previous semiannual deviation reports and annual compliance certifications.

Notice of Intent Date: 07/08/2022 (1826471)  
 No DOV Associated

Notice of Intent Date: 10/27/2022 (1854000)

Disclosure Date: 11/10/2022

Viol. Minor

Classification:

Citation: 40 CFR Chapter 65, SubChapter C, PT 65, SubPT E 65.119(b)(9)

Description: Failed to provide daily calibration records for two instances of instrument monitoring use (5/11 and 5/17/22).

Viol. Minor

Classification:

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

40 CFR Chapter 65, SubChapter C, PT 65, SubPT E 65.104(a)(1)(i)

Rqmt Prov: PERMIT SC 21.F

Description: Failed to monitor 117 valves with an instrument that had been properly calibrated on the day of monitoring (refer to Disclosed Violation No. 1).

Viol. Minor

Classification:

Citation: 40 CFR Chapter 65, SubChapter C, PT 65, SubPT E 65.107(b)(4)(i)

Description: Failed to monitor eight pumps with an instrument that had been properly calibrated on the day of monitoring (refer to Disclosed Violation No. 1).

Viol. Minor

Classification:

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

Description: Failed to monitor seven pumps with an instrument that had been properly calibrated on the day of monitoring (refer to Disclosed Violation No. 1).

Viol. Minor

Classification:

Citation: 40 CFR Chapter 65, SubChapter C, PT 65, SubPT E 65.104(b)(2)(i)

Description: Failed to produce several quarterly precision calibration records for instruments used for monitoring for the first, second, and third quarters of 2022.

Viol. Moderate

Classification:

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

Description: Failed to conduct annual Method 21 monitoring for some connectors in 2020 and 2021 (approximately 7,000 connectors in light liquid and 1,200 connectors in gas/vapor service in 2020; 5,000 connectors in light liquid and 1,000 connectors in gas/vapor service in 2021) due to an issue in the database that resulted in the components not being placed in a monitoring route.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 65, SubChapter C, PT 65, SubPT G 65.143(a)(3)(ii)

40 CFR Chapter 65, SubChapter C, PT 65, SubPT G 65.163(a)(1)(ii)

Description: Failed to provide records documenting the applicability of this provision and, if applicable, the completion of the car-seal inspections. Bypass lines on closed vent systems are required to be secured by car-seal type system (requiring a visual inspection once a month) or monitored for flow indication.

Viol. Minor

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.145

Description: Failed to report Title V deviations for Item Nos.1-7 in previous semiannual deviation reports and annual compliance certifications.

Disclosure Date: 04/28/2023

Viol. Minor

Classification:

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.101(a)

Rqmt Prov: PERMIT SC 4.B

Description: Failed to use correct MACT applicability for three transfer racks, which applies (HON) to product transfer racks used to fill (loading railcars and/or tank trucks. However, there are multiple transfer racks listed as being subjected to HON that do not load product and do not load into railcars nor tank trucks, but unload raw materials or load waste streams.

Viol. Minor

Classification:

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 G 63.144(b)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)(5)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(c)(1)

Rqmt Prov: PERMIT SC 4.C

OP STC 15.A

Description: Failed to maintain sufficient documentation for HON Wastewater Streams Group 2 Determinations. Specifically, no supporting documentation is available to demonstrate that wastewater streams listed as Group 2 meet the thresholds to be Group 2.

Viol. Minor

Classification:

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

Rqmt Prov: PERMIT SC 4.G  
OP STC 1.A

Description: Failed to provide documentation specificity for Combustion System Leak Monitoring Approach. Specifically, the combustion systems leaks required to specify in the NOCs for Boilers 5 and 7 provide a monitoring approach for the combustion system leaks incorporation in the automatic waste feed cutoff system lacks specificity regarding how the facility does it in practice.

Viol. Moderate

Classification:

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 G 63.110(d)(7)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.110(d)(8)(i)(B)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.115(e)

Rqmt Prov: OP STC 1.A  
PERMIT STC 4.C

Description: Failed to accurately reflect in the permit ISOM Reactor HON/NSPS RRR Applicability. Specifically, documentation for the retrofit project provides that ISOM Reactor is HON Group 1 Process, but it is not reflected in the permit or HON applicability documentation. Additionally, the retrofit project data also indicated that there was no vent on the OSOM Reactor to the regulatory assessment reverted back to pre-retrofit applicability, although the ISOM Reactor P7ID shows there may be a vent.

Viol. Moderate

Classification:

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 YY 63.1102

Rqmt Prov: PERMIT SC 4.F  
OP STC 1.A

Description: Failed to determine the total annual average concentration of 40 CFR Part 63 Table 9 compounds for the HON MACT 11/20/22 existing cyanide chemicals manufacturing process unit that generates process wastewater from HCM purification, ammonia purification, or flare blowdown. Testing could trigger control requirements and no documentation that HCN MACT RTR required sampling was completed.

Viol. Moderate

Classification:

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 YY 63.1102

Rqmt Prov: PERMIT SC 4.F  
OP STC 1.A

Description: Failed to take HCN MACT 5/18/22 compliance date actions with the first post -RTR compliance date startup, shutdown, malfunction plan (SSMP) provisions were no longer applicable and the site did not generate a standalone maintenance wastewater plan and discontinue use of SSMP.

Viol. Minor

Classification:

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(b)(3)

Description: Failed to submit the MON semiannual report covering 4/1-9/30/22 which was not submitted apparently due to an improper interpretation that it was not required since there were no longer any Group 1 sources. However, since there were Group 2 sources the requirement is still in the Title V permit.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT SC 16.B

Description: Failed to update in the calculation tool composition of emissions from Tank Nos. 55, 56, Raffinate Storage Tank Unit ID PT 383 and PT 384 and emissions may be overestimated. 12-month rolling exceedances of MAER for the tank may have occurred since permitted change and exceedances were not reported in the previous reporting period.

Notice of Intent Date: 08/13/2024 (2016200)

No DOV Associated

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

N/A

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

N/A

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

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
INV NYLON CHEMICALS AMERICAS,  
LLC  
RN104392626

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BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2023-1134-AIR-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding INV Nylon Chemicals Americas, LLC (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE CH. 382. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a nylon production company located at 3055A Farm to Market Road 1006 in Orange, Orange County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE CH. 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$148,400 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$74,200 of the penalty. Pursuant to TEX. WATER CODE § 7.067, \$74,200 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or

required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
  - a. By September 18, 2024, opened, cleaned, and permanently removed from service tanks Emissions Point Numbers ("EPNs") PT383 and PT384;
  - b. By December 4, 2023, permanently removed the North and South Adiponitrile ("ADN") Boilers, EPN PF40/PH41, from hazardous waste service; and
  - c. By December 12, 2023, permanently removed from service the Ammonia Flare Routine/Maintenance, Startup, and Shutdown ("MSS") Operations, EPN PH70.

## II. ALLEGATIONS

1. During a record review for the Plant conducted on August 2, 2023, an investigator documented that the Respondent failed to comply with the maximum allowable emissions rate ("MAER"), in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (C), and 122.143(4), New Source Review ("NSR") Permit Nos. 1302 and PSDTX1085, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1897, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 27, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the volatile organic compounds ("VOC") combined MAER of 0.75 ton per year ("tpy") based on a 12-month rolling period for the 12-month periods ending from October 2021 through March 2022 for tanks EPNs PT383 and PT384, resulting in 2.10 tons of unauthorized VOC emissions.
2. During a record review for the Plant conducted on May 23, 2024, an investigator documented that the Respondent:

- a. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 1302 and PSDTX1085, SC No. 1, FOP No. O1897, GTC and STC No. 27, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the nitrogen oxides ("NOx") MAER of 2,407.04 tpy based on a 12-month rolling period for the 12-month periods ending June 2022 and from September 2022 through December 2022 for the North and South ADN Boiler, EPN PF40/PF41, resulting in 14.97 tons of unauthorized NOx emissions.
- b. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 1302 and PSDTX1085, SC No. 1, FOP No. O1897, GTC and STC No. 27, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the carbon monoxide ("CO") MAER of 4.24 tpy based on a 12-month rolling period for the 12-month periods ending from May 2023 through September 2023 for the Ammonia Flare Routine/MSS Operations, EPN PH70, resulting in 1.23 tons of unauthorized CO emissions.

### III. DENIALS

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

### IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: INV Nylon Chemicals Americas, LLC, Docket No. 2023-1134-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 Section I, Paragraph No. 4. The amount of \$74,200 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

-----  
For the Commission

-----  
Date

*Krista Mello-Jurack*

-----  
11/10/2025

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For the Executive Director

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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.

*Chance Fenetz*

*9/4/2025*

-----  
Signature

-----  
Date

*Chance Fenetz*

*Plant Manager*

-----  
Name (Printed or typed)

-----  
Title

-----  
Authorized Representative of  
INV Nylon Chemicals Americas, LLC

*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: 2023-1134-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

<b>Respondent:</b>	INV Nylon Chemicals Americas, LLC
<b>Payable Penalty Amount:</b>	\$148,400
<b>SEP Offset Amount:</b>	\$74,200
<b>Type of SEP:</b>	Contribution to a Third-Party Administrator SEP
<b>Third-Party Administrator:</b>	Southeast Texas Regional Planning Commission
<b>Project Name:</b>	<i>Lighthouse Program</i>
<b>Total Project Budget:</b>	\$5,679,300.00
<b>Location of SEP:</b>	Jefferson 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 offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

A. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Southeast Texas Regional Planning Commission** for the *Lighthouse Program* Project (the “Project”). The Project is to hire a contractor to conduct initial inspections of eligible applicants’ homes. The inspections will determine whether the home is in a condition suitable for weatherization and energy efficiency upgrades. Upgrades will not be completed at homes that need new roofs or significant foundation work. The contractor shall also determine what weatherization and energy efficiency upgrades are necessary and appropriate for the home and write a work plan. This contractor shall also conduct the final inspection of the home after the work is completed.

The Third-Party Administrator will conduct eligibility determinations to verify that participants own their homes and qualify as low-income. The Third-Party Administrator will also prepare all contracts with contractors and homeowners, coordinate between the contractors and the homeowners to answer questions, ensure that work is done timely and properly, and arrange for any necessary repairs to new equipment under the 12-month warranty period after work is completed. The Project will be done in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP agreement between the Third-Party Administrator and the TCEQ.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not 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 the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

B. Environmental Benefit

Implementation of this Project will benefit air by reducing residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter, volatile organic compounds, and the nitrogen oxides associated with the combustion of fuel and the generation of electricity. Past energy audits have shown a 12-30% reduction in energy usages after completion of the weatherization and energy upgrades.

### C. Minimum Expenditure

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

## 2. Performance Schedule

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

Southeast Texas Regional Planning Commission  
Attention: Pamela Lewis, Program Manager  
2210 Eastex Freeway  
Beaumont, Texas 77703

## 3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to 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:

INV Nylon Chemicals Americas, LLC  
Docket No. 2023-1134-AIR-E  
Agreed Order - Attachment A

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

#### 5. **Publicity**

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

#### 6. **Recognition**

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

#### 7. **Other SEPs by TCEQ or Other Agencies**

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