

Executive Summary – Enforcement Matter – Case No. 63778
Chevron Phillips Chemical Company LP
RN100209857
Docket No. 2023-1137-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Port Arthur Plant, 2001 South Gulfway Drive, Port Arthur, Jefferson County

Type of Operation:

Petrochemical manufacturing plant

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: December 26, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$184,250

Total Paid to General Revenue: \$92,125

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$92,125

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: \$18,750

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: November 15, 2022 and June 21, 2023

Date(s) of NOE(s): July 31, 2023

Executive Summary – Enforcement Matter – Case No. 63778
Chevron Phillips Chemical Company LP
RN100209857
Docket No. 2023-1137-AIR-E

Violation Information

1. Failed to prevent unauthorized emissions [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 21101 and PSDTX1248, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1235, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 23, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to comply with the compressor standards [30 TEX. ADMIN. CODE §§ 101.20(2) and (3), 113.520, 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS ("CFR") § 63.1031(b) and (c), NSR Permit Nos. 21101 and PSDTX1248, SC No. 5.D., FOP No. O1235, GTC and STC No. 23, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
3. Failed to comply with the maximum allowable emissions rates ("MAERs") [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 21101 and PSDTX1248, SC No. 1, FOP No. O1235, GTC and STC No. 23, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
4. Failed to report all instances of deviations [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O1235, GTC, 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 October 10, 2022, retrained the Operations personnel on the expectation to follow the standard operating procedures in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 381920; and
- b. By February 29, 2024, equipped the GB302 Refinery Fuel Gas Compressor with a new degassing drum in order to detect failure of the seal system, barrier fluid system, or both and prevent leakage of process fluid to the atmosphere.

Technical Requirements:

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).
2. The Order will also require the Respondent to:
 - a. Within 30 days:

Executive Summary – Enforcement Matter – Case No. 63778
Chevron Phillips Chemical Company LP
RN100209857
Docket No. 2023-1137-AIR-E

- i. Submit written documentation to demonstrate actions taken to comply with the carbon monoxide ("CO"), nitrogen oxides ("NOx"), and VOC hourly MAERs for MSS Flare 40, EPN MSSAROMFLR;
 - ii. Submit a revised deviation report for the January 1, 2022 through June 30, 2022 reporting period to report the deviations for failing to prevent unauthorized emissions during Incident No. 381685, failing to comply with the CO hourly MAER for the Economizer, and failing to comply with the CO 24-hour concentration limit for the Economizer;
 - iii. Submit a revised deviation report for the July 1, 2022 through December 31, 2022 reporting period to report the deviation for failing to comply with the CO hourly concentration limit for Boiler B6100; and
 - iv. Submit written documentation to demonstrate actions taken to ensure that all instances of deviations are reported in a timely manner.
- b. Within 45 days, submit written certification to demonstrate compliance with a.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Yuliya Dunaway, Enforcement Division, Enforcement Team 2, MC R-12, (210) 403-4077; 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: Andrew Woods, Plant Manager, Chevron Phillips Chemical Company LP, Post Office Box 1547, Port Arthur, Texas 77641

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	5-Dec-2022	Screening	8-Mar-2023	EPA Due	
	PCW	23-Aug-2024				

RESPONDENT/FACILITY INFORMATION	
Respondent	Chevron Phillips Chemical Company LP
Reg. Ent. Ref. No.	RN100209857
Facility/Site Region	10-Beaumont
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	63778	No. of Violations	4
Docket No.	2023-1137-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Yuliya Dunaway
		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	\$108,000
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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	100.0%	Adjustment	Subtotals 2, 3, & 7	\$108,000
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Notes: Enhancement for one NOV with the same or similar violations and six agreed orders containing a denial of liability. Reduction for four Notices of Intent to conduct an audit and two 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	-\$13,000
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$5,151
 Estimated Cost of Compliance: \$38,500
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$203,000
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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	\$203,000
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$184,250
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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	\$184,250
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Screening Date 8-Mar-2023

Docket No. 2023-1137-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 5 (January 28, 2021)

Case ID No. 63778

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN100209857

Media Air

Enf. Coordinator Yuliya Dunaway

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>)	1	5%
	Other written NOVs	0	0%
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>)	4	-4%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	2	-4%
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) 117%

>> 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 one NOV with the same or similar violations and six agreed orders containing a denial of liability. Reduction for four Notices of Intent to conduct an audit and two Disclosures of Violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 117%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 8-Mar-2023

Docket No. 2023-1137-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 5 (January 28, 2021)

Case ID No. 63778

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN100209857

Media Air

Enf. Coordinator Yuliya Dunaway

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 21101 and PSDTX1248, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1235, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 23, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 21,633.00 pounds ("lbs") of ethylene as fugitives during an emissions event (Incident No. 381920) that occurred on June 22, 2022 and lasted five minutes.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

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 the violation.

Adjustment \$0

\$25,000

Violation Events

Number of Violation Events 1 Number of violation days 1

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$25,000

One daily event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction \$6,250

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

Extraordinary		
Ordinary	x	
N/A		

Notes

The Respondent completed the corrective measures by October 10, 2022, prior to the Notice of Enforcement ("NOE") dated November 28, 2022.

Violation Subtotal \$18,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$23

Violation Final Penalty Total \$43,750

This violation Final Assessed Penalty (adjusted for limits) \$25,000

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 63778
Reg. Ent. Reference No. RN100209857
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	\$1,500	22-Jun-2022	10-Oct-2022	0.30	\$23	n/a	\$23
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to retrain the Operations personnel on the expectation to follow the standard operating procedures in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 381920. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$23

Screening Date 8-Mar-2023 **Docket No.** 2023-1137-AIR-E **PCW**
Respondent Chevron Phillips Chemical Company LP *Policy Revision 5 (January 28, 2021)*
Case ID No. 63778 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN100209857
Media Air
Enf. Coordinator Yuliya Dunaway

Violation Number 2
Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(2) and (3), 113.520, 116.115(c), and 122.143(4), 40 Code of Federal Regulations § 63.1031(b) and (c), NSR Permit Nos. 21101 and PSDTX1248, SC No. 5.D., FOP No. O1235, GTC and STC No. 23, and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to comply with the compressor standards. Specifically, the Respondent did not equip the GB302 Refinery Fuel Gas Compressor with a seal system that includes a barrier fluid system with a sensor to detect failure of the seal system, barrier fluid system, or both and prevent leakage of process fluid to the atmosphere, resulting in the detection of volatile organic compounds ("VOC") leaks that resulted in a total of approximately 6,000 lbs of unauthorized VOC emissions.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	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 did not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 9 800 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$67,500

Nine quarterly events are recommended from the June 9, 2021 non-compliance date to the August 18, 2023 screening date for Investigation No. 1888990.

Good Faith Efforts to Comply 10.0% Reduction \$6,750

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		

Notes The Respondent completed the corrective measures by February 29, 2024, after the NOE dated July 31, 2023.

Violation Subtotal \$60,750

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

Estimated EB Amount \$3,408 **Violation Final Penalty Total** \$128,250

This violation Final Assessed Penalty (adjusted for limits) \$128,250

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 63778
Reg. Ent. Reference No. RN100209857
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)	\$25,000	9-Jun-2021	29-Feb-2024	2.73	\$3,408	n/a	\$3,408

Notes for DELAYED costs

Estimated cost to equip the GB302 Refinery Fuel Gas Compressor with a new degassing drum in order to detect failure of the seal system, barrier fluid system, or both and prevent leakage of process fluid to the atmosphere. 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

\$25,000

TOTAL

\$3,408

Screening Date	8-Mar-2023	Docket No.	2023-1137-AIR-E	PCW
Respondent	Chevron Phillips Chemical Company LP			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	63778			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN100209857			
Media	Air			
Enf. Coordinator	Yuliya Dunaway			

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit Nos. 21101 and PSDTX1248, SC No. 1, FOP No. O1235, GTC and STC No. 23, and Tex. Health & Safety Code § 382.085(b)

Violation Description
 Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, the Respondent exceeded the nitrogen oxides ("NOx") MAER of 16.91 pounds per hour ("lbs/hr") by 4.01 lbs/hr and 4.92 lbs/hr and exceeded the carbon monoxide ("CO") MAER of 86.18 lbs/hr by 20.42 lbs/hr and 25.04 lbs/hr for two hours on May 23, 2022 for Maintenance, Startup, and Shutdown ("MSS") Flare 40, Emissions Point Number ("EPN") MSSAROMFLR, resulting in the unauthorized release of 8.93 lbs of NOx and 45.46 lbs of CO. Additionally, the Respondent exceeded the CO MAER of 86.18 lbs/hr and VOC MAER of 166.39 lbs/hr for 10 hours on May 7, 2022 for MSS Flare 40, EPN MSSAROMFLR, resulting in the unauthorized release of 174.12 lbs of CO and 1,053.67 lbs of VOC.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	<input type="text" value="30.0%"/>
	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 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 type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text" value="x"/>

Violation Base Penalty

Two single events are recommended (one event for each instance of non-compliance).

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

Notes The Respondent does not meet the good faith criteria for this violation.

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 Chevron Phillips Chemical Company LP
Case ID No. 63778
Reg. Ent. Reference No. RN100209857
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	7-May-2022	1-Apr-2025	2.90	\$1,452	n/a	\$1,452
Notes for DELAYED costs	Estimated cost to submit written documentation to demonstrate actions taken to comply with the CO, NOx, and VOC hourly MAERs for MSS Flare 40, EPN MSSAROMFLR. The Date Required is the first date of non-compliance and the Final Date is the estimated date of compliance.						

Avoided Costs

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

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

Approx. Cost of Compliance \$10,000

TOTAL \$1,452

Screening Date 8-Mar-2023 **Docket No.** 2023-1137-AIR-E **PCW**
Respondent Chevron Phillips Chemical Company LP *Policy Revision 5 (January 28, 2021)*
Case ID No. 63778 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN100209857
Media Air
Enf. Coordinator Yuliya Dunaway

Violation Number 4
Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), FOP No. 01235, GTC, and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to report all instances of deviations. Specifically, the deviation report for the January 1, 2022 through June 30, 2022 reporting period did not include the deviations for failing to prevent unauthorized emissions during Incident No. 381685, failing to comply with the CO hourly MAER for the Economizer, and failing to comply with the CO 24-hour concentration limit for the Economizer. Additionally, the deviation report for the July 1, 2022 through December 31, 2022 reporting period did not include the deviation for failing to comply with the CO hourly concentration limit for Boiler B6100.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
				x	1.0%

Less than 30% of the rule requirements were not met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 2 384 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$500

Two single events are recommended (one event for each incomplete deviation report).

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$500

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

Estimated EB Amount \$268 **Violation Final Penalty Total** \$1,000

This violation Final Assessed Penalty (adjusted for limits) \$1,000

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 63778
Reg. Ent. Reference No. RN100209857
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	30-Jul-2022	1-Apr-2025	2.67	\$201	n/a	\$201
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	30-Jul-2022	1-Apr-2025	2.67	\$67	n/a	\$67

Notes for DELAYED costs

Estimated costs to submit a revised deviation report for the January 1, 2022 through June 30, 2022 reporting period to report the deviations for failing to prevent unauthorized emissions during Incident No. 381685, failing to comply with the CO hourly MAER for the Economizer, and failing to comply with the CO 24-hour concentration limit for the Economizer (\$250); submit a revised deviation report for the July 1, 2022 through December 31, 2022 reporting period to report the deviation for failing to comply with the CO hourly concentration limit for Boiler B6100 (\$250); and submit written documentation to demonstrate actions taken to ensure that all instances of deviations are reported in a timely manner (\$1,500). The Dates Required are the date the first deviation report was due and the Final Dates are the estimated dates 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

\$2,000

TOTAL

\$268



Compliance History Report

Compliance History Report for CN600303614, RN100209857, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN600303614, Chevron Phillips Chemical Company LP	Classification:	SATISFACTORY	Rating:	7.39
Regulated Entity:	RN100209857, CHEVRON PHILLIPS CHEMICAL PORT ARTHUR FACILITY	Classification:	SATISFACTORY	Rating:	15.73
Complexity Points:	16	Repeat Violator:	NO		
CH Group:	05 - Chemical Manufacturing				
Location:	2001 S GULFWAY DR PORT ARTHUR, TX 77640-4534, JEFFERSON COUNTY				
TCEQ Region:	REGION 10 - BEAUMONT				

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER JE0508W
AIR OPERATING PERMITS PERMIT 2954

AIR NEW SOURCE PERMITS PERMIT 21101
AIR NEW SOURCE PERMITS REGISTRATION 143793
AIR NEW SOURCE PERMITS REGISTRATION 170506
AIR NEW SOURCE PERMITS AFS NUM 4824500162
AIR NEW SOURCE PERMITS REGISTRATION 79030
AIR NEW SOURCE PERMITS REGISTRATION 124617
AIR NEW SOURCE PERMITS REGISTRATION 125904
AIR NEW SOURCE PERMITS REGISTRATION 128964
AIR NEW SOURCE PERMITS PERMIT 103765
AIR NEW SOURCE PERMITS REGISTRATION 137324
AIR NEW SOURCE PERMITS REGISTRATION 151137
AIR NEW SOURCE PERMITS REGISTRATION 162560
AIR NEW SOURCE PERMITS REGISTRATION 168153
AIR NEW SOURCE PERMITS REGISTRATION 163634
AIR NEW SOURCE PERMITS REGISTRATION 163633
AIR NEW SOURCE PERMITS REGISTRATION 164561
AIR NEW SOURCE PERMITS REGISTRATION 147642
AIR NEW SOURCE PERMITS REGISTRATION 146331
AIR NEW SOURCE PERMITS REGISTRATION 146148
AIR NEW SOURCE PERMITS REGISTRATION 156604
AIR NEW SOURCE PERMITS REGISTRATION 161173
AIR NEW SOURCE PERMITS REGISTRATION 158064
AIR NEW SOURCE PERMITS REGISTRATION 161788
AIR NEW SOURCE PERMITS PERMIT AMOC144
AIR NEW SOURCE PERMITS REGISTRATION 154011
AIR NEW SOURCE PERMITS REGISTRATION 172321
AIR NEW SOURCE PERMITS REGISTRATION 174589
AIR NEW SOURCE PERMITS REGISTRATION 175141
AIR NEW SOURCE PERMITS REGISTRATION 174447
AIR NEW SOURCE PERMITS REGISTRATION 172771
AIR NEW SOURCE PERMITS REGISTRATION 167520
AIR NEW SOURCE PERMITS REGISTRATION 174959
AIR NEW SOURCE PERMITS EPA PERMIT GHGSPDXTX229
AIR EMISSIONS INVENTORY ACCOUNT NUMBER JE0508W
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXR000004390
TAX RELIEF ID NUMBER 20185
TAX RELIEF ID NUMBER 22309

AIR OPERATING PERMITS PERMIT 1235
AIR NEW SOURCE PERMITS ACCOUNT NUMBER JE0508W
AIR NEW SOURCE PERMITS REGISTRATION 145970
AIR NEW SOURCE PERMITS REGISTRATION 153584
AIR NEW SOURCE PERMITS REGISTRATION 168803
AIR NEW SOURCE PERMITS REGISTRATION 78071
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1248
AIR NEW SOURCE PERMITS REGISTRATION 140930
AIR NEW SOURCE PERMITS REGISTRATION 118411
AIR NEW SOURCE PERMITS REGISTRATION 139584
AIR NEW SOURCE PERMITS REGISTRATION 119833
AIR NEW SOURCE PERMITS REGISTRATION 153303
AIR NEW SOURCE PERMITS REGISTRATION 154307
AIR NEW SOURCE PERMITS REGISTRATION 169477
AIR NEW SOURCE PERMITS REGISTRATION 168472
AIR NEW SOURCE PERMITS REGISTRATION 169283
AIR NEW SOURCE PERMITS REGISTRATION 169794
AIR NEW SOURCE PERMITS REGISTRATION 146999
AIR NEW SOURCE PERMITS REGISTRATION 146880
AIR NEW SOURCE PERMITS REGISTRATION 147383
AIR NEW SOURCE PERMITS REGISTRATION 150960
AIR NEW SOURCE PERMITS REGISTRATION 159750
AIR NEW SOURCE PERMITS REGISTRATION 161438
AIR NEW SOURCE PERMITS REGISTRATION 156197
AIR NEW SOURCE PERMITS REGISTRATION 160775
AIR NEW SOURCE PERMITS REGISTRATION 152163
AIR NEW SOURCE PERMITS REGISTRATION 172088
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1248M1
AIR NEW SOURCE PERMITS REGISTRATION 171966
AIR NEW SOURCE PERMITS REGISTRATION 173253
AIR NEW SOURCE PERMITS REGISTRATION 171968
AIR NEW SOURCE PERMITS REGISTRATION 169876
AIR NEW SOURCE PERMITS REGISTRATION 171967
AIR NEW SOURCE PERMITS REGISTRATION 170042
AIR NEW SOURCE PERMITS REGISTRATION 171965
POLLUTION PREVENTION PLANNING ID NUMBER P01806
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 83963
TAX RELIEF ID NUMBER 20827

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

Date Compliance History Report Prepared: January 30, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 30, 2019 to January 30, 2024

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

Name: Amanda Diaz

Phone: (512) 239-2922

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: 12/18/2019 ADMINORDER 2018-1152-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 22 OP

Description: Failure to limit Nitrogen Oxide (NOx) and Sulfur Dioxide (SO2) tons per year (tpy) emissions at the Vapor Destruction Unit N1 (Emission Point Number (EPN) F-N1-VDU) below permitted limits.

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 22 OP

Description: Failure to limit Nitrogen Oxide (NOx) and Carbon Monoxide (CO) pounds per hour emissions at the Process Flare (EPN E-24-FLARE) below permitted limits.

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 22 OP

Description: Failure to maintain an emission rate below the allowable emission limits for Incident 283935. EIC Category A12i(6), MOD (D)

2 Effective Date: 12/21/2020 ADMINORDER 2019-1069-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: General Terms and Conditions OP
Special Condition 1 PERMIT

Special Term and Condition 23 OP

Description: Failed to comply with the annual maximum allowable emissions rate ("MAER"). Specifically, the Respondent exceeded the volatile organic compounds ("VOC") MAER of 25.11 tons per year based on a 12-month rolling period for the 12-month periods ending from March 2018 through July 2018 for Cooling Tower 137, Emissions Point Number ("EPN") E-137-CT, resulting in 5.14 tons of unauthorized VOC.

- 3 Effective Date: 08/24/2021 ADMINORDER 2020-1181-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: General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Term and Condition 23 OP
 Description: Failed to comply with the maximum allowable emissions rate. Specifically, the Respondent exceeded the benzene MAER of 10.45 pounds per hour ("lbs/hr") by 19.65 lbs/hr for one hour on May 12, 2019 for the Maintenance, Startup, and Shutdown Flare 40, Emissions Point Number ("EPN") MSSAROMFLR, resulting in 19.65 pounds of unauthorized benzene emissions.
- 4 Effective Date: 11/29/2021 ADMINORDER 2019-1138-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 23 OP
 Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 85,546.5 lbs of VOC, 10,698.36 lbs of NOx, and 90,740.35 lbs of CO from the Ethylene Unit Process Flare, EPN E-24-FLARE, during an emissions event (Incident No. 305665) that began on March 28, 2019 and lasted 52 hours and 46 minutes. The emissions event occurred due to a distillation tower trip, resulting in flaring.
 Classification: Major
 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 CONDITION 23 OP
 Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 20,835.31 lbs of VOC, 1,117.86 lbs of NOx, and 12,432.69 lbs of CO from the Ethylene Unit Process Flare, EPN E-24-FLARE, during an emissions event (Incident No. 307716) that occurred on May 2, 2019 and lasted 16 hours and 50 minutes. The emissions event occurred due to an unplanned shutdown of Boiler Unit 1041 which caused an upset in Ethylene Unit 1544, resulting in flaring.
- 5 Effective Date: 01/27/2022 ADMINORDER 2021-0090-AIR-E (1660 Order-Agreed Order With Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 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)(2)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Term and Condition 23 OP
 Description: Failure to maintain an emission rate below the allowable emission limits for Incident 341686. EIC Category A12i(6), MOD (D)

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 2	May 31, 2019	(1570173)
Item 3	June 25, 2019	(1576423)
Item 4	November 19, 2019	(1605575)
Item 5	January 24, 2020	(1624303)
Item 6	March 10, 2020	(1632324)
Item 7	May 22, 2020	(1646932)
Item 9	July 28, 2020	(1664547)
Item 10	September 09, 2020	(1669920)
Item 11	September 23, 2020	(1671580)
Item 12	September 24, 2020	(1671562)
Item 13	October 02, 2020	(1671564)
Item 15	January 11, 2021	(1690517)
Item 16	January 20, 2021	(1677684)
Item 17	January 22, 2021	(1672585)
Item 18	January 27, 2021	(1672123)
Item 19	January 29, 2021	(1677768)
Item 20	February 03, 2021	(1671333)
Item 21	February 05, 2021	(1696899)
Item 22	March 12, 2021	(1677765)
Item 23	September 28, 2021	(1763113)
Item 24	October 13, 2021	(1699805)
Item 25	October 20, 2021	(1699762)
Item 26	January 25, 2022	(1782169)
Item 27	February 24, 2022	(1697548)
Item 28	March 01, 2022	(1796280)
Item 29	March 10, 2022	(1794827)
Item 30	March 15, 2022	(1794866)
Item 31	October 18, 2022	(1852595)
Item 32	November 01, 2022	(1853882)
Item 34	January 05, 2023	(1868123)
Item 35	January 23, 2023	(1840629)
Item 36	February 15, 2023	(1847466)
Item 37	March 24, 2023	(1868189)
Item 38	April 05, 2023	(1874738)
Item 39	April 28, 2023	(1896723)
Item 40	January 04, 2024	(1949727)

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:	07/31/2023	(1888990)		
	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) General Terms and Conditions OP Special Condition 23 OP Special Condition 5A PERMIT			
	Description:	Failure to maintain the Carbon Monoxide (CO) hourly 100 ppm concentration permitted limits on the Boilers.			
	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) General Terms and Conditions OP Special Condition 1 PERMIT Special Condition 5A PERMIT			
	Description:	Failure to maintain the CO 100 ppm concentration and the CO pounds per hour (lbs/hr) permitted limit of 26.28 on the Boilers.			
	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 117, SubChapter B 117.110(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 23 OP
 Special Condition 27A OP
 Description: Failure to maintain the CO hourly permitted limit of 508.25 lbs/hr and the CO ppm 24-hour rolling limit of 400 ppm on the Economizer BA-100, EPN E-01A-1544.

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)
 General Terms and Conditions OP
 Special Condition 23 OP
 Special Condition 5A PERMIT

Description: Failure to maintain the NOx lbs/MMBtu permitted limit of 0.015 NOx lbs/MMBtu on the Boilers.

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 CC 63.670(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 19G PERMIT
 Special Condition 23 OP
 Special Condition 5F PERMIT

Description: Failure to prevent visible emissions from Flare 24 and Flare 40.

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 CC 63.670(e)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 19G PERMIT
 Special Condition 23 OP
 Special Condition 5F PERMIT

Description: Failure to maintain the minimum Net Heating Value combustion zone (NHVcz) limit of 270 Btu/scf from Flare 24 and Flare 40.

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)
 General Terms and Conditions OP
 Special Condition 18E PERMIT
 Special Condition 23 OP

Description: Failure to conduct the weekly TDS samples from Cooling Towers 294 and 137.

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 116, SubChapter B 116.116(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Condition 1 PERMIT
 General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 23 OP

Description: Failure to operate Flare 24 (to clear "heavies") as represented in the permit application for NSR Permit 21101 intended for operational procedures.

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)
 General Terms and Conditions OP
 Special Condition 23 OP
 Special Condition 5A PERMIT

Description: Failure to maintain the hourly ammonia concentration of 10 ppm at Boiler B6300.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 106, SubChapter W 106.512

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 23 OP
Special Condition 24 OP

Description: Failure to authorize a portable engine in the blasting yard.
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 1, Subchapter C, PT 63, Subpt YY 63.1103(e)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(g)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 19B PERMIT
Special Condition 23 OP
Special Condition 5F PERMIT

Description: Failure to maintain monitoring records of the pilot flame for Flare 40 while regulated material is routed.

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)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 23 OP

Description: Failure to maintain the SO2 hourly permitted limit of 1.74 lbs/hr from the Boilers B6100 and B6200, and the hourly permitted limit of 3.49 lbs/hr from B6300.

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)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 19A PERMIT
Special Condition 23 OP

Description: Failure to maintain the net heating value at or above 300 Btu/scf.

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)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 23 OP

Description: Failure to maintain the Volatile Organic Compound (VOC) tons per year (TPY) of the allowable emissions limit of 25.11 (12-month rolling) at Cooling Tower, EPN E-137CT.

F. Environmental audits:

Notice of Intent Date: 02/13/2020 (1638440)

Disclosure Date: 01/27/2021

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039(b)(1)

Description: Failed to meet reporting requirements for 362 components not properly identified in the LDAR program.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-3(i)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)(i)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

Rqmt Prov: PERMIT SC No. 22.F

PERMIT SC No. 22.G

Description: Failed to meet monitoring requirements for 200 components because they were not properly identified in the LDAR database.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 115, SubChapter D 115.356(1)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(a)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)

Rqmt Prov: PERMIT SC No. 22.A

Description: Failed to meet recordkeeping requirements for 200 components because they were not properly identified in the LDAR database.

Notice of Intent Date: 09/04/2020 (1677329)

Disclosure Date: 07/29/2021

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 117, SubChapter B 117.103(a)(6)(D)

30 TAC Chapter 117, SubChapter B 117.140(i)

30 TAC Chapter 117, SubChapter B 117.145(f)(6)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT IIII 60.4209(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6625(f)

Description: Failed to maintain documentation of engine run times for generators, fire water pumps, and storm water pumps used in emergency operations.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT IIII 60.4201(a)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT IIII 60.4204(b)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT IIII 60.4211(b)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT IIII 60.4211(c)

Description: Failed to generate records demonstrating compliance with NSPS IIII.

Notice of Intent Date: 04/22/2021 (1725000)

No DOV Associated

Notice of Intent Date: 03/30/2022 (1804938)

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:

Component Appendices

Appendix A

All NOVs Issued During Component Period 1/30/2019 and 1/30/2024

1	Date: 07/26/2019 (1578818)		
	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) General Terms and Conditions OP Special Condition 5 PERMIT Special Term and Condition 23 OP		
	Description: Failure to limit Nitrogen Oxide (NOx) lbs/MMBtu emissions at Boiler No. 2 (EPN B6200). EIC Category B18g(1); MOD (D)		
	Self Report? NO	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) General Terms and Condition OP Special Condition 18E(2) PERMIT Special Term and Condition 23 OP		
	Description: Failure to conduct daily sampling and testing for conductivity at the inlets for Cooling Tower 137 (EPN E-137-CT) and Cooling Tower 294 (EPN F-294PS). EIC Category C1, Minor (A)		
	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(b)(2)(H) 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 37 PERMIT Special Term and Condition 23 OP		
	Description: Failure to record emissions associated with Maintenance, Start-Up, and Shutdown (MSS) activities. EIC Category B3; Moderate (B)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Condition 33H PERMIT Special Term and Condition 23 OP		
	Description: Failure to maintain the minimum pressure during vacuum bed regeneration at the HVRU (EPN CA-1). EIC Category B18(g)(1); MOD (G)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Condition 1 PERMIT Special Term and Condition 23 OP		
	Description: Failure to limit Carbon Monoxide (CO) pounds per hour emissions at the Economizer (EPN E-01-1544). EIC Category B18(g)(1); MOD (D)		
	Self Report? NO	Classification: Moderate	

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Term and Condition 23 OP

Description: Failure to limit Volatile Organic Compound (VOC) tons per year (tpy) emissions at the Cooling Tower (EPN E-137CT). EIC Category B18g.(1), Moderate(D)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 22E PERMIT
Special Condition 3B PERMIT
Special Term and Condition 23 OP

Description: Failure to maintain a valve or line with a cap, blind flange, plug, or a second valve in Volatile Organic Compound (VOC) service at the Ethylene and Cumene Feed Preparation Units. EIC Category C10; Minor (D)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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 60.7(a)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 3A PERMIT
Special Term and Condition 23 OP

Description: Failure to submit a change notification and initial fill notification for Tank 822 and Tank XV-9. EIC Category B18 C3; Minor (C)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.263(d)(1)
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 23 OP

Description: Failure to limit Nitrogen Oxides (NOx) planned maintenance emissions at the Process Flare. EIC Category B18g.(1), Moderate(D)

Self Report? NO 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)
General Terms and Conditions OP
Special Condition 47A(4) PERMIT
Special Term and Condition 23 OP

Description: Failure to replace spent carbon canister on the Propylene Fractionator Reboiler EA425 Frac Tank within 4 hours after VOC breakthrough. EIC Category B18g.(1), Minor(D)

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)
General Terms and Conditions OP
Special Condition 5 PERMIT
Special Term and Condition 23 OP

Description: Failure to limit Carbon Monoxide (CO) emissions to 500 ppmvd (corrected to 3% O2) at Boiler No. 2 (EPN B6200) during startup operation. EIC Category

B18g(1); MOD (D)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 113, SubChapter C 113.100
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)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 19B PERMIT
Special Condition 3 PERMIT
Special Condition 5 PERMIT
Special Term and Condition 1A OP
Special Term and Condition 23 OP

Description: Failure to operate Process Flare 24 and Process Flare 40 in a smokeless manner. EIC Category B18g.(1), Moderate(G)

Self Report? NO Classification: Minor

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 33I PERMIT
Special Term and Condition 23 OP

Description: Failure to conduct HVRU (EPN CA-1) Stack inspections. EIC Category C1; Minor(A)

2

Date: 08/18/2020 (1664126)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 33H PERMIT
Special Term and Condition 23 OP

Description: Failure to maintain the minimum pressure during vacuum bed regeneration at the HVRU (Emission Point Number (EPN) CA-1). EIC Category: B18(g)(1); MOD (G)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 34B PERMIT
Special Term and Condition 23 OP

Description: Failure to record Hydrogen Sulfide (H2S) Continuous Emission Monitoring System (CEMS) calibration for Cracking Furnace BA-115. EIC Category: B17; MOD (G)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Condition 10 PERMIT

General Terms and Conditions OP

Special Term and Condition 23 OP

Description: Failure to obtain authorization for emissions within 10 days of adding a fugitive component. EIC Category: B17; MOD (G)

Self Report? NO Classification: Moderate

Citation:

- 30 TAC Chapter 101, SubChapter A 101.20(3)
- 30 TAC Chapter 116, SubChapter B 116.115(c)
- 30 TAC Chapter 122, SubChapter B 122.143(4)
- 5C THSC Chapter 382 382.085(b)
- General Terms and Conditions OP
- Special Condition 12 PERMIT
- Special Term and Condition 22 OP
- Special Term and Condition 23 OP

Description: Failure to record visual emission observations. EIC Category: B17; MOD (G)

Self Report? NO Classification: Moderate

Citation:

- 30 TAC Chapter 101, SubChapter A 101.20(3)
- 30 TAC Chapter 116, SubChapter B 116.115(c)
- 30 TAC Chapter 122, SubChapter B 122.143(4)
- 5C THSC Chapter 382 382.085(b)
- General Terms and Conditions OP
- Special Condition 1 PERMIT
- Special Term and Condition 23 OP

Description: Failure to limit Benzene Maintenance, Startup, Shutdown (MSS) pounds per hour emissions at Process Flare 40 (EPN MSSAROMFLR). EIC Category: B18(g)(1); MOD (D)

Self Report? NO Classification: Moderate

Citation:

- 30 TAC Chapter 101, SubChapter A 101.20(3)
- 30 TAC Chapter 116, SubChapter B 116.115(c)
- 30 TAC Chapter 122, SubChapter B 122.143(4)
- 5C THSC Chapter 382 382.085(b)
- General Terms and Conditions OP
- Special Condition 1 PERMIT
- Special Term and Condition 23 OP

Description: Failure to limit annual Volatile Organic Compound (VOC) tons per year (tpy) emissions at Process Flare 24 (EPN E-24-FLARE). EIC Category B18g.(1), Moderate (D)

Self Report? NO Classification: Moderate

Citation:

- 30 TAC Chapter 101, SubChapter A 101.20(1)
- 30 TAC Chapter 101, SubChapter A 101.20(3)
- 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
- 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 60.8(d)
- 5C THSC Chapter 382 382.085(b)
- General Terms and Conditions OP
- Special Condition 9E PERMIT
- Special Term and Condition 23 OP
- Special Term and Condition 8B OP

Description: Failure to notify the TCEQ Regional Office at least 30 days prior to the Relative Accuracy Test Audit (RATA) for the Fuel Drums of the Boiler and Fuel Gas Drums. EIC Category B3, Moderate (B)

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)
- General Terms and Conditions OP
- Special Condition 5 PERMIT
- Special Term and Condition 23 OP

Description: Failure to limit Nitrogen Oxide (NOx) lbs/MMBtu emissions during startup at Boiler No. 2 (Emission Point Number (EPN) B6200) and Boiler No. 3 (EPN B6300). EIC Category: B18g(1); MOD (D)

Self Report? NO Classification: Moderate

Citation:

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

General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Term and Condition 23 OP
 Description: Failure to limit annual Volatile Organic Compound (VOC) tons per year (tpy) emissions at the Cooling Tower (EPN E-137CT). EIC Category B18g.(1), Moderate(D)
 Self Report? NO Classification: Minor
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.130
 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 VV 60.482-2(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
 40 CFR Part 61, Subpart V 61.242-2(a)(1)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 3B PERMIT
 Special Condition 4B PERMIT
 Special Condition 5C PERMIT
 Special Term and Condition 23 OP
 Description: Failure to conduct monthly monitoring of pumps in Volatile Organic Compound (VOC) service at the Cyclohexane Unit, Cumene Feed Preparation Unit, Pump Station 508, and the Hydrocarbon Vapor Recovery Unit (HVRU). EIC Category: C10; Minor (D)
 Self Report? NO Classification: Minor
 Citation:
 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 31A OP
 Description: Failure to maintain Ozone Depleting Substance (ODS) records associated with leak detection and verification testing for the Engineered Packaged System (EPS) Chiller. EIC Category: C3; Minor (C)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
 30 TAC Chapter 117, SubChapter B 117.110(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Terms and Conditions 1A OP
 Description: Failure to limit Carbon Monoxide parts per million emissions at the Economizer (Emission Point Number (EPN) E-01A-1544). EIC Category: B18g(1); MOD (D)
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Description: Failure to report all instances of deviations. EIC Category B3, Moderate (B)

3 Date: 08/16/2021 (1739769)

Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Term and Condition 23 OP
 Description: Failure to maintain the annual Volatile Organic Compound (VOC) tons per year (tpy) allowable emission limit at the Process Flare (EPN E-24-FLARE). EIC Category B18g.(1), Moderate(D).
 Self Report? NO Classification: Moderate

Citation: General Terms and Conditions OP
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term and Condition 23 OP

Description: Failure to maintain the annual Volatile Organic Compound (VOC) tons per year (tpy) allowable emission limit at the Cooling Tower (EPN E-137CT). EIC Category B18g.(1), Moderate(D).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.110(c)(1)
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 1A OP

Description: Failure to limit Carbon Monoxide (CO) parts per million emissions at the Economizer (Emission Point Number (EPN) E-01A-1544 and EPN E-CAP). EIC Category: B18g.(1), Moderate(D).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Term and Condition 23 OP

Description: Failure to maintain the Carbon Monoxide (CO) pound per hour allowable emission limit at the Economizer (EPN E-01A-1544 and EPN E-CAP). EIC Category B18g.(1), Moderate(D).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 19D PERMIT
Special Term and Condition 23 OP

Description: Failure to perform quarterly multi-point calibrations on the Flare 24 and Flare 40 analyzers. EIC Category B18g.(1), Moderate(D).

Self Report? NO Classification: Moderate

Citation: 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 31A OP

Description: Failure to ensure that on-site refrigeration work is performed by properly certified personnel. EIC Category: B17; Moderate (C).

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations. EIC Category B3, Moderate (B).

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 63, SubChapter C, PT 63, SubPT DDDDD 63.7550(b)(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 3 PERMIT
Special Term and Condition 1A OP

Description: Failure to submit a Subpart DDDDD semiannual compliance report for Unit ID GRPBOIL no later than the first date (January 31 or July 31) following the end of the semiannual reporting period. EIC Category B3, Minor (C).

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)
General Terms and Conditions OP
Special Condition 14 PERMIT
Special Condition 5A PERMIT
Special Condition 5B PERMIT
Special Term and Condition 23 OP
Description: Failure to limit Nitrogen Oxides (NOx) pound per million British thermal unit emissions at Boiler No. 1 (Emission Point Number (EPN B6100)), Boiler No. 2 (EPN B6200), and Boiler No. 3 (EPN B6300). EIC Category B18g.(1), Moderate (D).

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)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Term and Condition 23 OP
Description: Failure to maintain the Sulfur Dioxide (SO2) pound per hour allowable emission limit at Boiler No. 1 (Emission Point Number (EPN) B6100) and Boiler No. 3 (EPN B6300). EIC Category B18g.(1), Moderate (D).

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Term and Condition 23 OP
Description: Failure to limit Nitrogen Oxides (NOx) at Flare 40 (Emission Point Number (EPN) F-40-FLARE). EIC Category B18g.(1), Moderate (D).

Self Report? NO 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)
General Terms and Conditions OP
Special Condition 18E PERMIT
Special Term and Condition 23 OP
Description: Failure to collect daily cooling water conductivity samples for Cooling Tower 137 (Emission Point Number (EPN) E-137-CT). EIC Category B18g(1), Minor(A).

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)
General Terms and Conditions OP
Special Condition 7A PERMIT
Special Term and Condition 23 OP
Description: Failure to limit Hydrogen Sulfide (H2S) content in the Boiler Unit fuel gas. EIC Category B18g(1), Moderate (D).

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 10 PERMIT
Special Term and Condition 23 OP
Description: Failure to limit the maximum fired heating duty for Cracking Furnaces (Heaters) BA-117 and BA-118. EIC Category B18g(1), Moderate (G).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Term and Condition 23 OP

Description: Failure to maintain Volatile Organic Compounds (VOC) and Particulate Matter (PM) pound per hour allowable emissions limits at Cracking Furnace (Heater) BA-117 (Emission Point Number (EPN) E-04A-1544) and Cracking Furnace (Heater) BA-118 (EPN E-05A-1544). EIC Category B18g(1), Moderate (D).

Self Report? NO Classification: Moderate

Citation: General Terms and Conditions OP
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21 PERMIT
Special Term and Condition 23 OP

Description: Failure to maintain the minimum Vapor Destruction Unit (Emission Point Number (EPN) F-N1-VDU) stack temperature. EIC Category B18g(1), Moderate (D).

Self Report? NO Classification: Moderate

Citation: General Terms and Conditions OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 14 PERMIT
Special Condition 5A PERMIT
Special Term and Condition 23 OP

Description: Failure to limit Carbon Monoxide (CO) parts per million emissions at Boiler No. 1 (Emission Point Number (EPN) B6100) and Boiler No. 2 (EPN B6200). EIC Category: B18g.(1), Moderate (D).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.100
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 19A PERMIT
Special Term and Condition 13 OP
Special Term and Condition 1A OP
Special Term and Condition 23 OP

Description: Failure to meet the minimum net heating value of 300 British thermal units per standard cubic foot at the Process Flare (Emission Point Number (EPN) E-24-FLARE) during Acetylene Regeneration. EIC Category: B18g.(1), Moderate (G).

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 DDDDD 63.7515(d)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 3 PERMIT
Special Term and Condition 1A OP

Description: Failure to complete an annual heater tune-up as required by 40 CFR Part 63, Subpart DDDDD for the Steam Superheater (BA-113, Emission Point Number (EPN) E-07-1544). EIC Category: B18g.(1), Moderate (G).

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)
General Terms and Conditions OP

Special Condition 1 PERMIT
Special Term and Condition 23 OP

Description: Failure to maintain the Nitrogen Oxides (NOx) pound per hour allowable emission limit at Boiler No. 1 (Emission Point Number (EPN) B6100) and Boiler No. 2 (EPN B6200). EIC Category B18g.(1), Moderate (D).

4

Date: 05/11/2022 (1794441)

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)
General Terms and Conditions OP
Special Condition 21A PERMIT
Special Condition 23 OP

Description: Failure to maintain the minimum VDU stack temperature of 587 Fahrenheit (F).

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)
General Terms and Conditions OP
Special Condition 23 OP
Special Condition of 5 PERMIT

Description: Failure to maintain the Nitrogen Oxides (NOx) pound per Million British thermal units (lb/MMBtu) at Boilers B6100 (Boiler-1) and B6300 (Boiler-3)

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)
General Terms and Conditions OP
Special Condition 23 OP
Special Condition 7 PERMIT

Description: Failure to limit Hydrogen Sulfide (H2S) concentration in the boiler fuel gas.

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)
General Terms and Conditions OP
Special Condition 23 OP
Special Condition 5A PERMIT

Description: Failure to maintain the CO concentration of 100 ppmv at B6100 and B6300.

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 UU 63.1024(a)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Special Condition 22I PERMIT
Special Condition 23 OP

Description: Failure to repair or replace components found to be leaking fugitive emissions in excess of 500 ppmv within 15 days.

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)
General Terms and Conditions OP
Special Condition 19B PERMIT
Special Condition 19F PERMIT
Special Condition 23 OP

Description: Failure to continuously monitor and record the operating parameters for Flare 17 as reported in the semiannual deviation reports for FOP 1235, covering the compliance period of January 1, 2021-December 31, 2021.

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 UU 63.1031(c)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 25 OP
Special Condition 5D PERMIT

Description: Failure to equip the Refinery Fuel Gas (RFG) compressor with a seal system that prevents leakage of process fluid to the atmosphere.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.110(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1A OP

Description: Failure to limit CO ppmv emissions at the economizer.

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)
General Terms and Conditions OP
Special Condition 23 OP
Special Condition 35A PERMIT

Description: Failure to monitor each Ethylene Cracking Furnace identified as BA-101 to BA-112 and the Steam Superheater identified as BA-113.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(e)(1)(v)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 22G PERMIT
Special Condition 23 OP
Special Condition 5D PERMIT

Description: Failure to monitor pumps in the Ethylene Unit and the Cyclohexane Unit.

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 UU 63.1024(d)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 22I PERMIT
Special Condition 23 OP

Description: Failure to maintain DOR documentation.

5* Date: 07/31/2023 (1888990)

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)
General Terms and Conditions OP
Special Condition 23 OP
Special Condition 5A PERMIT

Description: Failure to maintain the Carbon Monoxide (CO) hourly 100 ppm concentration permitted limits on the Boilers.

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)
General Terms and Conditions OP

Special Condition 1 PERMIT
 Special Condition 5A PERMIT
 Description: Failure to maintain the CO 100 ppm concentration and the CO pounds per hour (lbs/hr) permitted limit of 26.28 on the Boilers.

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 117, SubChapter B 117.110(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 23 OP
 Special Condition 27A OP

Description: Failure to maintain the CO hourly permitted limit of 508.25 lbs/hr and the CO ppm 24-hour rolling limit of 400 ppm on the Economizer BA-100, EPN E-01A-1544.

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)
 General Terms and Conditions OP
 Special Condition 23 OP
 Special Condition 5A PERMIT

Description: Failure to maintain the NOx lbs/MMBtu permitted limit of 0.015 NOx lbs/MMBtu on the Boilers.

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 CC 63.670(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 19G PERMIT
 Special Condition 23 OP
 Special Condition 5F PERMIT

Description: Failure to prevent visible emissions from Flare 24 and Flare 40.

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 CC 63.670(e)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 19G PERMIT

Special Condition 23 OP
 Special Condition 5F PERMIT

Description: Failure to maintain the minimum Net Heating Value combustion zone (NHVcz) limit of 270 Btu/scf from Flare 24 and Flare 40.

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)
 General Terms and Conditions OP
 Special Condition 18E PERMIT
 Special Condition 23 OP

Description: Failure to conduct the weekly TDS samples from Cooling Towers 294 and 137.

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 116, SubChapter B 116.116(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Condition 1 PERMIT
 General Terms and Conditions OP

Special Condition 1 PERMIT
Special Condition 23 OP

Description: Failure to operate Flare 24 (to clear "heavies") as represented in the permit application for NSR Permit 21101 intended for operational procedures.

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)
General Terms and Conditions OP
Special Condition 23 OP
Special Condition 5A PERMIT

Description: Failure to maintain the hourly ammonia concentration of 10 ppm at Boiler B6300.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 106, SubChapter W 106.512
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 23 OP
Special Condition 24 OP

Description: Failure to authorize a portable engine in the blasting yard.

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 1, Subchapter C, PT 63, Subpt YY 63.1103(e)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(g)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 19B PERMIT
Special Condition 23 OP
Special Condition 5F PERMIT

Description: Failure to maintain monitoring records of the pilot flame for Flare 40 while regulated material is routed.

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)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 23 OP

Description: Failure to maintain the SO2 hourly permitted limit of 1.74 lbs/hr from the Boilers B6100 and B6200, and the hourly permitted limit of 3.49 lbs/hr from B6300.

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)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 19A PERMIT
Special Condition 23 OP

Description: Failure to maintain the net heating value at or above 300 Btu/scf.

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)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Condition 23 OP

Description: Failure to maintain the Volatile Organic Compound (VOC) tons per year (TPY) of the allowable emissions limit of 25.11 (12-month rolling) at Cooling Tower, EPN E-137CT.

Appendix B

All Investigations Conducted During Component Period January 30, 2019 and January 30, 2024

Item 1*	May 31, 2019**	(1570173)
Item 2*	June 25, 2019**	(1576423)
Item 3	July 26, 2019**	(1578818)
Item 4	July 31, 2019**	(1571049)
Item 5	September 30, 2019**	(1596596)
Item 6*	November 19, 2019**	(1605575)
Item 7*	January 24, 2020**	(1624303)
Item 8*	March 10, 2020**	(1632324)
Item 9*	May 22, 2020**	(1646932)
Item 10*	July 28, 2020**	(1664547)
Item 11	August 18, 2020**	(1664126)
Item 12*	September 09, 2020**	(1669920)
Item 13*	September 23, 2020**	(1671580)
Item 14*	September 24, 2020**	(1671562)
Item 15*	October 02, 2020**	(1671564)
Item 16	December 11, 2020**	(1677687)
Item 17*	December 18, 2020**	(1692335)
Item 18*	January 11, 2021**	(1690517)
Item 19*	January 20, 2021**	(1677684)
Item 20*	January 22, 2021**	(1672585)
Item 21*	January 27, 2021**	(1672123)
Item 22*	January 29, 2021**	(1677768)
Item 23*	February 03, 2021**	(1671333)
Item 24*	February 05, 2021**	(1696899)
Item 25	February 12, 2021**	(1701674)
Item 26*	March 12, 2021**	(1677765)
Item 27	August 16, 2021**	(1739769)
Item 28*	September 28, 2021**	(1763113)
Item 29*	October 13, 2021**	(1699805)
Item 30*	October 20, 2021**	(1699762)
Item 31*	January 25, 2022**	(1782169)
Item 32	February 23, 2022**	(1788634)
Item 33*	February 24, 2022**	(1697548)
Item 34*	March 01, 2022**	(1796280)
Item 35*	March 10, 2022**	(1794827)
Item 36*	March 15, 2022**	(1794866)
Item 37	March 22, 2022**	(1782707)
Item 38	May 11, 2022**	(1794441)
Item 39	May 25, 2022**	(1782546)
Item 40*	October 18, 2022**	(1852595)
Item 41*	November 01, 2022**	(1853882)
Item 42	November 28, 2022**	(1834867)
Item 43	December 09, 2022**	(1840631)
Item 44*	January 05, 2023**	(1868123)

Item 45*	January 23, 2023**	(1840629)
Item 46*	February 15, 2023**	(1847466)
Item 47*	March 24, 2023**	(1868189)
Item 48*	April 05, 2023**	(1874738)
Item 49	April 18, 2023**	(1860979)
Item 50*	April 28, 2023**	(1896723)
Item 51	July 31, 2023**	(1888990)
Item 52*	January 04, 2024	(1949727)
Item 53	January 22, 2024	(1944026)

* No violations documented during this investigation

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

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: CHEVRON PHILLIPS CHEMICAL PORT AR

Reg Entity Add: WEST OF PORT ARTHUR TEXAS ON STATE HWY

Reg Entity City: PORT ARTHUR

Reg Entity No: RN100209857

EPA Case No: 06-2020-3321

Order Issue Date (yyyymmdd): 20210608

Case Result: Final Order With Penalty

Statute: CAA

Sect of Statute: 112[R][1]

Classification: Moderate

Program: Risk Management Progra

Citation: 40 CFR

Violation Type: Mechanical Integrity

Cite Sect:

Cite Part: 68

Enforcement Action: Administrative Penalty Order With or Without Inj

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CHEVRON PHILLIPS CHEMICAL
COMPANY LP
RN100209857

§
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§
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§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2023-1137-AIR-E

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Chevron Phillips Chemical Company LP (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 petrochemical manufacturing plant located at 2001 South Gulfway Drive in Port Arthur, Jefferson 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 on November 15, 2022, an investigator documented that the Respondent released 21,633.00 pounds ("lbs") of ethylene as fugitives during an emissions event (Incident No. 381920) that occurred on June 22, 2022 and lasted five minutes.
3. During a record review for the Plant conducted on June 21, 2023, an investigator documented that:
 - a. The Respondent did not equip the GB302 Refinery Fuel Gas Compressor with a seal system that includes a barrier fluid system with a sensor to detect failure of the seal system, barrier fluid system, or both and prevents leakage of process fluid to the atmosphere, resulting in the detection of volatile organic compounds

("VOC") leaks that resulted in a total of approximately 6,000 lbs of unauthorized VOC emissions.

- b. The Respondent exceeded the nitrogen oxides ("NOx") maximum allowable emissions rate ("MAER") of 16.91 pounds per hour ("lbs/hr") by 4.01 lbs/hr and 4.92 lbs/hr and exceeded the carbon monoxide ("CO") MAER of 86.18 lbs/hr by 20.42 lbs/hr and 25.04 lbs/hr for two hours on May 23, 2022 for Maintenance, Startup, and Shutdown ("MSS") Flare 40, Emissions Point Number ("EPN") MSSAROMFLR, resulting in the unauthorized release of 8.93 lbs of NOx and 45.46 lbs of CO. Additionally, the Respondent exceeded the CO MAER of 86.18 lbs/hr and VOC MAER of 166.39 lbs/hr for 10 hours on May 7, 2022 for MSS Flare 40, EPN MSSAROMFLR, resulting in the unauthorized release of 174.12 lbs of CO and 1,053.67 lbs of VOC.
 - c. The deviation report for the January 1, 2022 through June 30, 2022 reporting period did not include the deviations for failing to prevent unauthorized emissions during Incident No. 381685, failing to comply with the CO hourly MAER for the Economizer, and failing to comply with the CO 24-hour concentration limit for the Economizer. Additionally, the deviation report for the July 1, 2022 through December 31, 2022 reporting period did not include the deviation for failing to comply with the CO hourly concentration limit for Boiler B6100.
4. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
- a. By October 10, 2022, retrained the Operations personnel on the expectation to follow the standard operating procedures in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 381920; and
 - b. By February 29, 2024, equipped the GB302 Refinery Fuel Gas Compressor with a new degassing drum in order to detect failure of the seal system, barrier fluid system, or both and prevent leakage of process fluid to the atmosphere.

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 §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit Nos. 21101 and PSDTX1248, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1235, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 23, and TEX. HEALTH & SAFETY CODE § 382.085(b).
3. As evidenced by Finding of Fact No. 3.a, the Respondent failed to comply with the compressor standards, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2) and (3), 113.520, 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS ("CFR") § 63.1031(b) and (c),

NSR Permit Nos. 21101 and PSDTX1248, SC No. 5.D., FOP No. O1235, GTC and STC No. 23, and TEX. HEALTH & SAFETY CODE § 382.085(b).

4. As evidenced by Finding of Fact No. 3.b, the Respondent 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. 21101 and PSDTX1248, SC No. 1, FOP No. O1235, GTC and STC No. 23, and TEX. HEALTH & SAFETY CODE § 382.085(b).
5. As evidenced by Finding of Fact No. 3.c, the Respondent failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), FOP No. O1235, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b).
6. 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.
7. An administrative penalty in the amount of \$184,250 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 \$92,125 of the penalty. Pursuant to TEX. WATER CODE § 7.067, \$92,125 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. 7 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: Chevron Phillips Chemical Company LP, Docket No. 2023-1137-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 II, Conclusion of Law No. 7. The amount of \$92,125 of the assessed penalty is

conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.

3. The Respondent shall undertake the following technical requirements at the Plant:
 - a. Within 30 days after the effective date of this Order:
 - i. Submit written documentation to demonstrate actions taken to comply with the CO, NOx, and VOC hourly MAERs for MSS Flare 40, EPN MSSAROMFLR;
 - ii. Submit a revised deviation report for the January 1, 2022 through June 30, 2022 reporting period to report the deviations for failing to prevent unauthorized emissions during Incident No. 381685, failing to comply with the CO hourly MAER for the Economizer, and failing to comply with the CO 24-hour concentration limit for the Economizer;
 - iii. Submit a revised deviation report for the July 1, 2022 through December 31, 2022 reporting period to report the deviation for failing to comply with the CO hourly concentration limit for Boiler B6100; and
 - iv. Submit written documentation to demonstrate actions taken to ensure that all instances of deviations are reported in a timely manner.
 - b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

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

4. All relief not expressly granted in this Order is denied.
5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
7. 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.
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. 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.
10. 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.

11. 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

02/24/2026

For the Executive Director

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.

David G. Parsley

Signature

12/2/2025

Date

DAVID G. PARSELEY

Name (Printed or typed)

PLANT MANAGER

Title

Authorized Representative of
Chevron Phillips Chemical Company LP

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: 2023-1137-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Chevron Phillips Chemical Company LP
Payable Penalty Amount:	\$184,250
SEP Offset Amount:	\$92,125
Type of SEP:	Contribution to a Third-Party Administrator SEP
Third-Party Administrator:	Southeast Texas Regional Planning Commission
Project Name:	<i>Lighthouse Program</i>
Total Project Budget:	\$5,679,300.00
Location of SEP:	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:

Chevron Phillips Chemical Company LP
Docket No. 2023-1137-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.