

**Executive Summary – Enforcement Matter – Case No. 63775**  
**Chevron Phillips Chemical Company LP**  
**RN100209857**  
**Docket No. 2023-1243-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

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

Chevron Phillips Chemical Port Arthur Facility, 2001 South Gulfway Drive, Port Arthur, Jefferson County

**Type of Operation:**

Chemical manufacturing plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket No. 2024-1270-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** June 20, 2025

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$13,125

**Total Paid to General Revenue:** \$6,563

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

Payment Plan: N/A

**Supplemental Environmental Project (“SEP”) Conditional Offset:** \$6,562

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

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** January 2021

***Investigation Information***

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

**Complaint Information:** N/A

**Date(s) of Investigation:** November 15, 2022

**Date(s) of NOE(s):** December 9, 2022

**Executive Summary – Enforcement Matter – Case No. 63775  
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RN100209857  
Docket No. 2023-1243-AIR-E**

***Violation Information***

Failed to prevent unauthorized emissions. Specifically, the Respondent released 597.07 pounds of volatile organic compounds from the De-coke Drum, Emissions Point Number E-06A-1544, during an emissions event (Incident No. 381289) that occurred on June 10, 2022 and lasted three minutes [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Nos. 21101 and PSDTX1248, Special Conditions No. 1, Federal Operating Permit No. O1235, General Terms and Conditions and Special Terms and Conditions No. 23, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

By July 29, 2022, the Respondent set the Adams Valve position indication, implemented a guidance document for instructing the operators to examine the indicator on the rear of the Adams Valve before initiating the swap from de-coke to the Quench Tower, and conducted awareness training in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 381289.

**Technical Requirements:**

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

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Caleb Martin, Enforcement Division, Enforcement Team 2, MC R-12, (512) 239-2091; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

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

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

**Respondent:** David Parsley, Plant Manager, Chevron Phillips Chemical Company LP, P.O. 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

<b>DATES</b>	<b>Assigned</b>	13-Dec-2022	<b>Screening</b>	8-Mar-2023	<b>EPA Due</b>	
	<b>PCW</b>	31-May-2024				

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

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	63775	<b>No. of Violations</b>	1
<b>Docket No.</b>	2023-1243-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Amanda Diaz
		<b>EC's Team</b>	Enforcement Team 2
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$7,500
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	100.0%	Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	\$7,500
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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.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$1,875
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<b>Economic Benefit</b>	0.0%	Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts: \$34  
 Estimated Cost of Compliance: \$5,000  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$13,125
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	\$13,125
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$13,125
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<b>DEFERRAL</b>	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).

<b>PAYABLE PENALTY</b>	\$13,125
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**Screening Date** 8-Mar-2023

**Docket No.** 2023-1243-AIR-E

**PCW**

**Respondent** Chevron Phillips Chemical Company LP

Policy Revision 5 (January 28, 2021)

**Case ID No.** 63775

PCW Revision February 11, 2021

**Reg. Ent. Reference No.** RN100209857

**Media** Air

**Enf. Coordinator** Amanda Diaz

### 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.** 2023-1243-AIR-E **PCW**  
**Respondent** Chevron Phillips Chemical Company LP *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 63775 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN100209857  
**Media** Air  
**Enf. Coordinator** Amanda Diaz

**Violation Number**

**Rule Cite(s)** 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Nos. 21101 and PSDTX1248, Special Conditions No. 1, Federal Operating Permit No. O1235, General Terms and Conditions and Special Terms and Conditions No. 23, and Tex. Health & Safety Code § 382.085(b)

**Violation Description** Failed to prevent unauthorized emissions. Specifically, the Respondent released 597.07 pounds of volatile organic compounds from the Decoke Drum, Emissions Point Number E-06A-1544, during an emissions event (Incident No. 381289) that occurred on June 10, 2022 and lasted three minutes.

**Base Penalty**

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

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input checked="" 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 did not exceed levels that are protective of human health or environmental receptors as a result of this violation.

**Adjustment**

**Violation Events**

Number of Violation Events  Number of violation days

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

**Violation Base Penalty**

One monthly event is recommended.

**Good Faith Efforts to Comply**  Reduction

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

**Notes** The Respondent completed the corrective measures by July 29, 2022, prior to the Notice of Enforcement dated December 9, 2022.

**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.** 63775  
**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				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	10-Jun-2022	29-Jul-2022	0.13	\$34	n/a	\$34

Notes for DELAYED costs

Estimated cost to set the Adams Valve position indication, implement a guidance document for instructing the operators to examine the indicator on the rear of the Adams Valve before initiating the swap from decoke to the Quench Tower, and conduct awareness training in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 381289. 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 \$5,000

**TOTAL** \$34

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# 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.

<b>Customer, Respondent, or Owner/Operator:</b>	CN600303614, Chevron Phillips Chemical Company LP	<b>Classification:</b>	SATISFACTORY	<b>Rating:</b>	7.39
<b>Regulated Entity:</b>	RN100209857, CHEVRON PHILLIPS CHEMICAL PORT ARTHUR FACILITY	<b>Classification:</b>	SATISFACTORY	<b>Rating:</b>	15.73
<b>Complexity Points:</b>	16	<b>Repeat Violator:</b>	NO		
<b>CH Group:</b>	05 - Chemical Manufacturing				
<b>Location:</b>	2001 SOUTH GULFWAY DRIVE, PORT ARTHUR, JEFFERSON COUNTY, TEXAS				
<b>TCEQ Region:</b>	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 175900  
**AIR NEW SOURCE PERMITS** REGISTRATION 174589  
**AIR NEW SOURCE PERMITS** REGISTRATION 175141  
**AIR NEW SOURCE PERMITS** REGISTRATION 175757  
**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  
**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER JE0508W  
**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID TXR000004390

**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 176383  
**AIR NEW SOURCE PERMITS** REGISTRATION 171966  
**AIR NEW SOURCE PERMITS** REGISTRATION 173253  
**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 GHGPSDTX229  
**AIR NEW SOURCE PERMITS** REGISTRATION 175758  
**POLLUTION PREVENTION PLANNING** ID NUMBER P01806  
**INDUSTRIAL AND HAZARDOUS WASTE** SOLID WASTE REGISTRATION # (SWR) 83963

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

**Date Compliance History Report Prepared:** May 21, 2024

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** May 21, 2019 to May 21, 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

Description: Special Condition 5A PERMIT  
 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:**

N/A

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## *Addendum to Compliance History Federal Enforcement Actions*

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**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

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**EPA Case No:** 06-2020-3321

**Order Issue Date (yyyymmdd):** 20200326

**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

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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

§  
§  
§  
§  
§  
§

BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2023-1243-AIR-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding 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 together stipulate that:

1. The Respondent owns and operates a chemical 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. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$13,125 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$6,563 of the penalty.

Pursuant to Tex. Water Code § 7.067, \$6,562 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN.



CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that by July 29, 2022, the Respondent set the Adams Valve position indication, implemented a guidance document for instructing the operators to examine the indicator on the rear of the Adams Valve before initiating the swap from decoke to the Quench Tower, and conducted awareness training in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 381289.

## II. ALLEGATIONS

During a record review for the Plant conducted on November 15, 2022, an investigator documented that 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 Permit Nos. 21101 and PSDTX1248, Special Conditions No. 1, Federal Operating Permit No. O1235, General Terms and Conditions and Special Terms and Conditions No. 23, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 597.07 pounds of volatile organic compounds from the Decoke Drum, Emissions Point Number E-06A-1544, during an emissions event (Incident No. 381289) that occurred on June 10, 2022 and lasted three minutes.

## III. DENIALS

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

## IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Chevron Phillips Chemical Company LP, Docket No. 2023-1243-AIR-E" to:

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

2. The Respondent shall implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of \$6,562 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 Executive Director demands payment.
3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
8. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

-----  
For the Commission

-----  
Date

*Krista Mello-Jurack*

08/08/2025

-----  
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

-----  
Date

4/28/2025

DAVID G. PARSELEY

-----  
Name (Printed or typed)

-----  
Title

PLANT MANAGER

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: 2023-1243-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

<b>Respondent:</b>	<b>Chevron Phillips Chemical Company LP</b>
<b>Payable Penalty Amount:</b>	<b>\$13,125</b>
<b>SEP Offset Amount:</b>	<b>\$6,562</b>
<b>Type of SEP:</b>	<b>Contribution to a Third-Party Administrator SEP</b>
<b>Third-Party Administrator:</b>	<b>Southeast Texas Regional Planning Commission</b>
<b>Project Name:</b>	<b><i>Lighthouse Program</i></b>
<b>Total Project Budget:</b>	<b>\$5,679,300.00</b>
<b>Location of SEP:</b>	<b>Jefferson County</b>

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

**1. Project Description**

A. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **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. 2023-1243-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.