

Executive Summary – Enforcement Matter – Case No. 65611
Rohm and Haas Texas Incorporated
RN100223205
Docket No. 2024-0383-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

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

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: October 10, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$16,800

Total Paid to General Revenue: \$8,400

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$8,400

Name of SEP: Anahuac Independent School District (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - High

Site/RN - High

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: February 12, 2024 and March 6, 2024 through March 8, 2024

Date(s) of NOE(s): February 20, 2024 and March 11, 2024

Executive Summary – Enforcement Matter – Case No. 65611
Rohm and Haas Texas Incorporated
RN100223205
Docket No. 2024-0383-AIR-E

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 66.47 pounds ("lbs") of volatile organic compounds from the C-Train Flare, Emissions Point Number HT-10, during an emissions event (Incident No. 410841) that occurred on October 6, 2023 and lasted 46 minutes [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit Nos. 8838 and N61, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2236, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 19, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 251.0 lbs of anhydrous ammonia as fugitive emissions, during an emissions event (Incident No. 412524) that occurred on November 8, 2023 and lasted 17 minutes [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 1257A, SC No. 1, FOP No. O1583, GTC and STC No. 15, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implement the following corrective measures:

- a. By March 24, 2024, permanently removed the pressure gauge and installed piping supports to reduce vibration in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 412524; and
- b. By April 2, 2024, replaced the leaking steam to the flare valve and implemented an operating discipline for draining condensate from the flare in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 410841.

Technical Requirements:

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

Executive Summary – Enforcement Matter – Case No. 65611
Rohm and Haas Texas Incorporated
RN100223205
Docket No. 2024-0383-AIR-E

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Caleb Martin, Enforcement Division, Enforcement Team 2, MC 128, (512) 239-2091; 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: Anahuac Independent School District, P.O. Box 638, Anahuac, Texas 77514

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

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

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	28-Feb-2024		
	PCW	13-Jun-2025	Screening	28-Feb-2024
			EPA Due	

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.	65611	No. of Violations	2
Docket No.	2024-0383-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Caleb Martin
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$15,000
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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	21.0%	Adjustment	Subtotals 2, 3, & 7	\$3,150
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Notes: Enhancement for four NOVs with same/similar violations, four NOVs with dissimilar violations, four orders containing a denial of liability, and one order without a denial of liability. Reduction for 54 notices of intent to conduct an audit, 24 disclosures of violations, and High Performer classification.

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	-\$1,500
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$339
Estimated Cost of Compliance: \$15,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$16,650
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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	\$16,650
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$16,650
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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	\$16,650
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Screening Date	28-Feb-2024	Docket No.	2024-0383-AIR-E	PCW
Respondent	Rohm and Haas Texas Incorporated			Policy Revision 5 (January 28, 2021)
Case ID No.	65611			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN100223205			
Media	Air			
Enf. Coordinator	Caleb Martin			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	4	20%
	Other written NOVs	4	8%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
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>)	54	-54%
	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>)	24	-48%
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) 31%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes

Enancement for four NOVs with same/similar violations, four NOVs with dissimilar violations, four orders containing a denial of liability, and one order without a denial of liability. Reduction for 54 notices of intent to conduct an audit, 24 disclosures of violations, and High Performer classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 21%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 21%

Screening Date 28-Feb-2024		Docket No. 2024-0383-AIR-E	PCW	
Respondent Rohm and Haas Texas Incorporated		Policy Revision 5 (January 28, 2021)		
Case ID No. 65611		PCW Revision February 11, 2021		
Reg. Ent. Reference No. RN100223205				
Media Air				
Enf. Coordinator Caleb Martin				
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit Nos. 8838 and N61, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. 02236, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 19, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 66.47 pounds ("lbs") of volatile organic compounds from the C-Train Flare, Emissions Point Number HT-10, during an emissions event (Incident No. 410841) that occurred on October 6, 2023 and lasted 46 minutes.			
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual			x
Potential				
		Percent	30.0%	
>>Programmatic Matrix				
	Falsification	Major	Moderate	Minor
		Percent	0.0%	
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of this violation.			
		Adjustment	\$17,500	
			\$7,500	
>> Violation Events				
Number of Violation Events		1	1 Number of violation days	
	daily			
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			
		Violation Base Penalty	\$7,500	
		One monthly event is recommended		
Good Faith Efforts to Comply		10.0%	Reduction	\$750
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary			
	Ordinary		x	
	N/A			
Notes	The Respondent completed corrective measures by April 2, 2024, after the Notice of Enforcement ("NOE") dated February 20, 2024.			
		Violation Subtotal	\$6,750	
>> Economic Benefit (EB) for this violation				
>> Statutory Limit Test				
Estimated EB Amount		\$245	Violation Final Penalty Total	\$8,325
		This violation Final Assessed Penalty (adjusted for limits) \$8,325		

Economic Benefit Worksheet

Respondent Rohm and Haas Texas Incorporated
Case ID No. 65611
Reg. Ent. Reference No. RN100223205
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	6-Oct-2023	2-Apr-2024	0.49	\$245	n/a	\$245

Notes for DELAYED costs

Estimated cost to replace the leaking steam to the flare valve and implement an operating discipline for draining condensate from the flare in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 410841. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$245

Screening Date	28-Feb-2024	Docket No.	2024-0383-AIR-E	PCW	
Respondent	Rohm and Haas Texas Incorporated			Policy Revision 5 (January 28, 2021)	
Case ID No.	65611			PCW Revision February 11, 2021	
Reg. Ent. Reference No.	RN100223205				
Media	Air				
Enf. Coordinator	Caleb Martin				
Violation Number	2				
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 1257A, SC No. 1, FOP No. O1583, GTC and STC No. 15, and Tex. Health & Safety Code § 382.085(b)				
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 251.0 lbs of anhydrous ammonia as fugitive emissions, during an emissions event (Incident No. 412524) that occurred on November 8, 2023 and lasted 17 minutes.				
		Base Penalty	\$25,000		
>> Environmental, Property and Human Health Matrix					
OR		Release	Harm		
		Major	Moderate	Minor	
	Actual			x	
	Potential				
			Percent	30.0%	
>>Programmatic Matrix					
		Falsification	Major	Moderate	Minor
				Percent	0.0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of this violation.				
		Adjustment	\$17,500		
			\$7,500		
Violation Events					
	Number of Violation Events	1	1	Number of violation days	
	daily				
	weekly				
	monthly	x			
	quarterly				
	semiannual				
	annual				
	single event				
		Violation Base Penalty	\$7,500		
	One monthly event is recommended.				
Good Faith Efforts to Comply	10.0%	Reduction	\$750		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary				
	Ordinary	x			
	N/A				
Notes	The Respondent achieved compliance on March 24, 2024, after the NOE dated March 11, 2024.				
		Violation Subtotal	\$6,750		
Economic Benefit (EB) for this violation					
Statutory Limit Test					
	Estimated EB Amount	\$94	Violation Final Penalty Total	\$8,325	
	This violation Final Assessed Penalty (adjusted for limits)			\$8,325	

Economic Benefit Worksheet

Respondent Rohm and Haas Texas Incorporated
Case ID No. 65611
Reg. Ent. Reference No. RN100223205
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)	\$5,000	8-Nov-2023	24-Mar-2024	0.38	\$94	n/a	\$94

Notes for DELAYED costs

Estimated cost to remove the pressure gauge permanently and install piping supports to reduce piping vibration in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 412524. 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

\$94



Compliance History Report

Compliance History Report for CN605605831, RN100223205, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator:	CN605605831, Rohm and Haas Texas Incorporated	Classification: HIGH	Rating: 0.00
Regulated Entity:	RN100223205, ROHM AND HAAS TEXAS DEER PARK PLANT	Classification: HIGH	Rating: 0.00
Complexity Points:	31	Repeat Violator: NO	
CH Group:	05 - Chemical Manufacturing		
Location:	1900 TIDAL RD, DEER PARK, HARRIS COUNTY, TX		
TCEQ Region:	REGION 12 - HOUSTON		

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0632T	AIR OPERATING PERMITS PERMIT 1583
AIR OPERATING PERMITS PERMIT 2232	AIR OPERATING PERMITS PERMIT 2233
AIR OPERATING PERMITS PERMIT 2234	AIR OPERATING PERMITS PERMIT 2235
AIR OPERATING PERMITS PERMIT 2236	AIR OPERATING PERMITS PERMIT 2237
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1011717	AIR NEW SOURCE PERMITS AFS NUM 4820100034
AIR NEW SOURCE PERMITS PERMIT 723	AIR NEW SOURCE PERMITS PERMIT 751
AIR NEW SOURCE PERMITS PERMIT 1257A	AIR NEW SOURCE PERMITS PERMIT 1957
AIR NEW SOURCE PERMITS PERMIT 2165	AIR NEW SOURCE PERMITS PERMIT 5051
AIR NEW SOURCE PERMITS PERMIT 5802	AIR NEW SOURCE PERMITS PERMIT 6233
AIR NEW SOURCE PERMITS PERMIT 6654	AIR NEW SOURCE PERMITS PERMIT 6894
AIR NEW SOURCE PERMITS PERMIT 7309	AIR NEW SOURCE PERMITS PERMIT 7648
AIR NEW SOURCE PERMITS PERMIT 8838	AIR NEW SOURCE PERMITS REGISTRATION 10715
AIR NEW SOURCE PERMITS REGISTRATION 11779	AIR NEW SOURCE PERMITS REGISTRATION 13804
AIR NEW SOURCE PERMITS PERMIT 17392	AIR NEW SOURCE PERMITS REGISTRATION 26728
AIR NEW SOURCE PERMITS REGISTRATION 28728	AIR NEW SOURCE PERMITS PERMIT 29010
AIR NEW SOURCE PERMITS REGISTRATION 28913	AIR NEW SOURCE PERMITS REGISTRATION 29705
AIR NEW SOURCE PERMITS REGISTRATION 30727	AIR NEW SOURCE PERMITS REGISTRATION 32671
AIR NEW SOURCE PERMITS REGISTRATION 33817	AIR NEW SOURCE PERMITS REGISTRATION 34654
AIR NEW SOURCE PERMITS REGISTRATION 35142	AIR NEW SOURCE PERMITS REGISTRATION 37086
AIR NEW SOURCE PERMITS REGISTRATION 38913	AIR NEW SOURCE PERMITS REGISTRATION 42737
AIR NEW SOURCE PERMITS REGISTRATION 42914	AIR NEW SOURCE PERMITS REGISTRATION 44595
AIR NEW SOURCE PERMITS PERMIT 27131	AIR NEW SOURCE PERMITS REGISTRATION 47480
AIR NEW SOURCE PERMITS EPA PERMIT N61	AIR NEW SOURCE PERMITS REGISTRATION 142365
AIR NEW SOURCE PERMITS REGISTRATION 54970	AIR NEW SOURCE PERMITS EPA PERMIT PSDTX828
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX828M1	AIR NEW SOURCE PERMITS REGISTRATION 50454
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX987	AIR NEW SOURCE PERMITS REGISTRATION 54056
AIR NEW SOURCE PERMITS REGISTRATION 77200	AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0632T
AIR NEW SOURCE PERMITS REGISTRATION 80267	AIR NEW SOURCE PERMITS REGISTRATION 83810
AIR NEW SOURCE PERMITS REGISTRATION 83418	AIR NEW SOURCE PERMITS REGISTRATION 92062
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX987M1	AIR NEW SOURCE PERMITS REGISTRATION 105286
AIR NEW SOURCE PERMITS REGISTRATION 105302	AIR NEW SOURCE PERMITS REGISTRATION 127377
AIR NEW SOURCE PERMITS REGISTRATION 105290	AIR NEW SOURCE PERMITS REGISTRATION 139799
AIR NEW SOURCE PERMITS REGISTRATION 119736	AIR NEW SOURCE PERMITS REGISTRATION 126177
AIR NEW SOURCE PERMITS REGISTRATION 126178	AIR NEW SOURCE PERMITS REGISTRATION 137720
AIR NEW SOURCE PERMITS REGISTRATION 105358	AIR NEW SOURCE PERMITS REGISTRATION 136484
AIR NEW SOURCE PERMITS REGISTRATION 105289	AIR NEW SOURCE PERMITS REGISTRATION 111655
AIR NEW SOURCE PERMITS REGISTRATION 105361	AIR NEW SOURCE PERMITS REGISTRATION 105362
AIR NEW SOURCE PERMITS REGISTRATION 108131	AIR NEW SOURCE PERMITS REGISTRATION 105291

AIR NEW SOURCE PERMITS REGISTRATION 105299
AIR NEW SOURCE PERMITS REGISTRATION 166109
AIR NEW SOURCE PERMITS REGISTRATION 164537
AIR NEW SOURCE PERMITS REGISTRATION 168399
AIR NEW SOURCE PERMITS REGISTRATION 162074
AIR NEW SOURCE PERMITS REGISTRATION 164533
AIR NEW SOURCE PERMITS REGISTRATION 165924
AIR NEW SOURCE PERMITS REGISTRATION 145119
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX828M2
AIR NEW SOURCE PERMITS PERMIT AMOC25
AIR NEW SOURCE PERMITS REGISTRATION 160782
AIR NEW SOURCE PERMITS REGISTRATION 161251
AIR NEW SOURCE PERMITS REGISTRATION 162001
AIR NEW SOURCE PERMITS PERMIT AMOC153
AIR NEW SOURCE PERMITS REGISTRATION 156311
AIR NEW SOURCE PERMITS REGISTRATION 175711
AIR NEW SOURCE PERMITS REGISTRATION 172281
AIR NEW SOURCE PERMITS REGISTRATION 172035
AIR NEW SOURCE PERMITS REGISTRATION 175362
AIR NEW SOURCE PERMITS REGISTRATION 178426
AIR NEW SOURCE PERMITS REGISTRATION 168146
AIR NEW SOURCE PERMITS REGISTRATION 168462
AIR NEW SOURCE PERMITS REGISTRATION 175296
AIR NEW SOURCE PERMITS REGISTRATION 172651
AIR NEW SOURCE PERMITS REGISTRATION 172091
AIR NEW SOURCE PERMITS REGISTRATION 179577
AIR NEW SOURCE PERMITS REGISTRATION 179305
AIR NEW SOURCE PERMITS REGISTRATION 176964
AIR NEW SOURCE PERMITS REGISTRATION 177771
AIR NEW SOURCE PERMITS REGISTRATION 179344

WASTEWATER PERMIT WQ0000458000

AIR EMISSIONS INVENTORY ACCOUNT NUMBER
HG0632T

INDUSTRIAL AND HAZARDOUS WASTE EPA ID
TXD065096273

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50102

TAX RELIEF ID NUMBER 16035

AIR NEW SOURCE PERMITS REGISTRATION 163731
AIR NEW SOURCE PERMITS REGISTRATION 168411
AIR NEW SOURCE PERMITS REGISTRATION 167093
AIR NEW SOURCE PERMITS REGISTRATION 164566
AIR NEW SOURCE PERMITS REGISTRATION 169134
AIR NEW SOURCE PERMITS REGISTRATION 165032
AIR NEW SOURCE PERMITS REGISTRATION 145125
AIR NEW SOURCE PERMITS REGISTRATION 145135
AIR NEW SOURCE PERMITS PERMIT AMOC56
AIR NEW SOURCE PERMITS REGISTRATION 160798
AIR NEW SOURCE PERMITS REGISTRATION 160785
AIR NEW SOURCE PERMITS REGISTRATION 156313
AIR NEW SOURCE PERMITS PERMIT AMOC152
AIR NEW SOURCE PERMITS REGISTRATION 160008
AIR NEW SOURCE PERMITS REGISTRATION 156309
AIR NEW SOURCE PERMITS REGISTRATION 172239
AIR NEW SOURCE PERMITS REGISTRATION 172144
AIR NEW SOURCE PERMITS REGISTRATION 168470
AIR NEW SOURCE PERMITS REGISTRATION 172167
AIR NEW SOURCE PERMITS REGISTRATION 172349
AIR NEW SOURCE PERMITS REGISTRATION 171729
AIR NEW SOURCE PERMITS REGISTRATION 172219
AIR NEW SOURCE PERMITS REGISTRATION 172913
AIR NEW SOURCE PERMITS REGISTRATION 172092
AIR NEW SOURCE PERMITS REGISTRATION 179505
AIR NEW SOURCE PERMITS REGISTRATION 177944
AIR NEW SOURCE PERMITS REGISTRATION 179551
AIR NEW SOURCE PERMITS REGISTRATION 178821
AIR NEW SOURCE PERMITS REGISTRATION 179295

IHW CORRECTIVE ACTION SOLID WASTE

REGISTRATION # (SWR) 30041

WASTEWATER EPA ID TX0006084

POLLUTION PREVENTION PLANNING ID NUMBER
P00587

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
REGISTRATION # (SWR) 30041

TAX RELIEF ID NUMBER 16036

Compliance History Period: September 01, 2019 to August 31, 2024

Rating Year: 2024

Rating Date: 09/01/2024

Date Compliance History Report Prepared: June 13, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: June 13, 2020 to June 13, 2025

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

Name: Caleb Martin

Phone: (512) 239-2091

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:

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
Rqmt Prov: O2233 GTC and STC No. 14 OP
Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Special Term & Condition 14 OP
Description: Failed to comply with the MAERs.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: O2233 GTC and STC No. 2.F OP
Description: Failure to identify all required information on the final record for a reportable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GTC and STC No. 14 OP
NSR Authorization 14 PERMIT
Special Condition 1 PERMIT
Special Term and Condition 14 PERMIT
Description: Failure to comply with the maximum allowable emissions rates (EPN: 35-HR-11). (Category A8 High Priority Violation General Criterion 2).

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: General Terms and Conditions OP
Special Term & Condition 2(F) OP
Description: Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 281429 was due by April 3, 2018 at 8:30 a.m., but was not submitted until April 3, 2018 at 8:46 a.m.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GTC OP
Special Condition 1 PERMIT
Special Conditions No. 1 PERMIT
Special Term & Condition 14(A) OP
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 429 pounds of ammonia as fugitive emissions, during an emissions event (Incident No. 281429) that occurred on April 2, 2018 and lasted five hours. The emissions event occurred when the steam tracing on the ammonia piping damaged the steam tubing that caused a leak in the steam tracing on the ammonia piping, resulting in a pinhole leak in the ammonia piping and in the release to the atmosphere.

Classification: Moderate

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

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

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

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 2236, GTC and STC No. 15 OP
NSR 8838 and N61, SC No. 1 PERMIT

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

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	June 15, 2020	(1652739)
Item 2	June 17, 2020	(1666611)
Item 3	August 03, 2020	(1659142)
Item 4	August 04, 2020	(1665921)
Item 5	August 19, 2020	(1680343)
Item 6	August 20, 2020	(1650926)
Item 7	August 24, 2020	(1666288)
Item 8	September 18, 2020	(1686912)
Item 9	October 15, 2020	(1693259)
Item 10	October 21, 2020	(1678958)
Item 11	November 09, 2020	(1672691)
Item 12	November 17, 2020	(1712467)
Item 13	November 23, 2020	(1677437)
Item 14	December 03, 2020	(1672700)
Item 15	December 16, 2020	(1712468)
Item 16	January 19, 2021	(1712469)
Item 17	February 19, 2021	(1725522)
Item 18	March 11, 2021	(1692236)
Item 19	April 23, 2021	(1725524)
Item 20	May 18, 2021	(1740067)
Item 21	June 07, 2021	(1711296)
Item 22	June 15, 2021	(1740068)
Item 23	June 30, 2021	(1686753)
Item 24	July 22, 2021	(1751708)

Item 25	August 13, 2021	(1749367)
Item 26	August 23, 2021	(1678969)

Item 27	September 08, 2021	(1691874)
Item 28	September 22, 2021	(1766252)
Item 29	September 28, 2021	(1763005)
Item 30	October 18, 2021	(1776715)
Item 31	November 17, 2021	(1783624)
Item 32	November 30, 2021	(1762611)
Item 33	December 15, 2021	(1790650)
Item 34	January 20, 2022	(1798444)
Item 35	February 22, 2022	(1806318)
Item 36	March 16, 2022	(1776057)
Item 37	March 17, 2022	(1776046)
Item 38	March 21, 2022	(1813385)
Item 39	April 21, 2022	(1819956)
Item 40	May 09, 2022	(1806165)
Item 41	May 18, 2022	(1828795)
Item 42	June 27, 2022	(1835087)
Item 43	July 25, 2022	(1842292)
Item 44	August 23, 2022	(1848425)
Item 45	September 22, 2022	(1856223)
Item 46	October 07, 2022	(1847559)
Item 47	October 20, 2022	(1846277)
Item 48	October 24, 2022	(1862580)
Item 49	November 21, 2022	(1869494)
Item 50	December 20, 2022	(1866939)
Item 51	December 23, 2022	(1875343)
Item 52	January 03, 2023	(1860995)
Item 53	January 23, 2023	(1882164)
Item 54	February 28, 2023	(1866170)
Item 55	March 21, 2023	(1898539)
Item 56	April 20, 2023	(1905327)
Item 57	May 23, 2023	(1912511)
Item 58	June 22, 2023	(1919113)
Item 59	June 28, 2023	(1910739)
Item 60	July 24, 2023	(1926077)
Item 61	August 16, 2023	(1933041)
Item 62	September 21, 2023	(1939177)
Item 63	October 04, 2023	(1931411)
Item 64	November 20, 2023	(1951720)
Item 65	November 28, 2023	(1924924)
Item 66	December 21, 2023	(1961482)
Item 67	January 22, 2024	(1968077)
Item 68	January 26, 2024	(1924852)
Item 69	March 22, 2024	(1983706)
Item 70	April 17, 2024	(1990236)
Item 71	May 24, 2024	(1988510)
Item 72	May 31, 2024	(1965622)
Item 73	June 21, 2024	(2003644)
Item 74	July 23, 2024	(2011197)
Item 75	August 13, 2024	(1995888)
Item 76	September 03, 2024	(2007982)
Item 77	October 21, 2024	(2029942)
Item 78	October 31, 2024	(2009590)
Item 80	November 25, 2024	(2036262)
Item 81	December 12, 2024	(2042373)
Item 82	January 20, 2025	(2049201)
Item 83	February 19, 2025	(2056768)
Item 84	February 21, 2025	(2028703)
Item 85	February 27, 2025	(2047321)
Item 86	March 20, 2025	(2065334)

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: 07/31/2024 (2016801)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 2 Date: 08/31/2024 (2023818)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 3 Date: 11/15/2024 (2009626)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term and Condition 9 OP
Description: Failure to prevent exceedance of the hourly Nitrogen Oxide (NOx) Maximum Allowable Emission Rate (MAER) limit for Boiler 4 (EPN: BH-2-4) (Category B13)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition #1A OP
Description: Failure to prevent ammonia parts per million by volume (ppmv) exceedance from Boiler 4 (EPN: BH-2-4) (Category B17)

- 4 Date: 11/18/2024 (2009629)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(d)
40 CFR Part 63, Subpart A 63.11(b)(1)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions ORDER
Special Term & Condition #1A OP
Description: Failure to maintain monitoring records for the Flare (EPN: SW-1). (Category C1)

- 5 Date: 11/25/2024 (2009671)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term & Condition 15 OP
Description: Failure to prevent exceedances of the hourly volatile organic compound (VOC), particulate matter (PM), carbon monoxide (CO), sulfur dioxide (SO₂), and nitrogen oxide (NOx) Maximum Allowable Emission Rate (MAER) limit for HR-1 Preheater (EPN: 35-HR-5). (Category B13)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 14 PERMIT
Special Term & Condition 15 OP
Description: Failure to maintain less than five percent downtime in a six-month period for the continuous emission monitoring system (CEMS) for HR Davy Stack (EPN: HR-8). (Category B1)

- 6 Date: 04/04/2025 (2023070)
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.15(d)
50102 PERMIT
Description: Failure to conduct and record the daily inspection of the boiler and associated system as required.
- Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.53(f)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.15
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195
Description: Failure to conduct daily inspection of the hazardous waste storage tanks and tank systems as required.
- 7 Date: 05/08/2025 (2048665)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term and Condition 12 OP
Description: Failure to prevent exceedance of nitrogen oxides (NOx) hourly Maximum Allowable Emission Rate (MAER) limit for N-5/6 Flare (EPN: N-17). (Category B13)
- 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 YY 63.1106(a)(9)
5C THSC Chapter 382 382.085(b)
Special Condition 6D PERMIT
Special Term and Condition 12 OP
Description: Failure to maintain stripper column temperature for Wastewater Collection Tank No. 91357 (EPN: N-18). (Category C4)
- Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
5C THSC Chapter 382 382.085(b)
Description: Failure to create a final record for a non-reportable event within two weeks of the end of the emissions event. (Category C3)
- 8 Date: 05/14/2025 (2048081)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 11(B)(6) PERMIT
Special Term and Condition 17 OP
Description: Failure to prevent exceedance of CEMS analyzer downtime for the 12-month rolling period for the D-Train Thermal Oxidizer (EPN: HT-30). (Category B18.g.1)
- Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 10(B) PERMIT
Special Term and Condition 17 OP
Description: Failure to prevent exceedance of total dissolved solids (TDS) concentration limit for HT2 Cooling Tower (EPN: HT-29). (Category B18.g.1)
- Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
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)(i)(B)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 17 OP
Special Term and Condition 1A OP
Description: Failure to maintain minimum net heating value (NHV) for SVG HT-1 Flare (EPN: HT-4). (Category C4)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
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)(i)(B)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 17 OP
Special Term and Condition 1A OP
Description: Failure to maintain minimum net heating value (NHV) for SEP IV Flare (EPN: HT-50). (Category C4)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
Special Condition 16B PERMIT
Special Term and Condition 17 OP
Special Term and Condition 1A OP
Description: Failure to operate C-Train Flare (EPN: HT-10) with a pilot flame present at all times (Category C4)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
Special Condition 16B PERMIT
Special Term and Condition 17 OP
Special Term and Condition 1A OP
Description: Failure to operate SEP IV Flare (EPN: HT-50) with a pilot flame present at all times. (Category C4)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 28(B) PERMIT
Special Term and Condition 17 OP
Description: Failure to prevent exceedance of temperature limit for HT Tank 44943 (EPN: HT-44943). (Category B18.g.1)

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 Term and Conditions OP
Description: Failure to report all instances of deviation for the reporting period of November 1, 2023, through April 30, 2024. (Category B3)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Description: Failure to report all instances of deviation for the reporting period of May 1, 2024, through October 31, 2024 (Category B3)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 10 C (2) PERMIT
Special Condition 10D(1) PERMIT
Special Term and Condition 17 OP
Description: Failure to analyze weekly total dissolved solid (TDS) sample for HT2 Cooling Tower and HT1 Cooling Tower (EPNs: HT-29 and HT-36) within the required timeframe. (Category C1).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 10 B PERMIT
Special Term and Condition 17 OP
Description: Failure to prevent exceedance of total dissolved solids (TDS) concentration limit for the HT1 Cooling Tower (EPN: HT-36). (Category B18.g.1)

F. Environmental audits:

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

Disclosure Date: 12/16/2020

Viol. Moderate

Classification:

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

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

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

Disclosure Date: 09/14/2020

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.1130

40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7550

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

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

Disclosure Date: 10/06/2020

Viol. Moderate

Classification:

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

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

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

Description: Failure to accurately report HON Notice of Compliance Status representations for unit GRP-MMAFUG.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.890

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

Description: Failure to accurately report MON Notice of Compliance Status representations for units GRP-MMAFUG and MAA_Vent.

Viol. Moderate

Classification:

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

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162

40 CFR Part 63, Subpart H 63.163

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168

40 CFR Part 63, Subpart H 63.174

40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2450

40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480

Description: Failure to include all components in fugitive monitoring program (MAA_Vent, GRP-MMAFUG, GRP-MMAFUG).

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.130

30 TAC Chapter 115, SubChapter D 115.354

30 TAC Chapter 116, SubChapter B 116.115(c)

4F TWC Chapter 63, SubChapter A 63.168(b)

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

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

Disclosure Date: 10/27/2020

Viol. Moderate

Classification:

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

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

Viol. Moderate

Classification:

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

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

Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter A 101.10(c)
Description: Failure to use correct vent flow rates in annual emissions reporting.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter A 101.10(c)
Description: Failure to use correct vent composition in annual emissions reporting.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter A 101.10(c)
Description: Failure to include temporary control device emissions in annual emissions inventory.

Disclosure Date: 08/26/2020
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to use accurate cooling tower correlation (HT-29, HT-36).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(a)
Description: Failure to maintain or complete quarterly visible emission observations (HT-33, HT-40).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.620
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(d)
Description: Failure to maintain Continuous Monitoring Systems performance Evaluation Plan (CMSPEP).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167
Description: Failure to equip open-ended lines with an appropriately sized cap, blind flange, plug, or second valve to seal the line (HT-FUG, HT2-FUG).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to use correct emissions factors in emissions calculations (HT-1, HT-2, HT-3, HT-4, HT-9, HT-10, HT-11, HT-30, HT-31, HT-32, HT-46, HT-49, HT-50).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.100
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11
Description: Failure to fully implement conversion of Flares from Steam Assisted to Non-assisted (HT-4, HT-40, HT-31, HT-50).
Disclosure Date: 11/17/2020
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.160
Description: Failure to include all applicable components in fugitive monitoring program (HT-FUG, HT2-FUG).
Disclosure Date: 04/22/2021
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to maintain Attachment A representation and validation documentation.

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

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

Description: Failure to maintain Ammonia AVO inspection records.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.132(d)(3)(A)

Description: Failure to include accurate Waste Water Treatment Plant applicability representations in the Title V permit

Viol. Minor

Classification:

Citation: 30 TAC Chapter 106, SubChapter A 106.4

30 TAC Chapter 117, SubChapter B 117.354

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

Notice of Intent Date: 12/14/2020 (1701251)

No DOV Associated

Notice of Intent Date: 03/23/2021 (1723908)

Disclosure Date: 04/28/2021

Viol. Minor

Classification:

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

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

Viol. Minor

Classification:

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

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

Viol. Moderate

Classification:

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

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

Viol. Major

Classification:

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

Description: Failure to document compliance with 12-month rolling emissions limits.

Viol. Minor

Classification:

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

Description: Failure to maintain tank throughput records.

Viol. Minor

Classification:

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

Description: Failure to maintain calibration records for flare flow meters (SW-1).

Viol. Major

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.10(a)

30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failure to obtain authorization for gas tank. Specifically the tank is not included in Title V permit and emissions were not included in the Annual Emissions Inventory.

Disclosure Date: 05/26/2021

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter D 115.354

30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to monitor new fugitive components and AVO identified repair within applicable time frame (BMA-PRD-FUG, MMA-FUG, SW-27, FN).

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter D 115.354

30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to monitor fugitive components. Specifically, fugitive components have missed monitoring due to misidentification as Difficult to Monitor designation instead of Normal to Monitor (BMA-PRD-FUG, MMA-FUG, SW-27, FN).

Viol. Minor

Classification:

Citation: 30 TAC Chapter 115, SubChapter D 115.354

30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain documentation identifying heavy liquid fugitive components (BMA-PRD-FUG,

MMA-FUG, SW-27, FN).
Disclosure Date: 10/12/2021
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure calibrate Lower Explosive Limit (LEL) meters with a 25% standard.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)
30 TAC Chapter 122, SubChapter B 122.132
Description: Failure to locate PBR authorization for tanks. Tank 91052 is represented as authorized under NSR 723 in Title V permit (T-07520, 91052).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.111
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to maintain cooling tower emissions below permit limits and permit representations are inaccurate (CT-1, CT-N5-S, CT-N5-N, CT-7).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter A 101.10
Description: Failure to include tank emissions in the emissions inventory (N-21, N-22).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.111
Description: Failure to accurately represent tanks in permit (N19).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 122, SubChapter B 122.132
Description: Failure to include MON applicability for ACH process in Title V permit (ACRHPRO).
Viol. Major
Classification:
Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)
30 TAC Chapter 122, SubChapter B 122.132
Description: Failure to include tanks in Title V Permit and PBR documentation is unavailable (Tank 96674, Tank 28054, Tank 27375, Tank 07288).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
Description: Failure to equip open-ended lines with appropriately sized caps, blind flanges, plugs, or second valves to seal the lines (FN).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to correct date in Special Condition No. 4.

Notice of Intent Date: 05/04/2021 (1724728)
Disclosure Date: 11/09/2021
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to secure the bypass line on closed-vent system in the non-diverting position. Visual inspections of the seal were not conducted monthly.

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

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

Notice of Intent Date: 07/13/2021 (1746234)
Disclosure Date: 07/12/2022
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)(I)

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

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

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

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

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

Notice of Intent Date: 10/19/2021 (1771898)
 Disclosure Date: 04/26/2022
 Viol. Moderate
 Classification:
 Citation: 30 TAC Chapter 122, SubChapter B 122.132(d)(2)
 Description: Failure to include engine in Title V permit and maintain required records (Substation 21).
 Viol. Moderate
 Classification:
 Citation: 30 TAC Chapter 122, SubChapter B 122.132(d)(2)
 Description: Failure to include applicability to 40 CFR III in Title V permit O2233 (AP3, AP5).
 Viol. Moderate
 Classification:
 Citation: 30 TAC Chapter 122, SubChapter B 122.132(d)(2)
 Description: Failure to correct permit shield citation in Title V Permit O2233 (AP3, AP5).
 Viol. Moderate
 Classification:
 Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)
 30 TAC Chapter 122, SubChapter B 122.132(d)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT IIII 60.4200
 Description: Failure to include engine in Title V permit and maintain required records (C375) and (HEB Emergency Generator).

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

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

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

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

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

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

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

Notice of Intent Date: 07/18/2022 (1839585)
Disclosure Date: 11/14/2022
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT SC 4
OP STC 8

Description: Failed to comply with the tank throughput quantity listed in Table 7 [unit SW-20].
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT SC 4, 5
OP STC 8

Description: Failed to maintain fill rate and tank throughput records [Unit SW-12036, SW-38].

Notice of Intent Date: 09/22/2022 (1854087)
Disclosure Date: 11/18/2022
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 16.F

Description: Failure to calibrate the flow meter for flare (HT-50) for calendar year 2021.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 6.A

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

Description: Failure to prevent an open-ended line in the HT area.
Viol. Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 33

Description: Failure to maintain complete records of MSS activities.

Disclosure Date: 05/15/2023
Viol. Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.347(c)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iii)
Rqmt Prov: PERMIT Table 111.D

Description: Inspection records required for items on Table 111.D are not available.
Viol. Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130

30 TAC Chapter 115, SubChapter D 115.352(7)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(7)

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

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

Notice of Intent Date: 10/17/2022 (1855562)
Disclosure Date: 05/26/2023
Viol. Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Rqmt Prov: PERMIT SC 1
OP ST&C 15

Description: Failure to report exceedance in deviation report of exceeded annual emission MAERT limit for roof changeouts.

Viol. Moderate

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

Rqmt Prov: PERMIT SC 23(C)(2)
OP ST&C 15

Description: Failure to meet 90% of the calibration gas requirements of LEL daily functionality test.

Viol. Moderate

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

Rqmt Prov: PERMIT SC 22
OP ST&C 15

Description: Failure to have equipment cleaning records complete or available.

Viol. Moderate

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

Rqmt Prov: PERMIT SC 18
OP ST&C 15

Description: Failure to have calibration records for SO2 monitors complete and available.

Viol. Moderate

Citation: 30 TAC Chapter 112, SubChapter C 112.45

Rqmt Prov: OP ST&C 1(A)

Description: Failure to have records of emissions and inspections complete or available.

Viol. Moderate

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

Rqmt Prov: OP ST&C 13

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

Viol. Moderate

Viol.

Citation:

Classification: 30 TAC Chapter 115, SubChapter B 115.111(a)
30 TAC Chapter 122, SubChapter B 122.144(1)(A)

Description: Failure to have storage tank exemption documentation is complete or available.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 122, SubChapter B 122.144(1)(A)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT H 60.83(a)

Description: Failure to have opacity limits at or low than opacity limits at Davy Stack.

Notice of Intent Date: 11/15/2022 (1867696)
Disclosure Date: 03/30/2023
Viol. Moderate

Classification:

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

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

Notice of Intent Date: 02/21/2023 (1881551)
No DOV Associated

Notice of Intent Date: 03/02/2023 (1886406)
Disclosure Date: 04/24/2023

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Rqmt Prov: OP Title ST & C 2

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

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.10

30 TAC Chapter 116, SubChapter B 116.110

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

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

Disclosure Date: 12/27/2023

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter D 115.354

30 TAC Chapter 115, SubChapter D 115.356(2)

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT SC8

OP ST&C 12

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

Viol. Moderate

Classification:

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

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: PERMIT Sc 5

PERMIT SC 6

PERMIT SC 8

OP ST & C 12

OP ST & C 14

OP ST & C 19

OP ST&C 15

OP ST&C 8

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

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter D 115.354

30 TAC Chapter 116, SubChapter B 116.115(c)

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

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

Rqmt Prov: PERMIT SC 5

PERMIT SC 6

PERMIT SC 8

OP ST&C 1 & 12

OP ST&C 1 & 14

OP ST&C 1 & 15

OP ST&C 1 & 19

OP ST&C 1 & 8

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

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter D 115.354

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: PERMIT SC 5

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

Description: Failure by missed monitoring of fugitive components due to components not identified in LEAKDAS.
Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT SC 8
OP ST&C 1 & 12

Description: Failure in missed monitoring of fugitive components due to misclassification as DTM

Notice of Intent Date: 04/27/2023 (1903626)

Disclosure Date: 04/11/2024

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 335, SubChapter A 335.15(2)

Rqmt Prov: PERMIT Standards B12

Description: Failure to submit Monthly Waste Receipt Summary.

Notice of Intent Date: 05/03/2023 (1903649)

No DOV Associated

Notice of Intent Date: 08/30/2023 (1929826)

No DOV Associated

Notice of Intent Date: 08/30/2023 (1929830)

No DOV Associated

Notice of Intent Date: 09/06/2023 (1931996)

Disclosure Date: 10/23/2023

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.1090
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6602

Description: Failure to have records of oil changes and inspection available.

Notice of Intent Date: 12/06/2023 (1945888)

Disclosure Date: 02/05/2024

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failure to locate NSR authorization document for the tanks HT-44125, HT-44155, HT-44185.

Notice of Intent Date: 12/12/2023 (1950137)

No DOV Associated

Notice of Intent Date: 01/05/2024 (1956134)

Disclosure Date: 03/18/2024

Viol. Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)
30 TAC Chapter 122, SubChapter B 122.146(1)

Rqmt Prov: OP ST&C 3

Description: Failure to report visible emissions from oven in deviation report.

Viol. Moderate

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

Rqmt Prov: OP SC 12
PERMIT ST&C 9

Description: Failure to have records of vacuum truck usage are available.

Viol. Moderate

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

Rqmt Prov: PERMIT SC 14
OP ST&C 9

Description: Failure to have records of painting activities are available.
Viol. Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.132(d)(2)

Description: Failure to have air compressor engine authorization is available.
Viol. Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.356(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to have Records of painting activities are available.

Notice of Intent Date: 02/05/2024 (1966403)
No DOV Associated

Notice of Intent Date: 02/13/2024 (1966409)
Disclosure Date: 04/26/2024
Viol. Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 18
PERMIT SC 19

Description: Failure to have calibration records available.
Viol. Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 1

Description: Failure to track hourly emissions for compliance with MAERT limits.
Viol. Moderate

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

Description: Failure to have record of quarterly visible emissions are available.
Viol. Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.146(1)
30 TAC Chapter 115, SubChapter B 115.148(3)

Description: Failure of having missing documentation for wastewater analysis.

Notice of Intent Date: 02/29/2024 (1961137)
Disclosure Date: 01/31/2024
Viol. Moderate

Viol.
Citation:
Classification: 40 CFR Chapter 302, SubChapter J, PT 302 302.6(a)
30 TAC Chapter 327 327.3(b)

Description: Failed to notify the pollution control agencies of an event which exceeded a reportable quantity. The event occurred on January 9, 2024.

Notice of Intent Date: 03/27/2024 (1975906)
No DOV Associated

Notice of Intent Date: 04/16/2024 (1976921)
No DOV Associated

Notice of Intent Date: 04/27/2024 (1975903)
No DOV Associated

Notice of Intent Date: 05/13/2024 (2022741)
No DOV Associated

Notice of Intent Date: 07/12/2024 (2002256)
No DOV Associated

Notice of Intent Date: 08/12/2024 (2007638)
No DOV Associated

Notice of Intent Date: 09/04/2024 (2010391)
No DOV Associated

Notice of Intent Date: 09/04/2024 (2010394)
Disclosure Date: 04/14/2025
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.1
Rqmt Prov: PERMIT Monitoring and Reporting Req. 1
Description: Failure to have outfall mass discharge calculations correct.

Notice of Intent Date: 09/09/2024 (2010990)
No DOV Associated

Notice of Intent Date: 09/11/2024 (2014782)
No DOV Associated

Notice of Intent Date: 10/31/2024 (2023517)
No DOV Associated

Notice of Intent Date: 02/14/2025 (2047506)
No DOV Associated

Notice of Intent Date: 02/27/2025 (2048105)
No DOV Associated

Notice of Intent Date: 03/03/2025 (2049056)
No DOV Associated

Notice of Intent Date: 03/24/2025 (2055967)
No DOV Associated

Notice of Intent Date: 05/29/2025 (2071678)
No DOV Associated

G. Type of environmental management systems (EMSs):
N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2024-0383-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 Rohm and Haas Texas Incorporated (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a chemical manufacturing plant located at 1900 Tidal Road in Deer Park, Harris County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. 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 \$16,800 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$8,400 of the penalty.

Pursuant to TEX. WATER CODE 7.067, \$8,400 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 terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or

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

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implement the following corrective measures at the Plant:
 - a. By March 24, 2024, permanently removed the pressure gauge and installed piping supports to reduce vibration in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 412524; and
 - b. By April 2, 2024, replaced the leaking steam to the flare valve and implemented an operating discipline for draining condensate from the flare in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 410841.

II. ALLEGATIONS

1. During a record review for the Plant conducted on February 12, 2024, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit Nos. 8838 and N61, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2236, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 19, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 66.47 pounds ("lbs") of volatile organic compounds from the C-Train Flare, Emissions Point Number HT-10, during an emissions event (Incident No. 410841) that occurred on October 6, 2023 and lasted 46 minutes.
2. During a record review for the Plant conducted from March 6, 2024 through March 8, 2024, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 1257A, SC No. 1, FOP No. O1583, GTC and STC No. 15, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 251.0 lbs of anhydrous ammonia as fugitive emissions, during an emissions event (Incident No. 412524) that occurred on November 8, 2023 and lasted 17 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: Rohm and Haas Texas Incorporated, Docket No. 2024-0383-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 \$8,400 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

Kristi Mello-Jurack

For the Executive Director

11/10/2025

Date

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

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

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

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

Casey Rhodes

Signature

08/19/2025

Date

Casey Rhodes

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

Responsible Care Leader

Title

☐ If mailing address has changed, please check this box and provide the new address below:

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.

Attachment A
Docket Number: 2024-0383-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Rohm and Haas Texas Incorporated
Payable Penalty Amount:	\$16,800
SEP Offset Amount:	\$8,400
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Anahuac Independent School District
Project Name:	<i>Clean School Bus Project</i>
Location of SEP:	Texas Air Quality Control Region 216, Houston - Galveston

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 **Anahuac Independent School District** for the *Clean School Bus Project*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the SEP Offset Amount will be used to purchase a lower-emission school bus that is model year 2010 or newer (“Replacement Bus”) to replace a bus that is model year 1995 (“Older Bus”), thus removing the Older Bus from the roads. The Third-Party Administrator shall ensure that the Replacement Bus has an engine that meets 2010 EPA Standards. The Third-Party Administrator certifies that the Older Bus is currently in use, driven on a regular route on a weekly basis for at least the past two years. The Third-Party Administrator shall own and operate the Replacement Bus for at least five years following the date of purchase. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of 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 to settle this enforcement action. The Respondent shall not profit from this SEP.

b. Environmental Benefit

The SEP will benefit air quality by reducing harmful exhaust emissions from an older school bus. Older school bus engines emit larger amounts of nitrogen oxides and particulate matter, as well

as other harmful pollutants such as volatile organic compounds and carbon monoxide than new buses. These pollutants contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma, especially in children. The Project will reduce these emissions by replacing a model year 1995 school bus with a new, lower-emission bus.

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 **Anahuac Independent School District SEP** and shall mail the contribution with a copy of the Agreed Order to:

Anahuac Independent School District
Attention: Business Manager
P.O. Box 638
Anahuac, Texas 77514

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:

Rohm and Haas Texas Incorporated
Docket No. 2024-0383-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 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.