

Executive Summary – Enforcement Matter – Case No. 64146

INEOS Oligomers USA LLC

RN108783614

Docket No. 2024-0445-AIR-E

Order Type:

1660

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

INEOS Oligomers Chocolate Bayou, 15916 Farm-to-Market Road 2004, Alvin, Brazoria County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket Nos. 2024-0499-AIR-E, 2025-0406-AIR-E, 2025-1867-AIR-E, and 2026-0600-AIR-E

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 26, 2026

Comments Received: No

Penalty Information

Total Penalty Assessed: \$66,750

Amount Deferred for Expedited Settlement: \$13,350

Total Paid to General Revenue: \$53,400

Total Due to General Revenue: \$0

Payment Plan: N/A

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: January 27, 2023, March 23, 2023 through March 24, 2023, June 12, 2023, June 28, 2023, January 9, 2024 through January 14, 2024

Date(s) of NOE(s): April 13, 2023, June 26, 2026, July 18, 2023, August 31, 2023, and January 19, 2024

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INEOS Oligomers USA LLC
RN108783614
Docket No. 2024-0445-AIR-E

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 393.76 pounds ("lbs") of carbon monoxide ("CO"), 99.54 lbs of nitrogen oxides ("NOx"), and 3,660.30 lbs of volatile organic compounds ("VOC") from the Elevated Flare, Emissions Point Number ("EPN") FLR-1, during an emissions event (Incident No. 384808) that occurred on August 8, 2022 and lasted 12 hours [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit Nos. 136130 and N250, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O4123, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 13, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 794.82 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 393719) that occurred on January 12, 2023 and lasted four minutes [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
3. Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,020.59 lbs of CO, 255.99 lbs of NOx, and 1,254 lbs of VOC from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 396163) that occurred on February 27, 2023 and lasted 24 hours [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. O4123, GTC and STC No. 13, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
4. Failed to prevent unauthorized emissions. Specifically, the Respondent released 738.79 lbs of CO, 85.96 lbs of NOx, and 3,533.33 lbs of VOC from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 402252) that occurred on June 13, 2023 and lasted 12 hours [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250M2, SC No. 1, FOP No. O4123, GTC and STC No. 13, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
5. Failed to prevent unauthorized emissions. Specifically, the Respondent released 960.01 lbs of CO, 235.65 lbs of NOx, and 1,709.89 lbs of VOC from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 409333) that began on September 1, 2023 and lasted 24 hours [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250M2, SC No. 1, FOP No. O4123, GTC and STC No. 13, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

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Docket No. 2024-0445-AIR-E

The Order will also require the Respondent to:

a. Within 30 days, submit written documentation that demonstrates actions taken to prevent the recurrence of emissions events due to the same or similar causes as:

i. Incident No. 394808;

ii. Incident No. 393719;

iii. Incident No. 396163;

iv. Incident No. 402252; and

v. Incident No. 409333.

2. Within 45 days, submit written certification, and include detailed supporting documentation to demonstrate compliance with a.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Katie Phillips, Enforcement Division, Enforcement Backlog Team, MC R-12, (713) 767-3628; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548

Respondent: Jeffrey R. Wolf, Operations Director, INEOS Oligomers USA LLC, P.O. Box 2450, Alvin, Texas 77512-2450

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	18-Apr-2023	Screening	2-Jun-2023	EPA Due	
	PCW	10-Apr-2026				

RESPONDENT/FACILITY INFORMATION

Respondent	INEOS Oligomers USA LLC				
Reg. Ent. Ref. No.	RN108783614				
Facility/Site Region	12-Houston	Major/Minor Source	Major		

CASE INFORMATION

Enf./Case ID No.	64146	No. of Violations	5
Docket No.	2024-0445-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Katie Phillips
		EC's Team	Enforcement Team BB
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$37,500
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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.

Compliance History	78.0%	Adjustment	Subtotals 2, 3, & 7	\$29,250
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Notes: Enhancement for one NOV with other violations and four orders containing a denial of liability. Reduction for two notices of intent to conduct an audit, one disclosure of violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$8,720
Estimated Cost of Compliance: \$50,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$66,750
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$66,750
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$66,750
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DEFERRAL	20.0%	Reduction	Adjustment	-\$13,350
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$53,400
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Screening Date	2-Jun-2023	Docket No.	2024-0445-AIR-E	PCW
Respondent	INEOS Oligomers USA LLC			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	64146			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN108783614			
Media	Air			
Enf. Coordinator	Katie Phillips			

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>)	0	0%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	2	-2%
	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>)	1	-2%
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) 78%

>> 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 other violations and four orders containing a denial of liability.
Reduction for two notices of intent to conduct an audit, one disclosure of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 78%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 78%

Screening Date	2-Jun-2023	Docket No.	2024-0445-AIR-E	PCW
Respondent	INEOS Oligomers USA LLC	Policy Revision 5 (January 28, 2021)		
Case ID No.	64146	PCW Revision February 11, 2021		
Reg. Ent. Reference No.	RN108783614			
Media	Air			
Enf. Coordinator	Katie Phillips			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit Nos. 136130 and N250, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O4123, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 13, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 393.76 pounds ("lbs") of carbon monoxide ("CO"), 99.54 lbs of nitrogen oxides ("NOx"), and 3,660.30 lbs of volatile organic compounds ("VOC") from the Elevated Flare, Emissions Point Number ("EPN") FLR-1, during an emissions event (Incident No. 384808) that occurred on August 8, 2022 and lasted 12 hours.			
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 the violation.

Adjustment \$17,500

Subtotal \$7,500

Violation Events

Number of Violation Events	1		1	Number of violation days
----------------------------	---	--	---	--------------------------

	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			

Violation Base Penalty \$7,500

One quarterly event is recommended.

Good Faith Efforts to Comply

	0.0%		
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary			
N/A	x		
Notes	The Respondent does not meet the good faith criteria for this violation.		

Reduction \$0

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	Violation Final Penalty Total
\$2,034	\$13,350
This violation Final Assessed Penalty (adjusted for limits) \$13,350	

Economic Benefit Worksheet

Respondent INEOS Oligomers USA LLC
Case ID No. 64146
Reg. Ent. Reference No. RN108783614
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	8-Aug-2022	1-Sep-2026	4.07	\$2,034	n/a	\$2,034

Notes for DELAYED costs

Estimated cost to implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 394808. The Date Required is the date the emissions event occurred and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$2,034

Screening Date 2-Jun-2023 Respondent INEOS Oligomers USA LLC Case ID No. 64146 Reg. Ent. Reference No. RN108783614 Media Air Enf. Coordinator Katie Phillips	Docket No. 2024-0445-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>
Violation Number 2		
Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. 04123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b)		
Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 794.82 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 393719) that occurred on January 12, 2023 and lasted four minutes.		
Base Penalty		\$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			
		Major	Moderate	Minor	
		Actual			
	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 the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events	1	1	Number of violation days
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daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

One quarterly event is recommended.

Good Faith Efforts to Comply

	0.0%	
		Reduction \$0

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

Notes

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

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Estimated EB Amount	Statutory Limit Test
\$1,819	Violation Final Penalty Total \$13,350
This violation Final Assessed Penalty (adjusted for limits) \$13,350	

Economic Benefit Worksheet

Respondent INEOS Oligomers USA LLC
Case ID No. 64146
Reg. Ent. Reference No. RN108783614
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	12-Jan-2023	1-Sep-2026	3.64	\$1,819	n/a	\$1,819

Notes for DELAYED costs

Estimated cost to implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 393719. The Date Required is the date the emissions event occurred and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$1,819

Screening Date	2-Jun-2023	Docket No.	2024-0445-AIR-E	PCW
Respondent	INEOS Oligomers USA LLC	Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021		
Case ID No.	64146			
Reg. Ent. Reference No.	RN108783614			
Media	Air			
Enf. Coordinator	Katie Phillips			
Violation Number	3			
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250, SC No. 1, FOP No. 04123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,020.59 lbs of CO, 255.99 lbs of NOx, and 1,254 lbs of VOC from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 396163) that occurred on February 27, 2023 and lasted 24 hours.			
		Base Penalty	\$25,000	

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate	Minor	
	Actual			x	
	Potential				
					Percent 30.0%

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	
					Percent 0.0%
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		quarterly	
	semiannual	x	annual	
	single event			
Violation Base Penalty \$7,500				
One quarterly event is recommended.				

Good Faith Efforts to Comply

	0.0%			
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary				
N/A	x			
Notes	The Respondent does not meet the good faith criteria for this violation.			
Violation Subtotal \$7,500				

Economic Benefit (EB) for this violation

	Statutory Limit Test
Estimated EB Amount	\$1,755
	Violation Final Penalty Total \$13,350
This violation Final Assessed Penalty (adjusted for limits) \$13,350	

Economic Benefit Worksheet

Respondent INEOS Oligomers USA LLC
Case ID No. 64146
Reg. Ent. Reference No. RN108783614
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	28-Feb-2023	1-Sep-2026	3.51	\$1,755	n/a	\$1,755

Notes for DELAYED costs

Estimated cost to implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 396163. The Date Required is the date the emissions event occurred and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$1,755

Screening Date 2-Jun-2023 Respondent INEOS Oligomers USA LLC Case ID No. 64146 Reg. Ent. Reference No. RN108783614 Media Air Enf. Coordinator Katie Phillips	Docket No. 2024-0445-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>																	
Violation Number 4																			
Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250M2, SC No. 1, FOP No. O4123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b)																			
Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 738.79 lbs of CO, 85.96 lbs of NOx, and 3,533.33 lbs of VOC from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 402252) that occurred on June 13, 2023 and lasted 12 hours.																			
Base Penalty		\$25,000																	
>> Environmental, Property and Human Health Matrix																			
OR	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <th colspan="3" style="text-align: center;">Harm</th> </tr> <tr> <td style="text-align: center;">Release</td> <th style="text-align: center;">Major</th> <th style="text-align: center;">Moderate</th> <th style="text-align: center;">Minor</th> </tr> <tr> <td style="text-align: center;">Actual</td> <td style="text-align: center;"></td> <td style="text-align: center;"></td> <td style="text-align: center;">x</td> </tr> <tr> <td style="text-align: center;">Potential</td> <td style="text-align: center;"></td> <td style="text-align: center;"></td> <td style="text-align: center;"></td> </tr> </table>		Harm			Release	Major	Moderate	Minor	Actual			x	Potential				Percent 30.0%	
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>> Programmatic Matrix																			
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Falsification																			
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.																		
Adjustment		\$17,500																	
		\$7,500																	
Violation Events																			
Number of Violation Events 1		Number of violation days 1																	
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="text-align: center;">daily</td><td style="text-align: center;"></td></tr> <tr><td style="text-align: center;">weekly</td><td style="text-align: center;"></td></tr> <tr><td style="text-align: center;">monthly</td><td style="text-align: center;"></td></tr> <tr><td style="text-align: center;">quarterly</td><td style="text-align: center;">x</td></tr> <tr><td style="text-align: center;">semiannual</td><td style="text-align: center;"></td></tr> <tr><td style="text-align: center;">annual</td><td style="text-align: center;"></td></tr> <tr><td style="text-align: center;">single event</td><td style="text-align: center;"></td></tr> </table>	daily		weekly		monthly		quarterly	x	semiannual		annual		single event		Violation Base Penalty \$7,500			
daily																			
weekly																			
monthly																			
quarterly	x																		
semiannual																			
annual																			
single event																			
One quarterly event is recommended.																			
Good Faith Efforts to Comply																			
0.0%		Reduction \$0																	
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer																			
Extraordinary																			
Ordinary																			
N/A	x																		
Notes	The Respondent does not meet the good faith criteria for this violation.																		
Violation Subtotal		\$7,500																	
Economic Benefit (EB) for this violation																			
Statutory Limit Test																			
Estimated EB Amount	\$1,611	Violation Final Penalty Total \$13,350																	
This violation Final Assessed Penalty (adjusted for limits)		\$13,350																	

Economic Benefit Worksheet

Respondent INEOS Oligomers USA LLC
Case ID No. 64146
Reg. Ent. Reference No. RN108783614
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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	13-Jun-2023	1-Sep-2026	3.22	\$1,611	n/a	\$1,611

Notes for DELAYED costs

Estimated cost to implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 402252. The Date Required is the date the emissions event occurred and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$1,611

Screening Date 2-Jun-2023 Respondent INEOS Oligomers USA LLC Case ID No. 64146 Reg. Ent. Reference No. RN108783614 Media Air Enf. Coordinator Katie Phillips Violation Number 5	Docket No. 2024-0445-AIR-E	PCW <i>Policy Revision 5 (January 28, 2021)</i> <i>PCW Revision February 11, 2021</i>				
Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit Nos. 136130 and N250M2, SC No. 1, FOP No. 04123, GTC and STC No. 13, and Tex. Health & Safety Code § 382.085(b)						
Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 960.01 lbs of CO, 235.65 lbs of NOx, and 1,709.89 lbs of VOC from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 409333) that began on September 1, 2023 and lasted 24 hours.						
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 the violation.					
Adjustment					\$17,500	
					\$7,500	
Violation Events						
Number of Violation Events		1	Number of violation days		1	
	daily					
	weekly					
	monthly					
	quarterly	x				
	semiannual					
	annual					
	single event					
Violation Base Penalty					\$7,500	
One quarterly event is recommended.						
Good Faith Efforts to Comply			0.0%	Reduction	\$0	
		Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer			
	Extraordinary					
	Ordinary					
	N/A	x				
Notes	The Respondent does not meet the good faith criteria for this violation.					
Violation Subtotal					\$7,500	
Economic Benefit (EB) for this violation			Statutory Limit Test			
Estimated EB Amount		\$1,501	Violation Final Penalty Total		\$13,350	
This violation Final Assessed Penalty (adjusted for limits)					\$13,350	

Economic Benefit Worksheet

Respondent INEOS Oligomers USA LLC
Case ID No. 64146
Reg. Ent. Reference No. RN108783614
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	1-Sep-2023	1-Sep-2026	3.00	\$1,501	n/a	\$1,501

Notes for DELAYED costs

Estimated cost to implement measures designed to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 409333. The Date Required is the date the emissions event began and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$1,501



Compliance History Report

Compliance History Report for CN604935338, RN108783614, Rating Year 2025 which includes Compliance History (CH) components from September 1, 2020, through August 31, 2025.

Customer, Respondent, or Owner/Operator:	CN604935338, INEOS OLIGOMERS USA LLC	Classification:	SATISFACTORY	Rating:	11.21
Regulated Entity:	RN108783614, INEOS OLIGOMERS CHOCOLATE BAYOU	Classification:	SATISFACTORY	Rating:	11.21
Complexity Points:	25	Repeat Violator:	NO		
CH Group:	05 - Chemical Manufacturing				
Location:	15916 FM RD 2004 BRAZORIA, TX, BRAZORIA COUNTY				
TCEQ Region:	REGION 12 - HOUSTON				

ID Number(s):

AIR OPERATING PERMITS PERMIT 4123

AIR NEW SOURCE PERMITS PERMIT 136130

AIR NEW SOURCE PERMITS EPA PERMIT N250M1

AIR EMISSIONS INVENTORY ACCOUNT NUMBER BLA061I

INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXR000085035

AIR NEW SOURCE PERMITS EPA PERMIT N250

AIR NEW SOURCE PERMITS EPA PERMIT N250M2

AIR NEW SOURCE PERMITS AFS NUM 4803900782

POLLUTION PREVENTION PLANNING ID NUMBER P10705

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 97479

Compliance History Period: September 01, 2020 to August 31, 2025 **Rating Year:** 2025 **Rating Date:** 09/01/2025

Date Compliance History Report Prepared: March 26, 2026

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 26, 2021 to March 26, 2026

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

Name: Katie Phillips

Phone: (713) 767-3628

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: 06/13/2023 ADMINORDER 2021-0553-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. 04123, GTC and STC No. 13 OP

NSR Nos. 136130 and N250M1, SC No. 1 PERMIT

NSR Nos. 136130 and N250MI, SC No. 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 487.71 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 347484) that occurred on December 12, 2020 and lasted 45 minutes. The emissions event occurred due to a crack in tubing on the level transmitter, resulting in the release to the atmosphere.

2 Effective Date: 08/05/2024 ADMINORDER 2021-1267-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: FOP No. 4123, GTC and STC No. 13 OP
 NSR Nos. 136130 and N250, SC No. 1 PERMIT
 Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,137.30 lbs of VOC, 815.09 lbs of CO, and 196.20 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 361181) that began on June 24, 2021 and lasted 25 hours.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: FOP No. 04123, GTC and STC No. 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. 361181 was due by June 25, 2021 at 6:00 p.m., but was not submitted until June 30, 2021 at 4:36 p.m.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: FOP No. 04123, GTC and STC No. 2.F OP
 Description: Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 361181 was due by July 9, 2021, but was not submitted until July 14, 2021.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: FOP No. 04123, GTC and STC No. 13 OP
 NSR Nos. 136130 and N250, SC No. 1 PERMIT
 Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,723.46 pounds ("lbs") of volatile organic compounds ("VOC"), 879.03 lbs of carbon monoxide ("CO"), and 206.01 lbs of nitrogen oxides ("NOx") from the Elevated Flare, Emissions Point Number ("EPN") FLR-1, during an emissions event (Incident No. 360425) that began on June 16, 2021 and lasted 22 hours.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: FOP No. 04123, GTC and STC No. 13 OP
 NSR Nos. 136130 and N250, SC No. 1 PERMIT
 Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 530.39 lbs of VOC from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 365326) that occurred on August 20, 2021 and lasted 11 hours and 44 minutes.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: FOP No. 04123, GTC and STC No. 13 OP
 NSR Nos. 136130 and N250, SC No. 1 PERMIT
 Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 726.47 lbs of VOC, 429.18 lbs of CO, and 102.21 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 363600) that began on July 26, 2021 and lasted 11 hours and five minutes.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: FOP No. 04123, GTC and STC No. 13 OP
 NSR Nos. 136130 and N250, SC No. 1 PERMIT
 Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 909.26 lbs of VOC, 775.27 lbs of CO, and 198.88 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 365712) that began on August 27, 2021 and lasted 80 hours.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. 04123, GTC and STC No. 13 OP

NSR Nos. 136130 and N250, SC No. 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 228.24 lbs of VOC, 208.67 lbs of CO, and 51.20 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 365574) that occurred on August 24, 2021 and lasted 12 hours.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. 04123, GTC and STC No. 13 OP

NSR Nos. 136130 and N250, SC No. 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,767.33 lbs of VOC, 529.66 lbs of CO, and 131.79 lbs of NOx from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 366833) that began on September 19, 2021 and lasted 27 hours.

3 Effective Date: 09/23/2025 ADMINORDER 2024-1433-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: 136130 PERMIT

4123 OP

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 4,003.08 pounds ("lbs") of volatile organic compounds, 612.00 lbs of carbon monoxide, and 154.88 lbs of nitrogen oxides from the Elevated Flare, Emissions Point Number FLR-1, during an emissions event (Incident No. 417120) that began on February 11, 2024 and lasted 18 hours.

4 Effective Date: 03/24/2026 ADMINORDER 2025-1379-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: GTC and STC No.13 OP

Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 2,229.40 pounds ("lbs") of volatile organic compounds, 281.23 lbs of carbon monoxide, and 72.27 lbs of nitrogen oxides from the Elevated Flare, Emissions Point Number FLR-1, during an emissions event (Incident No. 443870) that began on July 24, 2025 and lasted 17 hours.

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 17, 2021	(1697281)
Item 2	March 21, 2023	(1879375)
Item 3	October 25, 2023	(1931197)
Item 4	October 27, 2023	(1925404)
Item 5	June 13, 2024	(1989931)
Item 6	November 06, 2024	(2022588)
Item 7	August 15, 2025	(2046260)
Item 8	August 26, 2025	(2016151)

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: 02/04/2026 (2091251)

Compliance History Report for CN604935338, RN108783614, Rating Year 2025 which includes Compliance History (CH) components from March 26, 2021, through March 26, 2026.

Self Report? YES 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)(4)(iii)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 13 OP
FOP Special Term and Condition 1A OP
NSR Special Condition 16A PERMIT

Description: Failure to maintain the exit velocity (VMAX) below the limit at the Flare: EPN FLR-1 (Category B,12-18).

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-6a(a)(1)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 13 OP
NSR Special Condition 10E PERMIT

Description: Failure to prevent open ended lines (Category C,10-18)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(b)(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)
FOP Special Term and Condition 1A OP
NSR Special Condition 13H PERMIT

Description: Failure to operate continuous emission monitoring system (CEMS) at least 95% of time at the Cooling Tower; EPN CT-1 (Category B,17-18).

F. Environmental audits:

Notice of Intent Date: 02/11/2020 (1630070)

Disclosure Date: 09/24/2021

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.663(a)(2)

Description: Failed to provide a flow indicator on the NSPS NNN affected vent stream that is routed to the Thermal Oxidizer.

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 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Part 63, Subpart A 63.11(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)

Rqmt Prov: PERMIT Special Conditions No. 16.C

Description: Failed to provide a baffle on the plant flare that prevents the flare from smoking during high velocity events.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)

Rqmt Prov: PERMIT Special Conditions No. 1

Description: Failed to comply with permit representations. Specifically, the final design of the LAO Unit and associated auxiliary facilities differs from the permit representations: flare flow r rates, fugitive componen counts, throughputs, heat inputs, etc. require updating to reflect the as-build design.

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 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(i)(B)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 Rqmt Prov: PERMIT Special Conditions No. 16.A
 Description: Failed to maintain the plant flare net heating value at or above 300 btu/scf.
 Viol. Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT Special Conditions No. 1
 PERMIT Special Conditions No. 7.C
 PERMIT Special Conditions No. 7.C(1)
 Description: Failed to prevent Hot Oil Heater NOx hourly exceedances.
 Viol. Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.335(a)(1)
 Rqmt Prov: PERMIT Special Conditions No. 28.C
 Description: Failed to conduct required stack sampling within 180 days after startup for the Hot Oil Heater, Marine Vapor Combustor, and Thermal Oxidizer.
 Viol. Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.335(a)(1)
 Description: Failed to perform required stack sampling of Heater No. 2 within 180 days after startup.
 Viol. Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)
 Description: Failed to install the required totalizing fuel flow meter on Heater No. 2.
 Viol. Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(d)
 Description: Failed to include the applicable regulatory requirements for Heater No. 2 in SOP No. 04123.
 Viol. Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(d)
 Description: Failed to include the applicable NSPS Wa regulatory requirements for the fugitive components in the PAO Unit (EPN: FUG) in SOP No. 04123.
 Viol. Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT Special Conditions No. 18.A
 Description: Failed to maintain the Thermal Oxidizer six-minute average temperature at or above the required 1,500 degrees Fahrenheit.
 Viol. Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.345(f)(8)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.49b(o)
 Rqmt Prov: PERMIT Special Conditions No. 30.B
 Description: Failed to maintain the Hot Oil Heater CEMS daily calibration records.
 Viol. Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.726(d)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT Special Conditions No. 16.D
 Description: Failed to maintain the plant flare HRVOC GC calibration records.
 Viol. Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
 Rqmt Prov: PERMIT Special Conditions No. 12B
 Description: Failed to perform the internal floating roof tank inspections within 12 months after the initial tank filling date.
 Viol. Moderate

Viol.
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT General Conditions No. 7
PERMIT Special Conditions No. 20
PERMIT Special Conditions No. 21
PERMIT Special Conditions No. 31

Description: Failed to satisfy the recordkeeping requirements of Permit No. 136130.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)

Description: Failed to calibrate the Flare HRVOC temperature, pressure, and flow monitors.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT Special Conditions No. 13.D

Description: Failed to conduct an annual cooling tower drift eliminator inspection.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT Special Conditions No. 7.C(2)

Description: Failed to maintain the Hot Oil Heater below the NOx lb/MMBtu 1-hour block average permit limit.

Viol. Minor

Classification:

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)(1)

Description: Failed to utilize the correct NOx span concentration cylinder for the Hot Oil Heater CEMS daily calibrations.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 335, SubChapter A 335.6(a)

Description: Failed to provide notification of waste storage, processing, or disposal activities to TCEQ 90 days prior to operating the filter oven.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 335, SubChapter Q 335.474

Description: Failed to prepare and maintain a five year pollution prevention plan on-site.

Notice of Intent Date: 06/09/2022 (1819616)

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
INEOS OLIGOMERS USA LLC
RN108783614

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2024-0445-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 INEOS Oligomers USA LLC (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 15916 Farm-to-Market Road 2004 in Alvin, Brazoria 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 \$66,750 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$53,400 of the penalty and \$13,350 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
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.

II. ALLEGATIONS

1. During a record review for the Plant conducted on June 12, 2023, 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. 136130 and N250, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. 04123, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 13, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 393.76 pounds ("lbs") of carbon monoxide ("CO"), 99.54 lbs of nitrogen oxides ("NOx"), and 3,660.30 lbs of volatile organic compounds ("VOC") from the Elevated Flare, Emissions Point Number ("EPN") FLR-1, during an emissions event (Incident No. 384808) that occurred on August 8, 2022 and lasted 12 hours.
2. During a record review for the Plant conducted on January 27, 2023, 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 Nos. 136130 and N250, SC No. 1, FOP No. 04123, GTC and STC No. 13, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 794.82 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 393719) that occurred on January 12, 2023 and lasted four minutes.
3. During a record review for the Plant conducted from March 23, 2023 through March 24, 2023, 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 Nos. 136130 and N250, SC No. 1, FOP No. 04123, GTC and STC No. 13, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 1,020.59 lbs of CO, 255.99 lbs of NOx, and 1,254 lbs of VOC from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 396163) that occurred on February 27, 2023 and lasted 24 hours.
4. During a record review for the Plant conducted on June 28, 2023, 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 Nos. 136130 and N250M2, SC No. 1, FOP No. 04123, GTC and STC No. 13, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 738.79 lbs of CO, 85.96 lbs of NOx, and 3,533.33 lbs of VOC from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 402252) that occurred on June 13, 2023 and lasted 12 hours.

5. During a record review for the Plant conducted from January 9, 2024 through January 14, 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 Nos. 136130 and N250M2, SC No. 1, FOP No. O4123, GTC and STC No. 13, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 960.01 lbs of CO, 235.65 lbs of NO_x, and 1,709.89 lbs of VOC from the Elevated Flare, EPN FLR-1, during an emissions event (Incident No. 409333) that began on September 1, 2023 and lasted 24 hours.

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: INEOS Oligomers USA LLC, Docket No. 2024-0445-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 undertake the following technical requirements at the Plant:
 - a. Within 30 days after the effective date of this Order, submit written documentation that demonstrates actions taken to prevent the recurrence of emissions events due to the same or similar causes as:
 - i. Incident No. 394808;
 - ii. Incident No. 393719;
 - iii. Incident No. 396163;
 - iv. Incident No. 402252; and
 - v. Incident No. 409333.
 - b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Air Section Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Street, Suite H
Houston, Texas 77023-1452

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. Extension requests shall be sent to the Enforcement Division at the address listed above.
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

07/07/2026

For the Executive Director

Date

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

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

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

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

Jeffrey R. Wolf

Signature

5/20/26

Date

Jeffrey R. Wolf

Name (Printed or typed)
Authorized Representative of
INEOS Oligomers USA LLC

Oligomers Ops Director

Title

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