

Executive Summary - Enforcement Matter - Case No. 66205

BASF Corporation

RN100218049

Docket No. 2024-0987-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

BASF Freeport Site, 602 Copper Road, Freeport, Brazoria County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket Nos. 2021-0761-AIR-E, 2025-1170-AIR-E, and 2025-1272-AIR-E

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: November 21, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$50,750

Total Paid to General Revenue: \$25,375

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$25,375

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

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: March 6, 2024 through April 22, 2024 and July 1, 2024

Date(s) of NOE(s): May 30, 2024 and July 3, 2024

Executive Summary – Enforcement Matter – Case No. 66205

BASF Corporation

RN100218049

Docket No. 2024-0987-AIR-E

Violation Information

1. Failed to recalibrate the Scrubber's absorbent flow monitors no later than every five years from the date of the initial inspection and calibration. Specifically, the five-year recalibration of the two absorbent flowmeters for the S-300 Benzene Scrubber was due by March 1, 2021, but was not completed until January 6, 2023 [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(G), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit No. 1733A, General Conditions No. 9 and Special Conditions ("SC") No. 42, Federal Operating Permit ("FOP") No. O1926, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 14, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,483.23 pounds ("lbs") of propylene as fugitive emissions, during an emissions event (Incident No. 424005) that began on May 28, 2024 and lasted 24 hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 9513A and PSDTX641M1, SC No. 1, FOP No. O1927, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to prevent unauthorized emissions. Specifically, the Respondent released 500.00 lbs of ammonia as fugitive emissions, during an emissions event (Incident No. 424242) that began on May 28, 2024 and lasted 81 hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 9513A and PSDTX641M1, SC No. 1, FOP No. O1927, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. By January 6, 2023, recalibrated both flowmeters from the S-300 Benzene Scrubber and created a preventative maintenance program to alert the Instrument Maintenance group when the ongoing five-year external calibration is due;
- b. On June 1, 2024, repaired and pressure-tested the propylene line in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 424005; and
- c. By June 20, 2024, hired a third-party to inspect and repair the Mechanical Refrigeration Unit in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 424242.

Executive Summary – Enforcement Matter – Case No. 66205

BASF Corporation

RN100218049

Docket No. 2024-0987-AIR-E

Technical Requirements:

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

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Caleb Martin, Enforcement Division, Enforcement Team 2, MC 219, (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: Texas City Independent School District SEP, 2901 Turtle Creek Drive, Suite 445, Port Arthur, Texas 77642

Respondent: Bradley Morrison, Senior Vice President, BASF Corporation, 602 Copper Road, Freeport, Texas 77541

Adebayo Adekola, Senior Director of Freeport Site Services, BASF Corporation, 602 Copper Road, Freeport, Texas 77541

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	5-Jun-2024	Screening	6-Jun-2024	EPA Due	
	PCW	31-Jul-2025				

RESPONDENT/FACILITY INFORMATION	
Respondent	BASF Corporation
Reg. Ent. Ref. No.	RN100218049
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	66205	No. of Violations	3
Docket No.	2024-0987-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	\$29,000
---	-------------------	-----------------

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	100.0% Adjustment	Subtotals 2, 3, & 7	\$29,000
---------------------------	--------------------------	--------------------------------	-----------------

Notes	Enhancement for seven NOV's with similar violations, four NOV's with dissimilar violations, four agreed orders containing a denial of liability, and one agreed order without a denial of liability. Reduction for 17 notices of intent, and eleven disclosures of violations.
--------------	--

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
--------------------	----	-------------------------	-------------------	------------

Notes	The Respondent does not meet the culpability criteria.
--------------	--

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$7,250
--	-------------------	-----------------

Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
-------------------------	--------------------------	-------------------	------------

Total EB Amounts	\$176	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$21,500	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$50,750
-----------------------------	-----------------------	-----------------

OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0% Adjustment	\$0
---	------------------------	------------

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
--------------	--

Final Penalty Amount	\$50,750
-----------------------------	-----------------

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$50,750
-----------------------------------	-------------------------------	-----------------

DEFERRAL	0.0% Reduction	Adjustment	\$0
-----------------	-----------------------	-------------------	------------

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	\$50,750
------------------------	-----------------

Screening Date 6-Jun-2024

Docket No. 2024-0987-AIR-E

PCW

Respondent BASF Corporation

Policy Revision 5 (January 28, 2021)

Case ID No. 66205

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN100218049

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>)	6	30%
	Other written NOVs	5	10%
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>)	17	-17%
	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>)	11	-22%
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) 106%

>> 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 seven NOVs with similar violations, four NOVs with dissimilar violations, four agreed orders containing a denial of liability, and one agreed order without a denial of liability. Reduction for 17 notices of intent, and eleven disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 106%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 6-Jun-2024 **Docket No.** 2024-0987-AIR-E **PCW**
Respondent BASF Corporation *Policy Revision 5 (January 28, 2021)*
Case ID No. 66205 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN100218049
Media Air
Enf. Coordinator Caleb Martin

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(G), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit No. 1733A, General Conditions No. 9 and Special Conditions ("SC") No. 42, Federal Operating Permit ("FOP") No. O1926, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 14, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to recalibrate the Scrubber's absorbent flow monitors no later than every five years from the date of the initial inspection and calibration. Specifically, the five-year recalibration of the two absorbent flowmeters for the S-300 Benzene Scrubber was due by March 1, 2021, but was not completed until January 6, 2023.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 7.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$23,250

\$1,750

Violation Events

Number of Violation Events 8

676 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$14,000

Eight quarterly events are recommended from the March 1, 2021 due date to the January 6, 2023 compliance date.

Good Faith Efforts to Comply

25.0%

Reduction \$3,500

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

Extraordinary		
Ordinary	x	
N/A		

Notes

The Respondent completed corrective measures on January 6, 2023, prior to the Notice of Enforcement ("NOE") dated May 30, 2024.

Violation Subtotal \$10,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$139

Violation Final Penalty Total \$24,500

This violation Final Assessed Penalty (adjusted for limits) \$24,500

Economic Benefit Worksheet

Respondent BASF Corporation
Case ID No. 66205
Reg. Ent. Reference No. RN100218049
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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	\$1,000	1-Mar-2021	6-Jan-2023	1.85	\$93	n/a	\$93
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)	\$500	1-Mar-2021	6-Jan-2023	1.85	\$46	n/a	\$46

Notes for DELAYED costs
 Estimated cost to recalibrate the two absorbent flowmeters from the S-300 Benzene Scrubber and create a preventative maintenance program to alert the Instrument Maintenance group when the ongoing five-year external calibration is due. The Dates Required are the date the recalibration was due and the Final Dates are the date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,500

TOTAL \$139

Screening Date 6-Jun-2024 **Docket No.** 2024-0987-AIR-E **PCW**
Respondent BASF Corporation *Policy Revision 5 (January 28, 2021)*
Case ID No. 66205 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN100218049
Media Air
Enf. Coordinator Caleb Martin

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 9513A and PSDTX641M1, SC No. 1, FOP No. O1927, GTC and STC No. 16, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,483.23 pounds ("lbs") of propylene as fugitive emissions, during an emissions event (Incident No. 424005) that began on May 28, 2024 and lasted 24 hours.

Base Penalty

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text" value="30.0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

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

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

One monthly event is recommended.

Good Faith Efforts to Comply Reduction

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

Notes The Respondent completed corrective measures on June 1, 2024, prior to the NOE dated July 3, 2024.

Violation Subtotal

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

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent BASF Corporation
Case ID No. 66205
Reg. Ent. Reference No. RN100218049
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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-May-2024	1-Jun-2024	0.01	\$5	n/a	\$5

Notes for DELAYED costs

Estimated cost to repair and pressure-test the propylene line in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 424005. The Date Required is the date the emissions event began 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

\$5

Screening Date	6-Jun-2024	Docket No.	2024-0987-AIR-E	PCW
Respondent	BASF Corporation			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	66205			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN100218049			
Media	Air			
Enf. Coordinator	Caleb Martin			
Violation Number	3			
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 9513A and PSDTX641M1, SC No. 1, FOP No. O1927, GTC and STC No. 16, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respondent released 500.00 lbs of ammonia as fugitive emissions, during an emissions event (Incident No. 424242) that began on May 28, 2024 and lasted 81 hours.			
		Base Penalty	\$25,000	

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

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

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events: 1 4 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 25.0% Reduction \$1,875

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

Notes: The Respondent completed corrective measures by June 20, 2024, prior to the NOE dated July 3, 2024.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount \$32 **Violation Final Penalty Total** \$13,125

This violation Final Assessed Penalty (adjusted for limits) \$13,125

Economic Benefit Worksheet

Respondent BASF Corporation
Case ID No. 66205
Reg. Ent. Reference No. RN100218049
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
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

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-May-2024	20-Jun-2024	0.06	\$32	n/a	\$32

Notes for DELAYED costs

Estimated cost to hire a third-party to inspect and repair the Mechanical Refrigeration Unit in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 424242. The Date Required is the date the emissions event began 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

\$32



Compliance History Report

Compliance History Report for CN600124895, RN100218049, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN600124895, BASF Corporation

Classification: SATISFACTORY

Rating: 2.18

Regulated Entity: RN100218049, BASF FREEPORT SITE

Classification: SATISFACTORY

Rating: 4.45

Complexity Points: 43

Repeat Violator: NO

CH Group: 05 - Chemical Manufacturing

Location: 602 Copper Road Freeport, Brazoria County, Texas 77541-3001

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER BL00210
AIR OPERATING PERMITS PERMIT 1925
AIR OPERATING PERMITS PERMIT 1927
AIR OPERATING PERMITS PERMIT 2158
AIR OPERATING PERMITS PERMIT 2907

AIR OPERATING PERMITS PERMIT 1536
AIR OPERATING PERMITS PERMIT 1926
AIR OPERATING PERMITS PERMIT 1928
AIR OPERATING PERMITS PERMIT 3826
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0200501

AIR NEW SOURCE PERMITS REGISTRATION 10310
AIR NEW SOURCE PERMITS REGISTRATION 10388
AIR NEW SOURCE PERMITS REGISTRATION 10554
AIR NEW SOURCE PERMITS REGISTRATION 10634
AIR NEW SOURCE PERMITS REGISTRATION 11080
AIR NEW SOURCE PERMITS REGISTRATION 11286
AIR NEW SOURCE PERMITS PERMIT 7223A
AIR NEW SOURCE PERMITS REGISTRATION 1396A
AIR NEW SOURCE PERMITS REGISTRATION 1395A
AIR NEW SOURCE PERMITS REGISTRATION 1391A
AIR NEW SOURCE PERMITS PERMIT 1445A
AIR NEW SOURCE PERMITS PERMIT 8074A
AIR NEW SOURCE PERMITS REGISTRATION 12952A
AIR NEW SOURCE PERMITS REGISTRATION 13481A
AIR NEW SOURCE PERMITS ACCOUNT NUMBER BL00210
AIR NEW SOURCE PERMITS PERMIT 19886
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX959
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX193M1
AIR NEW SOURCE PERMITS REGISTRATION 56742
AIR NEW SOURCE PERMITS REGISTRATION 54190
AIR NEW SOURCE PERMITS REGISTRATION 83062
AIR NEW SOURCE PERMITS REGISTRATION 85277
AIR NEW SOURCE PERMITS REGISTRATION 87592
AIR NEW SOURCE PERMITS EPA PERMIT N126
AIR NEW SOURCE PERMITS REGISTRATION 99651
AIR NEW SOURCE PERMITS REGISTRATION 102484
AIR NEW SOURCE PERMITS REGISTRATION 139412
AIR NEW SOURCE PERMITS REGISTRATION 139303
AIR NEW SOURCE PERMITS REGISTRATION 139411
AIR NEW SOURCE PERMITS REGISTRATION 141317
AIR NEW SOURCE PERMITS REGISTRATION 130589
AIR NEW SOURCE PERMITS REGISTRATION 140735
AIR NEW SOURCE PERMITS PERMIT 118239

AIR NEW SOURCE PERMITS REGISTRATION 10373
AIR NEW SOURCE PERMITS REGISTRATION 10437
AIR NEW SOURCE PERMITS REGISTRATION 10578
AIR NEW SOURCE PERMITS REGISTRATION 10641
AIR NEW SOURCE PERMITS REGISTRATION 11081
AIR NEW SOURCE PERMITS PERMIT 7595A
AIR NEW SOURCE PERMITS PERMIT 735B
AIR NEW SOURCE PERMITS REGISTRATION 1390A
AIR NEW SOURCE PERMITS PERMIT 1733A
AIR NEW SOURCE PERMITS REGISTRATION 1392A
AIR NEW SOURCE PERMITS REGISTRATION 6773A
AIR NEW SOURCE PERMITS PERMIT 9513A
AIR NEW SOURCE PERMITS REGISTRATION 12957A
AIR NEW SOURCE PERMITS REGISTRATION 12277A
AIR NEW SOURCE PERMITS REGISTRATION 735C

AIR NEW SOURCE PERMITS PERMIT 55239
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX641
AIR NEW SOURCE PERMITS AFS NUM 4803900017
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX641M1
AIR NEW SOURCE PERMITS REGISTRATION 56520
AIR NEW SOURCE PERMITS REGISTRATION 82606
AIR NEW SOURCE PERMITS REGISTRATION 85333
AIR NEW SOURCE PERMITS REGISTRATION 91495
AIR NEW SOURCE PERMITS REGISTRATION 96347
AIR NEW SOURCE PERMITS REGISTRATION 99541
AIR NEW SOURCE PERMITS REGISTRATION 111385
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX908
AIR NEW SOURCE PERMITS REGISTRATION 140446
AIR NEW SOURCE PERMITS REGISTRATION 140563
AIR NEW SOURCE PERMITS REGISTRATION 137842
AIR NEW SOURCE PERMITS REGISTRATION 131174
AIR NEW SOURCE PERMITS REGISTRATION 113198
AIR NEW SOURCE PERMITS REGISTRATION 133869

AIR NEW SOURCE PERMITS REGISTRATION 110771

AIR NEW SOURCE PERMITS REGISTRATION 133878

AIR NEW SOURCE PERMITS REGISTRATION 122468
AIR NEW SOURCE PERMITS REGISTRATION 137834
AIR NEW SOURCE PERMITS EPA PERMIT N200
AIR NEW SOURCE PERMITS REGISTRATION 120524
AIR NEW SOURCE PERMITS REGISTRATION 132552
AIR NEW SOURCE PERMITS REGISTRATION 117121
AIR NEW SOURCE PERMITS REGISTRATION 132691
AIR NEW SOURCE PERMITS REGISTRATION 110772
AIR NEW SOURCE PERMITS REGISTRATION 155082
AIR NEW SOURCE PERMITS REGISTRATION 165453
AIR NEW SOURCE PERMITS REGISTRATION 165972
AIR NEW SOURCE PERMITS REGISTRATION 167589
AIR NEW SOURCE PERMITS REGISTRATION 162519
AIR NEW SOURCE PERMITS REGISTRATION 164822
AIR NEW SOURCE PERMITS REGISTRATION 163055
AIR NEW SOURCE PERMITS REGISTRATION 161869
AIR NEW SOURCE PERMITS REGISTRATION 170034
AIR NEW SOURCE PERMITS REGISTRATION 166761
AIR NEW SOURCE PERMITS REGISTRATION 151459
AIR NEW SOURCE PERMITS REGISTRATION 150154
AIR NEW SOURCE PERMITS REGISTRATION 149922
AIR NEW SOURCE PERMITS REGISTRATION 149547
AIR NEW SOURCE PERMITS REGISTRATION 156202
AIR NEW SOURCE PERMITS REGISTRATION 156203
AIR NEW SOURCE PERMITS REGISTRATION 163205
AIR NEW SOURCE PERMITS REGISTRATION 160113
AIR NEW SOURCE PERMITS REGISTRATION 157569
AIR NEW SOURCE PERMITS REGISTRATION 175875
AIR NEW SOURCE PERMITS REGISTRATION 173718
AIR NEW SOURCE PERMITS PERMIT AMOC366
AIR NEW SOURCE PERMITS REGISTRATION 175835
AIR NEW SOURCE PERMITS REGISTRATION 174084
AIR NEW SOURCE PERMITS REGISTRATION 175870
AIR NEW SOURCE PERMITS REGISTRATION 170161
AIR NEW SOURCE PERMITS REGISTRATION 173207
AIR NEW SOURCE PERMITS REGISTRATION 172033
AIR NEW SOURCE PERMITS REGISTRATION 175869
AIR NEW SOURCE PERMITS REGISTRATION 176287
AIR NEW SOURCE PERMITS REGISTRATION 178161
AIR NEW SOURCE PERMITS REGISTRATION 177891
AIR NEW SOURCE PERMITS REGISTRATION 180069
AIR NEW SOURCE PERMITS REGISTRATION 179879
IHW CORRECTIVE ACTION SOLID WASTE
REGISTRATION # (SWR) 30024
UNDERGROUND INJECTION CONTROL PERMIT WDW099
UNDERGROUND INJECTION CONTROL PERMIT WDW409
WASTEWATER EPA ID TX0008788

POLLUTION PREVENTION PLANNING ID NUMBER
P00069
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
REGISTRATION # (SWR) 30024
TAX RELIEF ID NUMBER 22434

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX284M1
AIR NEW SOURCE PERMITS REGISTRATION 137272
AIR NEW SOURCE PERMITS REGISTRATION 109675
AIR NEW SOURCE PERMITS REGISTRATION 110775
AIR NEW SOURCE PERMITS REGISTRATION 138695
AIR NEW SOURCE PERMITS REGISTRATION 110776
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX193M3
AIR NEW SOURCE PERMITS REGISTRATION 154301
AIR NEW SOURCE PERMITS REGISTRATION 153526
AIR NEW SOURCE PERMITS REGISTRATION 161921
AIR NEW SOURCE PERMITS REGISTRATION 164186
AIR NEW SOURCE PERMITS REGISTRATION 162798
AIR NEW SOURCE PERMITS REGISTRATION 166331
AIR NEW SOURCE PERMITS REGISTRATION 166910
AIR NEW SOURCE PERMITS REGISTRATION 165973
AIR NEW SOURCE PERMITS REGISTRATION 167015
AIR NEW SOURCE PERMITS REGISTRATION 167402
AIR NEW SOURCE PERMITS REGISTRATION 148265
AIR NEW SOURCE PERMITS REGISTRATION 150221
AIR NEW SOURCE PERMITS REGISTRATION 141775
AIR NEW SOURCE PERMITS REGISTRATION 145999
AIR NEW SOURCE PERMITS REGISTRATION 154758
AIR NEW SOURCE PERMITS REGISTRATION 158089
AIR NEW SOURCE PERMITS REGISTRATION 159013
AIR NEW SOURCE PERMITS REGISTRATION 158326
AIR NEW SOURCE PERMITS REGISTRATION 155905
AIR NEW SOURCE PERMITS REGISTRATION 152313
AIR NEW SOURCE PERMITS REGISTRATION 175551
AIR NEW SOURCE PERMITS REGISTRATION 176224
AIR NEW SOURCE PERMITS REGISTRATION 176730
AIR NEW SOURCE PERMITS REGISTRATION 172036
AIR NEW SOURCE PERMITS REGISTRATION 177564
AIR NEW SOURCE PERMITS REGISTRATION 175838
AIR NEW SOURCE PERMITS REGISTRATION 173161
AIR NEW SOURCE PERMITS REGISTRATION 176126
AIR NEW SOURCE PERMITS REGISTRATION 174335
AIR NEW SOURCE PERMITS REGISTRATION 175872
AIR NEW SOURCE PERMITS REGISTRATION 172089
AIR NEW SOURCE PERMITS REGISTRATION 179673
AIR NEW SOURCE PERMITS REGISTRATION 180068
AIR NEW SOURCE PERMITS REGISTRATION 179557
AIR NEW SOURCE PERMITS REGISTRATION 179878
UNDERGROUND INJECTION CONTROL PERMIT WDW051

UNDERGROUND INJECTION CONTROL PERMIT WDW408
WASTEWATER PERMIT WQ0003977000
AIR EMISSIONS INVENTORY ACCOUNT NUMBER
BL00210
INDUSTRIAL AND HAZARDOUS WASTE EPA ID
TXD008081697
INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50128

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

Date Compliance History Report Prepared: July 31, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 31, 2020 to July 31, 2025

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

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 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: SC1 PERMIT
 ST&C 6 PERMIT

Description: Failed to comply with the maximum allowable emissions rate ("MAER"). The Respondent exceeded the NOx MAER of 0.30 tpy based on a 12-month rolling period for the 12-month periods ending from September 2018 through August 2019 for the Ammonia Recovery System Maintenance Emissions to Flare, EPN 16-1-2 and the CO MAER of 0.17 tpy based on a 12-month rolling period for the 12-month periods ending from May 2018 through April 2019 for the Depressurization Emissions to Flare, EPN 16-1-2 resulting in the

Classification: Moderate

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

Rqmt Prov: ST&C 7 OP

Description: Failure to maintain VOC emissions from the cooling towers, Emission Point Number (EPN): 8-1-031, within permitted limits. (Category A8, criterion 2)

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: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on March 16, 2018, TCEQ/STEERS Incident No. 280549. (Category A12.i.6)

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP
 SPECIAL CONDITION 17A PERMIT
 SPECIAL TERM AND CONDITION 6 OP

Description: Failed to limit intermittent events sending emissions to the flare up to three times during any rolling 12-month period. Specifically, the Respondent experienced three intermittent events due to Synthesis Loop Trips on September 24, 2019, October 31, 2019, and November 15, 2019 and one intermittent event due to a Refrigeration Section Trip on December 10, 2019 for the Flare, Emissions Point Number ("EPN") 16-1-2.

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: 9513A PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was

Classification: Moderate

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

Rqmt Prov: FOP, Special Term & Condition 11 OP
 NSR, Special Condition 1 PERMIT

Description: Failure to operate within the VOC, NOx and CO tons per year (tpy) Maximum Allowable Emission Rate (MAER) for FL-200 (Unit ID: 5-2-02). (Category A8. HPV GC2)

Classification: Moderate

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

Rqmt Prov: FOP, General Terms & Conditions OP

Description: Failure to report a deviation in the August 28, 2018 through February 27, 2019 deviation report. (Category B3)

Classification: Moderate

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

Rqmt Prov: FOP, General Terms & Conditions OP

Description: Failure to report a deviation in the February 28, 2018 through August 27, 2018 deviation report. Category B3

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	August 10, 2020	(1666235)
Item 2	August 18, 2020	(1680392)
Item 3	October 14, 2020	(1693307)
Item 4	October 23, 2020	(1684357)
Item 5	November 06, 2020	(1686285)
Item 6	November 10, 2020	(1684889)
Item 7	November 15, 2020	(1690682)
Item 8	November 23, 2020	(1712611)
Item 9	December 16, 2020	(1712612)
Item 10	January 15, 2021	(1712613)
Item 11	February 11, 2021	(1702245)
Item 12	February 18, 2021	(1725666)
Item 13	March 26, 2021	(1705840)
Item 14	March 31, 2021	(1705000)
Item 15	April 13, 2021	(1725668)
Item 16	April 15, 2021	(1709003)
Item 17	June 15, 2021	(1740135)
Item 18	June 24, 2021	(1736621)
Item 19	July 16, 2021	(1737335)
Item 20	July 19, 2021	(1751756)
Item 21	August 03, 2021	(1747386)

Item 22	August 18, 2021	(1757220)
Item 23	September 20, 2021	(1766300)
Item 24	October 04, 2021	(1763548)
Item 25	December 03, 2021	(1775021)

Item 26	December 08, 2021	(1773263)
Item 27	December 15, 2021	(1790699)
Item 28	December 17, 2021	(1775402)
Item 29	January 18, 2022	(1798493)
Item 30	February 15, 2022	(1806367)
Item 31	March 16, 2022	(1813434)
Item 32	March 31, 2022	(1795704)
Item 33	April 07, 2022	(1788745)
Item 34	April 13, 2022	(1820005)
Item 35	May 13, 2022	(1812611)
Item 36	May 18, 2022	(1828844)
Item 37	May 27, 2022	(1817411)
Item 38	June 17, 2022	(1835137)
Item 39	July 13, 2022	(1825329)
Item 40	August 19, 2022	(1848473)
Item 41	October 19, 2022	(1862628)
Item 42	November 09, 2022	(1841078)
Item 43	November 15, 2022	(1869542)
Item 44	December 20, 2022	(1875391)
Item 45	February 14, 2023	(1841490)
Item 46	February 17, 2023	(1879337)
Item 47	February 20, 2023	(1890028)
Item 48	April 19, 2023	(1889273)
Item 49	April 20, 2023	(1905375)
Item 50	May 05, 2023	(1897402)
Item 51	May 22, 2023	(1912559)
Item 52	June 15, 2023	(1919161)
Item 53	June 23, 2023	(1904018)
Item 54	July 14, 2023	(1926127)
Item 55	August 14, 2023	(1918497)
Item 56	August 18, 2023	(1933089)
Item 57	September 15, 2023	(1939226)
Item 58	October 17, 2023	(1946076)
Item 59	October 26, 2023	(1936500)
Item 60	November 29, 2023	(1937954)
Item 61	November 30, 2023	(1943619)
Item 62	December 18, 2023	(1961530)
Item 63	January 04, 2024	(1944606)
Item 64	January 18, 2024	(1968125)
Item 65	February 07, 2024	(1956413)
Item 66	April 05, 2024	(1972594)
Item 67	April 16, 2024	(1975451)
Item 68	April 19, 2024	(1990283)
Item 69	May 18, 2024	(1996740)
Item 70	May 29, 2024	(1987900)
Item 71	June 17, 2024	(1994280)
Item 72	June 18, 2024	(2003691)
Item 73	July 17, 2024	(2011245)
Item 74	August 08, 2024	(2001618)
Item 75	August 09, 2024	(2001510)
Item 76	August 16, 2024	(1989459)
Item 78	September 17, 2024	(2023865)
Item 79	November 18, 2024	(2036309)
Item 80	December 18, 2024	(2042420)
Item 81	January 16, 2025	(2009506)
Item 82	January 20, 2025	(2049248)
Item 83	February 12, 2025	(2041616)
Item 84	March 20, 2025	(2065381)
Item 85	April 16, 2025	(2062696)

Item 86	April 18, 2025	(2072186)
Item 87	May 14, 2025	(2069083)
Item 88	May 16, 2025	(2078585)
Item 89	July 01, 2025	(2069540)

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 (2016848)
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: 09/30/2024 (2029989)
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: 11/25/2024 (2022599)
Self Report? NO Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(4)
Permit Conditions 2.g PERMIT
Description: Failure to prevent the unauthorized discharge of wastewater.

- 4 Date: 01/31/2025 (2056816)
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

- 5 Date: 04/28/2025 (2028336)
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)
FOP, ST&C 9 OP
NSR, SC 9 OP
Description: Failure to maintain carbon monoxide concentration limit below 25 ppmvd (Unit ID: 15-2-COGN1) (Category Category B18g(1)),

- 6 Date: 06/27/2025 (2047280)
Self Report? YES 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)
FOP, Special Term and Conditions 13 OP
NSR Special Condition 15B(1) PERMIT
NSR Special Conditions 1 PERMIT
Description: Failure to operate within the ammonia concentration and pounds per hour emissions limit on Incinerator Auxiliary Boiler with Selective Catalytic Reduction (SCR) Unit: EPN: 5-5-50 (Category B13 violation).
Self Report? YES 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)
FOP, Special Term and Conditions 13 OP
NSR Special Condition 26F PERMIT
Description: Failure to perform LDAR monitoring on valves and connectors in the Neol Fugitives (EPN: 5-8-30) and HDO Fugitives (EPN: 5-9-30) units. (Category B1 violation)

- 7 Date: 07/02/2025 (2028334)
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.121(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, ST&C 1A OP

Description: Failure to maintain the concentration of carbon monoxide (CO) in incinerator stack (4-2-1) below 120 parts per million (ppm) (Category B18g1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, ST&C 1A OP
NSR, SC13(I) PERMIT

Description: Failure to repair leaking components within 15 days (Category B1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, ST&C 1A OP
NSR, SC 20F PERMIT
NSR, SC12F PERMIT
NSR, SC22 PERMIT

Description: Failure to perform quarterly LDAR monitoring (Category B1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, ST&C 1A OP

Description: Failure to operate control device (Incinerator 3-1-IN4702) during production (Category B18g1).

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)
FOP, General Terms & Conditions OP

Description: Failure to report all instances of deviations in the Deviation Report (DR) for the reporting period of April 01, 2024 to September 30, 2024 (Category B3).

8

Date: 07/14/2025 (2009510)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 2F OP

Description: Failure to create a final record within two weeks after the end of a non-reportable emissions event. (Category B,3-18).

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)
FOP General Terms and Conditions OP

Description: Failure to report all instances of deviation in the February 28, 2021 through August 27, 2021 semi-annual deviation report (DR). (Category B,3-18).

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)
FOP General Terms and Conditions OP

Description: Failure to report all instances of deviation in the August 28, 2021 through February 27, 2022 semi-annual deviation report (DR). (Category B,3-18)

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)
FOP General Terms and Conditions OP

Description: Failure to report all instances of deviation in the February 28, 2022 through August 27, 2022 semi-annual deviation report (DR). (Category B,3-18)

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)

FOP General Terms and Conditions OP
 Description: Failure to report all instances of deviation in the August 28, 2022 through February 27, 2023 semi-annual deviation report (DR). (Category B,3-18).
 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)
 FOP General Terms and Conditions OP
 Description: Failure to report all instances of deviation in the February 28, 2023 through August 27, 2023 semi-annual deviation report (DR). (Category B,3-18)

9

Date: 07/23/2025 (2028344)
 Self Report? YES Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 2F OP
 Description: Failure to create a final record for a non-reportable emissions event within required time frame. (Category B,3-18).
 Self Report? YES 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)
 NSR Special Condition 10 PERMIT
 Special Term and Condition 14 OP
 Description: Failure to maintain 98% volatile organic compound (VOC) destruction efficiency at catalytic incinerator R-170 (EPN 11-1-2) (Category B,13-18)
 Self Report? YES 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)
 NSR Special Condition 42 PERMIT
 Special Term and Condition 14 OP
 Description: Failure to maintain the liquid outlet temperature during normal operating mode at benzene scrubber 260 (EPN 14-1-75) (Category B,12-18).
 Self Report? YES 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)
 NSR Special Condition 17E PERMIT
 Special Term and Condition 14 OP
 Description: Failure to monitor components within 15-days of being placed into service at Capro 2 Fugitives (EPN 14-1-73) (Category B1).
 Self Report? YES 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)
 NSR Special Condition 42 PERMIT
 Special Term and Condition 14 OP
 Description: Failure to maintain the minimum absorbent flow rate in recycle mode for scrubber S-300 (EPN 7-1-8) (Category B,12-18).
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR Special Condition 17F PERMIT
 Special Term and Condition 1 OP
 Special Term and Condition 14 OP
 Description: Failure to monitor components on a quarterly basis for Capro1 (EPN 7-1-66) (Category B,1-18)
 Self Report? YES 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 in the February 28, 2023 through August 27, 2023 semi-annual deviation report (DR) (Category B,3-18).
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

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

Description: Failure to report all instances of a deviation in the August 28, 2023 through February 27, 2024 semi-annual deviation report (DR) (Category B,3-18).

- 10 Date: 07/23/2025 (2047282)
Self Report? YES 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)
FOP, Special Term and Condition 10 OP
NSR Special Conditions 13 PERMIT
Description: Permitted flow requirement not met for T-6600 Scrubber Outlet Unit. (EPN; 15-3-1) (Category B12 violation).
Self Report? YES 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)
FOP, Special Term and Condition 10 OP
NSR Special Conditions 10.C PERMIT
Description: Failure to route vents from tanks D5120, D-6170, and D-6145 to the inlet of scrubber T-6600. (Category B13 violation).
Self Report? YES 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)
FOP, Special Term and Condition 10 OP
NSR Special Conditions 12 PERMIT
Description: Failure to maintain the minimum liquid flow rate of the T-6600 Scrubber: EPN: 15-3-1 (Category B12 violation).
Self Report? YES 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)
FOP, Special Term and Condition 10 OP
NSR Special Conditions 12 PERMIT
Description: Failure to maintain air flow rate requirement on the T-6600 Scrubber: EPN: 15-3-1 (Category B12 violation).
Self Report? YES 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)
FOP, Special Term and Condition 10 OP
NSR Special Conditions 6F PERMIT
Description: Failure to conduct LDAR monitoring on valves and connectors of Fugitives (EPN: 15-3-FUGS) and Isopropanol Recovery System Fugitives (15-3-RecFug) Units: (Category B1 violation)

- 11 Date: 07/29/2025 (1955725)
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 6 OP
Description: Failure to comply with the maximum allowable emission rate (MAER) of NOx for H-5100 Ammonia Startup Heater (EPN 16-1-3). (Category B13)

F. Environmental audits:

Notice of Intent Date: 04/09/2020 (1646134)
Disclosure Date: 08/24/2020
Viol. Moderate
Classification:
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT D 262.41(a)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT D 262.41(b)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.75
30 TAC Chapter 335, SubChapter C 335.71

30 TAC Chapter 335, SubChapter A 335.9(b)

Description: Failure to submit complete and accurate biennial report information in 2016, 2018 and 2020.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)(1)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)(2)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)(3)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)(4)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(e)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
30 TAC Chapter 335, SubChapter E 335.112(b)(9)
30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)

Description: Failure to conduct daily visual inspections of aboveground piping and other ancillary equipment containing hazardous waste routed to Tank D2850.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(2)

Description: Failure to submit a complete and correct Annual Waste Summary (AWS) to the Executive Director for calendar years 2015, 2016, 2017, 2018, and 2019.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 268, SubChapter I, PT 268, SubPT A 268.7(a)
30 TAC Chapter 335, SubChapter O 335.431

Description: Failure to make land disposal restriction notifications because D-2850 Blended Waste was not shipped as a hazardous waste.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.20(a)(1)
30 TAC Chapter 335, SubChapter A 335.10(a)

Description: Failure to utilize the EPA Uniform Hazardous Waste Manifest (EPA Form 8700-22) to transport D-2850 blended waste, a hazardous waste, for offsite disposal.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.12(c)
30 TAC Chapter 335, SubChapter C 335.63(b)

Description: Failure to utilize a transporter that had not received an EPA ID to transport D-2850 blended waste, a hazardous waste.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.12(c)
30 TAC Chapter 335, SubChapter A 335.2(b)
30 TAC Chapter 335, SubChapter C 335.63(b)

Description: Failure to properly dispose of hazardous waste. Specifically, D-2850 blended waste, a hazardous waste, was disposed at an unauthorized facility that had not received an EPA ID.

Notice of Intent Date: 09/23/2020 (1684603)

No DOV Associated

Notice of Intent Date: 10/28/2021 (1773651)

No DOV Associated

Notice of Intent Date: 11/18/2021 (1775499)

No DOV Associated

Notice of Intent Date: 12/17/2021 (1781810)

Disclosure Date: 06/17/2022

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(2)

Description: Failed to submit a complete and correct Annual Waste Summary (AWS) to the Executive Director for calendar years 2016, 2017, 2018, 2019, and 2020.

Notice of Intent Date: 12/29/2021 (1783195)

Disclosure Date: 05/17/2022

Viol. Moderate

Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Description: Failure to maintain damaged drift eliminator units ACC CT-700 (EPN 7-1-90).
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Description: Failure to maintain damaged drift eliminator units Anone 2 CT-1100 (EPN - 11-1-91).

Notice of Intent Date: 02/01/2022 (1794978)
Disclosure Date: 04/26/2022
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 1
Description: Failure to accurately represent storage tank throughput in permit.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
Description: Failure to maintain Cooling Tower VOC lb/hr emissions below MEART limit in 2021.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 117, SubChapter B 117.310
Description: Failure to maintain Monthly Vaporizer W-40A CO concentration below 100 ppmv at 3.0 % O2, dry basis.
Disclosure Date: 09/29/2022
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)
Description: Failed to have accurate permit representations and conditions by using the incorrect application of emission factors and parameters on several EPNs.

Notice of Intent Date: 10/17/2022 (1866423)
Disclosure Date: 01/31/2023
Viol. Major
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
Description: Authorization of inhibitor system vents to atmosphere were not obtained.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT NSR
OP STC STC 28
Description: CEMS downtime had exceeded 5% for the semi-annual reporting period.

Notice of Intent Date: 11/04/2022 (1873192)
Disclosure Date: 05/26/2023
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116
Rqmt Prov: PERMIT SC 17 A
Description: Failure to clear up misconception that there were no impacts to air authorization when one 'Iokring' was installed in the T-225 overhead pipping in light liquid VOC service under insulation.

Notice of Intent Date: 12/19/2022 (1869265)
Disclosure Date: 07/21/2023
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 1
Description: Failure to have some operating scenarios accounted for and resulted in intermittent exceedances of emission limit both short and long term at the Dehydrogenation Vent EPN 11-1-101.

Notice of Intent Date: 08/04/2023 (1936869)

Disclosure Date: 02/05/2024

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT SC 1

Description: Failure to include pollutant emissions from online analyzers that sample vent gas streams in the HA2 production unit.

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT SC 1

Description: Failure to include pollutant emissions from online analyzers that sample vent gas streams in the Anone2 production unit in NSR 1733A.

Notice of Intent Date: 02/07/2024 (1965165)

Disclosure Date: 03/18/2024

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

Rqmt Prov: PERMIT MAERT

Description: Failure to ensure permitting accurately accounted for required supplemental flow to maintain NHV in combustion zone for Flare FL200, EPN 5-2-02, causing long-term tpy exceedance of VOC and NOx for eight occurrences and short-term lb/hr exceedances of VOC (137 instances); NOx (141 instances), and CO (1301 instances).

Notice of Intent Date: 02/21/2024 (1966425)

Disclosure Date: 10/25/2024

Viol. Major

Classification:

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.340

40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.341

40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.342

40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.343

40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.345

40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.347

30 TAC Chapter 335, SubChapter F 335.152(a)(13)

Description: Failure of hazardous waste stream was being fed to Incinerator IN-5500 which was not permitted and operated as a hazardous waste incinerator, as required per 40 CFR Chapter 264, Subpart 0, while combusting a hazardous waste stream.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.620

30 TAC Chapter 122, SubChapter B 122.142(b)(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1203

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1219

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6

Rqmt Prov: PERMIT SC 1A

Description: Failure to identify the applicability of 40 CFR Part 63, Subpart EEE (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors), to Incinerator IN-5500, and did not comply with Subpart EEE emission limits, control standards, and associated requirements.

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 113, SubChapter C 113.620

30 TAC Chapter 122, SubChapter B 122.142(b)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1207

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.8

Rqmt Prov: PERMIT SC 1A

Description: Failure to conduct Subpart EEE-required performance testing and monitoring.

Viol. Moderate

Classification:
Citation: 30 TAC Chapter 113, SubChapter C 113.620
30 TAC Chapter 122, SubChapter B 122.142(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1210
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9

Rqmt Prov: OP SC 1A

Description: Failure to comply with Subpart EEE-required notification, reporting, and recordkeeping requirements. including Initial Notification, Notification of Intent to conduct performance testing, Notification of Compliance Status. and semiannual reports.

Notice of Intent Date: 03/05/2024 (1972559)
No DOV Associated

Notice of Intent Date: 04/18/2024 (1988143)

Disclosure Date: 10/08/2024

Viol. Moderate

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

Rqmt Prov: OP General Termina and Conditions

Description: Failure to comply with authorized maximum allowable emission rates. Failure to authorize current sprayer emissions.

Viol. Minor

Classification:
Citation: 30 TAC Chapter 106, SubChapter K 106.263
30 TAC Chapter 106, SubChapter A 106.8
30 TAC Chapter 122, SubChapter B 122.143(3)(A)
5C THSC Chapter 382 382.085

Rqmt Prov: OP General Termina and Conditions

Description: Failure to maintain site-wide painting records for two years. Failure to file painting emissions calculations.

Notice of Intent Date: 01/14/2025 (2041356)
No DOV Associated

Notice of Intent Date: 03/19/2025 (2069088)
No DOV Associated

Notice of Intent Date: 04/16/2025 (2064890)
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:

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
BASF CORPORATION
RN100218049

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2024-0987-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 BASF Corporation (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 602 Copper Road in Freeport, 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 \$50,750 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$25,375 of the penalty.

Pursuant to TEX. WATER CODE § 7.067, \$25,375 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

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

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

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:
 - a. By January 6, 2023, recalibrated both flowmeters from the S-300 Benzene Scrubber and created a preventative maintenance program to alert the Instrument Maintenance group when the ongoing five-year external calibration is due;
 - b. On June 1, 2024, repaired and pressure-tested the propylene line in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 424005; and
 - c. By June 20, 2024, hired a third-party to inspect and repair the Mechanical Refrigeration Unit in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 424242.

II. ALLEGATIONS

1. During a record review for the Plant conducted from March 6, 2024 through April 22, 2024, an investigator documented that the Respondent failed to recalibrate the Scrubber's absorbent flow monitors no later than every five years from the date of the initial inspection and calibration, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(G), 116.115(c), and 122.143(4), New Source Review ("NSR") Permit No. 1733A, General Conditions No. 9 and Special Conditions ("SC") No. 42, Federal Operating Permit ("FOP") No. O1926, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 14, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the five-year recalibration of the two absorbent flowmeters for the S-300 Benzene Scrubber was due by March 1, 2021, but was not completed until January 6, 2023.
2. During a record review for the Plant conducted on July 1, 2024, an investigator documented that the Respondent:
 - a. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 9513A and PSDTX641M1, SC No. 1, FOP No. O1927, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 2,483.23 pounds

("lbs") of propylene as fugitive emissions, during an emissions event (Incident No. 424005) that began on May 28, 2024 and lasted 24 hours.

- b. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), NSR Permit Nos. 9513A and PSDTX641M1, SC No. 1, FOP No. O1927, GTC and STC No. 16, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 500.00 lbs of ammonia as fugitive emissions, during an emissions event (Incident No. 424242) that began on May 28, 2024 and lasted 81 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: BASF Corporation, Docket No. 2024-0987-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 \$25,375 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



For the Executive Director

01/25/2026

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.



Signature

10/15/2025

Date

Adebayo Adekola

Sr. Director of Freeport Site Services

Name (Printed or typed)
Authorized Representative of
BASF Corporation

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: 2024-0987-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	BASF Corporation
Payable Penalty Amount:	\$50,750
SEP Offset Amount:	\$25,375
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Texas City Independent School District
Project Name:	<i>Alternative Fuel School Bus Program</i>
Total Project Budget:	\$4,393,620
Location of SEP:	Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Harris, Liberty, Matagorda, Montgomery, San Jacinto, Walker, Waller, and Wharton Counties

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 compliance with the terms of this Attachment A.

1. **Project Description**

A. *Project*

The Respondent shall contribute the SEP Offset Amount to **Texas City Independent School District**, as a Third-Party Administrator, for its *Alternative Fuel School Bus Program* project (the “Project”). The Project is to replace older school buses with newer buses that emit fewer air contaminants and reduce emissions. The Third-Party Administrator shall use the SEP Offset Amount to perform the Project. The Project will be done in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and TCEQ.

All dollars contributed will be used solely for the cost of implementing the Project, including for 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 in any manner from this SEP.

B. *Environmental Benefit*

This SEP will benefit air quality in the region by reducing harmful exhaust emissions from older school buses. Older school bus engines emit larger amounts of nitrogen oxides (NO_x) and particulate matter (PM), as well as other harmful pollutants such as volatile organic compounds (VOCs) and carbon monoxide (CO) than new buses do. 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 CO, NO_x, PM, and VOC emissions by replacing model year 2010 or earlier school buses with new, lower-emission buses.

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 contribution payable to **Texas City Independent School District**, and mail it with a copy of the Agreed Order to:

Texas City Independent School District SEP
Attention: Megan Gallien, Consultant
2901 Turtle Creek Drive, Suite 445
Port Arthur, Texas 77642

3. Records and Reporting

Together with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with proof of payment and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail or email a copy of the proof of payment and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087
SEPReports@tceq.texas.gov

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 to TCEQ.

In the event the ED determines that the Respondent failed to fully implement and complete the contribution to 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 contribution to 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 the SEP coordinator at the address provided above.

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 contribution to the project was performed as part of the settlement of an enforcement action brought by TCEQ. Such statements include advertising, public relations, and press releases.

6. Recognition

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

7. Other SEPs by TCEQ or Other Agencies

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