TCEQ Interoffice Memorandum

To: Mary Smith, General Counsel

Thru: Megan Hamilton, Assistant Deputy Director
Enforcement Division

From: Michael Parrish, Agenda Special Assistant
Enforcement Division

Date: September 17, 2026

Subject: **Backup Revision**
September 23, 2026 Commission Agenda
Item No. 19 – Equistar Chemicals, LP
Docket No. 2024-1068-AIR-E

Enclosed please find the following:

Executive Summary:

- Page 3, Technical Requirements – Correct item 2.a.ii by removing MSS VOC annual MAER for the Elevated Flare, EPN QE8050B and replacing with PM annual MAER for the Master Batch Filter, EPN Q1D01309.

Please do not hesitate to call Michael Parrish at (512) 239-2548 if you have any questions regarding this matter.

cc: Eli Martinez, Interim Public Interest Counsel
Melissa Schmidt, Office of Public Interest Counsel
Gill Valls, Office of General Counsel
Katherine McKenzie, Agenda Coordinator, Litigation Division
Amy Settemeyer, Deputy Director, Enforcement Division
Megan Hamilton, Assistant Deputy Director, Enforcement Division
Michael Parrish, Agenda Special Assistant, Enforcement Division
Melissa Cordell, Special Assistant, Office of Compliance and Enforcement

emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 19109, SC No. 1, FOP No. O2223, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures at the Plant:

a. On November 14, 2023, obtained authorization to increase the VOC and MSS VOC annual MAERs for the LB-1 Flare and MSS Flaring, EPN LBFLARE; and

b. By October 18, 2023, coordinated with the Original Equipment Manufacturer ("OEM") to install and include lock washers under the bolts for actuator end plates to help ensure bolts remain properly torqued and to develop and implement a preventive maintenance process to periodically check bolts on each assembly against OEM torque specifications in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 387306.

Technical Requirements:

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

2. The Order will also require the Respondent to:

a. Within 30 days:

i. Submit written documentation to demonstrate actions that have been taken to comply with the MSS VOC annual MAER for the Elevated Flare, EPN QE8050B; and

ii. Submit written documentation to demonstrate actions that have been taken to comply with the PM annual MAER for the Master Batch Filter, EPN Q1D01309.

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

emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 19109, SC No. 1, FOP No. O2223, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures at the Plant:

a. On November 14, 2023, obtained authorization to increase the VOC and MSS VOC annual MAERs for the LB-1 Flare and MSS Flaring, EPN LBFLARE; and

b. By October 18, 2023, coordinated with the Original Equipment Manufacturer ("OEM") to install and include lock washers under the bolts for actuator end plates to help ensure bolts remain properly torqued and to develop and implement a preventive maintenance process to periodically check bolts on each assembly against OEM torque specifications in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 387306.

Technical Requirements:

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

2. The Order will also require the Respondent to:

a. Within 30 days:

i. Submit written documentation to demonstrate actions that have been taken to comply with the MSS VOC annual MAER for the Elevated Flare, EPN QE8050B; and

ii. Submit written documentation to demonstrate actions that have been taken to comply with the PM annual MAER for the Master Batch Filter, EPN Q1D01309.

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

Executive Summary – Enforcement Matter – Case No. 65416
Equistar Chemicals, LP
RN100210319
Docket No. 2024-1068-AIR-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
AIR
Small Business:
No
Location(s) Where Violation(s) Occurred:
Equistar Chemicals La Porte Complex, 1515 Miller Cut-Off Road, La Porte, Harris County
Type of Operation:
Chemical manufacturing plant
Other Significant Matters:
Additional Pending Enforcement Actions: Yes, Docket Nos. 2026-0753-AIR-E; 2026-0481-AIR-E; 2026-0269-AIR-E; 2025-1226-AIR-E; 2025-1763-IWD-E; 2024-0274-AIR-E
Past-Due Penalties: No
Past-Due Fees: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: July 24, 2026
Comments Received: No

Penalty Information

Total Penalty Assessed: $173,125
Amount Deferred for Expedited Settlement: $0
Total Paid to General Revenue: $86,563
Total Due to General Revenue: $0
Payment Plan: N/A
Supplemental Environmental Project ("SEP") Conditional Offset: $86,562
Name of SEP: Houston Area Air Monitoring Project (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

Executive Summary – Enforcement Matter – Case No. 65416
Equistar Chemicals, LP
RN100210319
Docket No. 2024-1068-AIR-E

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: March 21, 2023 though July 18, 2023, February 26, 2024, and March 4, 2024 through May 6, 2024
Date(s) of NOE(s): August 15, 2023, March 28, 2024, and May 10, 2024

Violation Information

1. Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, the Respondent exceeded the volatile organic compounds ("VOC") MAER of 39.88 tons per year ("tpy") based on a 12-month rolling period for the 12-month periods ending on October 2021 and from March 2022 through September 2022 and the maintenance, startup, shutdown ("MSS") VOC MAER of 14.06 tpy based on 12-month rolling periods for the 12-month periods ending from October 2021 through September 2022 for the LB-1 Flare and MSS Flaring, Emissions Point Number ("EPN") LBFLARE, resulting in 15.69 tons of unauthorized VOC emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review ("NSR") Permit Nos. 114809 and N190M1, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2223, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to comply with the MAER. Specifically, the Respondent exceeded the MSS VOC MAER of 27.82 tpy based on a 12-month rolling period for the 12-month periods ending on January 2022 and from March 2022 through July 2022 for the Elevated Flare, EPN QE8050B, resulting in 2.31 tons of unauthorized VOC emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 83822, SC No. 1, FOP No. O2223, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,536.0 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 387306) that occurred on September 12, 2022 and lasted ten minutes [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4477, SC No. 1, FOP No. O2223, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4. Failed to comply with the MAERs. Specifically, the Respondent exceeded the VOC MAER of 39.88 tpy based on 12-month rolling periods and the MSS VOC MAER of 14.06 tpy based on 12-month rolling periods for the 12-month periods ending from October 2022 through October 2023 for the LB-1 Flare and MSS Flaring, EPN LBFLARE, resulting in 36.37 tons of unauthorized VOC emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit Nos. 114809 and N190M1, SC No. 1, FOP No. O2223, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5. Failed to comply with the MAER. Specifically, the Respondent exceeded the particulate matter ("PM") MAER of 0.05 tpy based on a 12-month rolling period for the 12-month periods ending from September 2022 through November 2023 for the Master Batch Filter, EPN Q1D01309, resulting in 0.014 ton of unauthorized PM

emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 19109, SC No. 1, FOP No. O2223, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures at the Plant:

a. On November 14, 2023, obtained authorization to increase the VOC and MSS VOC annual MAERs for the LB-1 Flare and MSS Flaring, EPN LBFLARE; and

b. By October 18, 2023, coordinated with the Original Equipment Manufacturer ("OEM") to install and include lock washers under the bolts for actuator end plates to help ensure bolts remain properly torqued and to develop and implement a preventive maintenance process to periodically check bolts on each assembly against OEM torque specifications in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 387306.

Technical Requirements:

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

2. The Order will also require the Respondent to:

a. Within 30 days:

i. Submit written documentation to demonstrate actions that have been taken to comply with the MSS VOC annual MAER for the Elevated Flare, EPN QE8050B; and

ii. Submit written documentation to demonstrate actions that have been taken to comply with the MSS VOC annual MAER for the Elevated Flare, EPN QE8050B; and

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

Executive Summary – Enforcement Matter – Case No. 65416
Equistar Chemicals, LP
RN100210319
Docket No. 2024-1068-AIR-E

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Kadrienn Woodard, Enforcement Division, Enforcement Backlog Team, MC R-12, (713) 767-3602; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548
TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565
SEP Third-Party Administrator: Houston Regional Monitoring Corporation, 1800 Post Oak Blvd., Suite 400, Houston, Texas 77056
Respondent: Mark Bookmyer, Site Manager, Equistar Chemicals, LP, 1515 Miller Cut-Off Road, Suite D, La Porte, Texas 77571
Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021) *PCW Revision February 11, 2021*

DATES						
	Assigned	21-Aug-2023				
	PCW	21-May-2026	**Screening**	31-Aug-2023	**EPA Due**	11-Feb-2024

RESPONDENT/FACILITY INFORMATION			
Respondent	Equistar Chemicals, LP		
Reg. Ent. Ref. No.	RN100210319		
Facility/Site Region	12-Houston	**Major/Minor Source**	Major

CASE INFORMATION			
Enf./Case ID No.	65416	**No. of Violations**	5
Docket No.	2024-1068-AIR-E	**Order Type**	1660
Media Program(s)	Air	**Government/Non-Profit**	No
Multi-Media		**Enf. Coordinator**	Kadrienn Woodard
		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*** **$92,500**

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*** **$92,500**

Notes: Enhancement for two NOVs with same or simliar violations, eight NOVs with dissimilar violations, four orders containing a denial of liability, and one order without a denial of liability. Reduction for three notices of intent to conduct an audit and three 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*** **-$11,875**

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

Total EB Amounts $6,101
Estimated Cost of Compliance $48,000

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 ***Final Subtotal*** **$173,125**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** ***Adjustment*** **$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$173,125**

STATUTORY LIMIT ADJUSTMENT ***Final Assessed Penalty*** **$173,125**

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 **$173,125**

Screening Date	31-Aug-2023	**Docket No.**	2024-1068-AIR-E
Respondent	Equistar Chemicals, LP		
Case ID No.	65416		
Reg. Ent. Reference No.	RN100210319		
Media	Air		
Enf. Coordinator	Kadrienn Woodard		

PCW

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

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 (*number of NOVs meeting criteria*)	2	10%
	Other written NOVs	8	16%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	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 (*number of judgments or consent decrees meeting criteria*)	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 (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	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 *(number of audits for which notices were submitted)*	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	3	-6%
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) 122%

>> 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 two NOVs with same or simliar violations, eight NOVs with dissimilar violations, four orders containing a denial of liability, and one order without a denial of liability. Reduction for three notices of intent to conduct an audit and three disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 122%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 100%

Screening Date	31-Aug-2023	**Docket No.** 2024-1068-AIR-E	**PCW**
Respondent	Equistar Chemicals, LP		*Policy Revision 5 (January 28, 2021)*
Case ID No.	65416		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100210319		
Media	Air		
Enf. Coordinator	Kadrienn Woodard		

Violation Number 1

Rule Cite(s): 30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review ("NSR") Permit Nos. 114809 and N190M1, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2223, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 20, and Tex. Health & Safety Code § 382.085(b)

Violation Description: Failed to comply with the maximum allowable emissions rates ("MAERs"). Specifically, the Respondent exceeded the volatile organic compounds ("VOC") MAER of 39.88 tons per year ("tpy") based on a 12-month rolling period for the 12-month periods ending on October 2021 and from March 2022 through September 2022 and the maintenance, startup, shutdown ("MSS") VOC MAER of 14.06 tpy based on 12-month rolling periods for the 12-month periods ending from October 2021 through September 2022 for the LB-1 Flare and MSS Flaring, Emissions Point Number ("EPN") LBFLARE, resulting in 15.69 tons of unauthorized VOC emissions.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $12,500

$12,500

Violation Events

Number of Violation Events: 2 — 365 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	x
annual	
single event	

Violation Base Penalty $25,000

Two semiannual events are recommended for the period of non-compliance from October 31, 2021 through September 30, 2022.

Good Faith Efforts to Comply

10.0% Reduction $2,500

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

Notes: The Respondent completed corrective measures on November 14, 2023, after the Notice of Enforcement ("NOE") dated August 15, 2023.

Violation Subtotal $22,500

Economic Benefit (EB) for this violation

Estimated EB Amount $2,344

Statutory Limit Test

Violation Final Penalty Total $47,500

This violation Final Assessed Penalty (adjusted for limits) $47,500

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 65416
Reg. Ent. Reference No. RN100210319
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				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs	$23,000	31-Oct-2021	14-Nov-2023	2.04	$2,344	n/a	$2,344
Other (as needed)				0.00	$0	n/a	$0
Notes for DELAYED costs	Estimated cost to obtain authorization to increase the VOC and MSS VOC annual MAERs for the LB-1 Flare and MSS Flaring, EPN LBFLARE. The Date Required is the first date of non-compliance and the Final Date is the date of compliance.						
Avoided Costs	**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $23,000

TOTAL $2,344

Screening Date	31-Aug-2023	**Docket No.** 2024-1068-AIR-E	**PCW**
Respondent	Equistar Chemicals, LP		*Policy Revision 5 (January 28, 2021)*
Case ID No.	65416		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100210319		
Media	Air		
Enf. Coordinator	Kadrienn Woodard		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 83822, SC No. 1, FOP No. O2223, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to comply with the MAER. Specifically, the Respondent exceeded the MSS VOC MAER of 27.82 tpy based on a 12-month rolling period for the 12-month periods ending on January 2022 and from March 2022 through July 2022 for the Elevated Flare, EPN QE8050B, resulting in 2.31 tons of unauthorized VOC emissions.

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 — 181 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	x
annual	
single event	

Violation Base Penalty $7,500

One semiannual event is recommended for the period of non-compliance from January 31, 2022 through July 31, 2022.

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 $2,249

Statutory Limit Test

Violation Final Penalty Total $15,000

This violation Final Assessed Penalty (adjusted for limits) $15,000

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 65416
Reg. Ent. Reference No. RN100210319
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	31-Jan-2022	31-Jul-2026	4.50	$2,249	n/a	$2,249
Notes for DELAYED costs	Estimated cost to submit written documentation to demonstrate actions that have been taken to comply with the MSS VOC annual MAER for the Elevated Flare, EPN QE8050B. The Date Required is the first date of non-compliance and the Final Date is the estimated date of compliance.						
Avoided Costs	ANNUALIZE avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $10,000

TOTAL $2,249

Screening Date	31-Aug-2023	**Docket No.** 2024-1068-AIR-E	**PCW**
Respondent	Equistar Chemicals, LP		*Policy Revision 5 (January 28, 2021)*
Case ID No.	65416		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100210319		
Media	Air		
Enf. Coordinator	Kadrienn Woodard		

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 4477, SC No. 1, FOP No. O2223, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,536.0 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 387306) that occurred on September 12, 2022 and lasted ten minutes.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $12,500

$12,500

Violation Events

Number of Violation Events 1 — 1 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $12,500

One quarterly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction $3,125

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

Notes: The Respondent completed corrective measures by October 18, 2023, prior to the NOE dated March 28, 2024.

Violation Subtotal $9,375

Economic Benefit (EB) for this violation

Estimated EB Amount $549

Statutory Limit Test

Violation Final Penalty Total $21,875

This violation Final Assessed Penalty (adjusted for limits) $21,875

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 65416
Reg. Ent. Reference No. RN100210319
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	12-Sep-2022	18-Oct-2023	1.10	$549	n/a	$549
Notes for DELAYED costs	Estimated cost to coordinate with the Original Equipment Manufacturer ("OEM") to install and include lock washers under the bolts for actuator end plates to help ensure bolts remain properly torqued and to develop and implement a preventive maintenance process to periodically check bolts on each assembly against OEM torque specifications in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 387306. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.						
Avoided Costs	**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $10,000

TOTAL $549

Screening Date	31-Aug-2023	**Docket No.** 2024-1068-AIR-E	**PCW**
Respondent	Equistar Chemicals, LP		*Policy Revision 5 (January 28, 2021)*
Case ID No.	65416		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100210319		
Media	Air		
Enf. Coordinator	Kadrienn Woodard		

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit Nos. 114809 and N190M1, SC No. 1, FOP No. O2223, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to comply with the MAERs. Specifically, the Respondent exceeded the VOC MAER of 39.88 tpy based on 12-month rolling periods and the MSS VOC MAER of 14.06 tpy based on 12-month rolling periods for the 12-month periods ending from October 2022 through October 2023 for the LB-1 Flare and MSS Flaring, EPN LBFLARE, resulting in 36.37 tons of unauthorized VOC emissions.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $12,500

$12,500

Violation Events

Number of Violation Events: 2 — 365 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	x
annual	
single event	

Violation Base Penalty $25,000

Two semiannual events are recommended for the period of non-compliance from October 31, 2022 through October 31, 2023.

Good Faith Efforts to Comply

25.0% Reduction $6,250

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

Notes: The Respondent completed corrective measures on November 14, 2023, prior to the NOE dated May 10, 2024.

Violation Subtotal $18,750

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $43,750

This violation Final Assessed Penalty (adjusted for limits) $43,750

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 65416
Reg. Ent. Reference No. RN100210319
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				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)				0.00	$0	n/a	$0
Notes for DELAYED costs	See Economic Benefit No. 1.						
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 $0

TOTAL $0

Screening Date	31-Aug-2023	**Docket No.** 2024-1068-AIR-E	**PCW**
Respondent	Equistar Chemicals, LP		*Policy Revision 5 (January 28, 2021)*
Case ID No.	65416		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100210319		
Media	Air		
Enf. Coordinator	Kadrienn Woodard		

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 19109, SC No. 1, FOP No. O2223, GTC and STC No. 20, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to comply with the MAER. Specifically, the Respondent exceeded the particulate matter ("PM") MAER of 0.05 tpy based on a 12-month rolling period for the 12-month periods ending from September 2022 through November 2023 for the Master Batch Filter, EPN Q1D01309, resulting in 0.014 ton of unauthorized PM emissions.

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: 3 | 426 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	x
annual	
single event	

Violation Base Penalty $22,500

Three semiannual events are recommended for the period of non-compliance from September 30, 2022 through November 30, 2023.

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 $22,500

Economic Benefit (EB) for this violation

Estimated EB Amount $959

Statutory Limit Test

Violation Final Penalty Total $45,000

This violation Final Assessed Penalty (adjusted for limits) $45,000

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 65416
Reg. Ent. Reference No. RN100210319
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
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$5,000	30-Sep-2022	31-Jul-2026	3.84	$959	n/a	$959
Notes for DELAYED costs	Estimated cost to submit written documentation to demonstrate actions that have been taken to comply with the PM annual MAER for the Master Batch Filter, EPN Q1D01309. The Date Required is the first date of non-compliance and the Final Date is the estimated date of compliance.						
Avoided Costs	ANNUALIZE avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $5,000

TOTAL $959

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

Compliance History Report

Compliance History Report for CN600124705, RN100210319, Rating Year 2025 which includes Compliance History (CH) components from September 1, 2020, through August 31, 2025.

Customer, Respondent, or Owner/Operator: CN600124705, Equistar Chemicals, LP **Classification:** SATISFACTORY **Rating:** 8.66

Regulated Entity: RN100210319, EQUISTAR CHEMICALS LA PORTE COMPLEX **Classification:** SATISFACTORY **Rating:** 18.11

Complexity Points: 43 **Repeat Violator:** NO

CH Group: 05 - Chemical Manufacturing

Location: 1515 MILLER CUT OFF RD LA PORTE, TX 77571-9810, HARRIS COUNTY

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0770G
AIR OPERATING PERMITS PERMIT 2223
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1012680
AIR NEW SOURCE PERMITS PERMIT 19109
AIR NEW SOURCE PERMITS PERMIT 4477
AIR NEW SOURCE PERMITS PERMIT 5226
AIR NEW SOURCE PERMITS PERMIT 18978
AIR NEW SOURCE PERMITS REGISTRATION 46127
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0770G
AIR NEW SOURCE PERMITS AFS NUM 4820100055
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX752
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX818
AIR NEW SOURCE PERMITS REGISTRATION 53387
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX752M3
AIR NEW SOURCE PERMITS PERMIT 83822
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX752M1
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX752M2
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX752M4
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX752M5
AIR NEW SOURCE PERMITS REGISTRATION 102494
AIR NEW SOURCE PERMITS EPA PERMIT N162
AIR NEW SOURCE PERMITS REGISTRATION 133377
AIR NEW SOURCE PERMITS EPA PERMIT N190
AIR NEW SOURCE PERMITS PERMIT 114809
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX12
AIR NEW SOURCE PERMITS REGISTRATION 134079
AIR NEW SOURCE PERMITS REGISTRATION 153696
AIR NEW SOURCE PERMITS REGISTRATION 166468
AIR NEW SOURCE PERMITS REGISTRATION 166297
AIR NEW SOURCE PERMITS REGISTRATION 168301
AIR NEW SOURCE PERMITS EPA PERMIT N162M2
AIR NEW SOURCE PERMITS REGISTRATION 166298
AIR NEW SOURCE PERMITS REGISTRATION 165070
AIR NEW SOURCE PERMITS REGISTRATION 151085
AIR NEW SOURCE PERMITS EPA PERMIT N190M2
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1574
AIR NEW SOURCE PERMITS PERMIT AMOC162
AIR NEW SOURCE PERMITS REGISTRATION 154421
AIR NEW SOURCE PERMITS EPA PERMIT N162M1
AIR NEW SOURCE PERMITS REGISTRATION 155981
AIR NEW SOURCE PERMITS REGISTRATION 159535
AIR NEW SOURCE PERMITS REGISTRATION 152926
AIR NEW SOURCE PERMITS EPA PERMIT N190M1
AIR NEW SOURCE PERMITS REGISTRATION 168047
AIR NEW SOURCE PERMITS REGISTRATION 173350
AIR NEW SOURCE PERMITS REGISTRATION 171882
AIR NEW SOURCE PERMITS REGISTRATION 170140
AIR NEW SOURCE PERMITS REGISTRATION 173850
AIR NEW SOURCE PERMITS REGISTRATION 173179
AIR NEW SOURCE PERMITS REGISTRATION 179911
AIR NEW SOURCE PERMITS REGISTRATION 177748
AIR NEW SOURCE PERMITS REGISTRATION 179849
IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION # (SWR) 85436
IHW CORRECTIVE ACTION PERMIT 50383
STORMWATER PERMIT TXR05N516
WASTEWATER PERMIT WQ0004013000
WASTEWATER EPA ID TX0119792
AIR EMISSIONS INVENTORY ACCOUNT NUMBER HG0770G
POLLUTION PREVENTION PLANNING ID NUMBER P00553
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXR000025809
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 85436
TAX RELIEF ID NUMBER 21120

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

Date Compliance History Report Prepared: May 05, 2026

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: May 05, 2021 to May 05, 2026

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

Name: TCEQ Staff Member **Phone:** (512) 239-1000

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: 08/19/2021 ADMINORDER 2020-0778-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.1555
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT HHHHHHH 63.11880(b)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms and Conditions OP
Special Condition 9 PERMIT
Special Term and Condition 15 OP
Description: Failed to maintain the differential pressure at or above the minimum pressure drop across each filter vent

Classification: Minor
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: General Terms and Conditions OP
Description: Failed to report all instances of deviations

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 Conditions No. 7.C PERMIT
Special Term and Condition 15 OP
Description: Failed to maintain the concentration limit at or above the measured concentration of the most recent stack test performed

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 2 PERMIT
Special Term and Condition 15 OP
Description: Failed to comply with the concentration limit for the polyethylene powder exiting the product purge bin

2 Effective Date: 08/25/2021 ADMINORDER 2020-1140-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GTC OP
Special Conditions No. 1 PERMIT
Standard Permit No. 118577 PERMIT

STC No. 18 OP

Description: Failed to prevent unauthorized emissions. The Respondent released 3,296.30 pounds ("lbs") of sulfur dioxide, 36.94 lbs of nitrogen oxides ("NOx"), 168.87 lbs of carbon monoxide ("CO"), and 59.55 lbs of volatile organic compounds ("VOC") from the Elevated Flare, Emissions Point Number ("EPN") QE8050B, during an emissions event (Incident No. 298464) that began on November 26, 2018 and lasted 19 hours and 50 minutes.
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: GTC OP
STC 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. 298464 was due by November 27, 2018 at 10:40 a.m., but was not submitted until December 7, 2018 at 3:39 p.m.
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: GTC OP
STC 2.F OP

Description: Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify the compounds or mixtures and the total estimated quantities for those compounds or mixtures on the final record for Incident No. 298464.
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: GTC OP
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. 298464 was due by December 11, 2018, but was not submitted until December 13, 2018.
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

Rqmt Prov: GTC OP
Special Condition 1 PERMIT
STC No. 17 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 302 lbs of VOC as fugitive emissions and released 888.90 lbs of VOC, 220.95 lbs of NOx, and 1,134.03 lbs of CO from the Flare, EPN L3FLARE, during an emissions event (Incident No. 341560) that began on August 31, 2020 and lasted 124 hours and five minutes.
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(D)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: GTC OP
STC No. 2.F OP

Description: Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify all emissions points, the compounds or mixtures for all emissions points, and the total estimated quantities for those compounds or mixtures for all emissions points on the final record for Incident No. 341560.

3 Effective Date: 06/06/2022 ADMINORDER 2021-0238-IWD-E (1660 Order-Agreed Order With Denial)
Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: WQ0004013000 PERMIT

Description: Failed to prevent the unauthorized discharge of wastewater.

4 Effective Date: 08/20/2024 ADMINORDER 2021-0088-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1606, GTC OP
FOP 1606, STC No. 15 OP
NSR Permit No. 4477, SC No. 1 PERMIT
Standard Permit Registration No. 159535 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 5.49 pounds ("lbs") of VOC and 3.02 lbs of CO from the Flare, EPN L3FLARE, and released 2,486.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 341083) that occurred on August 21, 2020 and lasted three hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(J)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1606, GTC OP
FOP 1606, STC No. 2.F OP

Description: Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify the best-known cause of the emissions event at the time the final record was submitted for Incident No. 341083.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
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 2223, GTC OP
FOP 2223, STC No. 18 OP
NSR Permit Nos. 18978,, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent experienced 100 percent ("%") opacity and released 2,336.00 lbs of CO, 394.20 lbs of NOx, and 1,626.60 lbs of VOC from the Elevated Flare, EPN Q8050B; released 4.70 lbs of NOx from Furnace 11, EPN QE1011B; and experienced 100% opacity and released 13.50 lbs of CO and 4.90 lbs of NOx from the Acetylene Recovery Unit Flare, EPN QE3050B, during an emissions event (Incident No. 299119) that occurred on December 17, 2018 and last

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 1606, GTC OP
FOP 1606, STC No. 15 OP
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 2,687.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 308508) that occurred on May 14, 2019 and lasted seven 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 1606, GTC OP
FOP 1606, STC No. 15 OP
NSR Permit No. 4477, SC No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 861.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 346469) that occurred on November 20, 2020 and lasted one minute.

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 1606, GTC OP

FOP 1606, 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. 346469 was due by November 21, 2020 at 3:28 p.m., but was not submitted until November 23, 2020 at 2:59 p.m.

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. 1606, GTC OP

FOP No. 1606, STC No. 15 OP

NSR Permit No. 4477, SC No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 139.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 304464) that occurred on March 12, 2019 and lasted 35 minutes.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter F 116.615(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. 1606, GTC OP

FOP No. 1606, STC No. 15 OP

NSR Permit No. 4477, SC No. 1 PERMIT

Standard Permit Registration No. 159535 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 15.68 lbs of VOC and 2.04 lbs of CO from the Flare, EPN L3FLARE, and released 11,885.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 340129) that occurred on August 4, 2020 and lasted two hours.

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)

Rqmt Prov: FOP 2223, GTC OP

FOP 2223, 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. 340129 was due by August 18, 2020, but was not submitted until August 19, 2020.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)

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 2223, GTC OP

FOP 2223, STC No. 1.A OP

FOP 2223, STC No. 20 OP

NSR Permit No. 4477, SC No. 1 PERMIT

Description: Failed to prevent unauthorized emissions and failed to limit HRVOC emissions to 1,200 lbs or less per one-hour block period. Specifically, the Respondent released 5,555.00 lbs of HRVOC as fugitive emissions and released 34.00 lbs of HRVOC from the Flare, EPN L3FLARE, during an emissions event (Incident No. 340423) that occurred on August 9, 2020 and lasted three hours.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 116, SubChapter F 116.615(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1606, GTC OP

FOP 1606, STC No. 1.A OP

FOP 1606, STC No. 15 OP

NSR Permit No. 4477, SC No. 1 PERMIT

Standard Permit Registration No. 159535 PERMIT

Description: Failed to prevent unauthorized emissions and failed to limit highly reactive volatile organic compounds ("HRVOC") emissions to 1,200 lbs or less per one-hour block period. Specifically, the Respondent released 12,674.89 lbs of HRVOC as fugitive emissions and released 34.82 lbs of CO, 5.41 lbs of NOx, and 57.58 lbs of VOC from the Flare, EPN L3FLARE, during an emissions event (Incident No. 352371) that occurred on March 8, 2021 and lasted 10 minutes.
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 1606, GTC OP
FOP 2223, GTC OP
FOP, Special Term and Condition 15 OP
FOP, Special Term and Condition 20 OP
NSR Permit Nos. 114809 and N190, SC 1 PERMIT
NSR Permit Nos. 114809 and N190M1, SC 1 PERMIT

Description: Failed to comply with the MAERs. Specifically, the Respondent exceeded the CO MAER of 6.55 tons per year ("tpy") based on a 12-month rolling period for the 12-month periods ending from November 2019 through October 2020, exceeded the NOx MAER of 1.31 tpy based on a 12-month rolling period for the 12-month periods ending from November 2019 through October 2020, and exceeded the VOC MAER of 8.70 tpy based on a 12-month rolling period for the 12-month periods ending from February 2020 through Decem
Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
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 2223, GTC OP
FOP 2223, STC No. 1.A OP
FOP 2223, STC No. 20 OP
NSR Permit No. 4477, SC No. 1 PERMIT

Description: Failed to prevent unauthorized emissions and failed to limit HRVOC emissions to 1,200 lbs or less per one-hour block period. Specifically, the Respondent released 229.32 lbs of VOC, 11,607.10 lbs of HRVOC, and 1,065.28 lbs of particulate matter ("PM") as fugitive emissions, during an emissions event (Incident No. 355080) that began on April 29, 2021 and lasted 16 hours and two minutes.
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1606, GTC OP
FOP 1606, STC No. 15 OP
NSR Permit No. 4477, SC No. 1 PERMIT
Standard Permit Registration No. 159535 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 1,225.00 lbs of VOC as fugitive emissions and released 62.00 lbs of CO, 10.00 lbs of NOx, and 106.00 lbs of VOC from the Flare, EPN L3FLARE, during an emissions event (Incident No. 320794) that occurred on September 12, 2019 and lasted six hours and 36 minutes.
Classification: Moderate

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

Rqmt Prov: FOP 2223, GTC OP
FOP 2223, STC No. 18 OP
NSR Permit No. 18978, SC No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 1,423.00 lbs of VOC, 2,164.00 lbs of CO, and 486.00 lbs of NOx from the Flare, EPN QE8050B, and released 90.00 lbs of VOC, 140.00 lbs of CO, and 27.00 lbs of NOx from the Acetylene Recovery Unit Flare, EPN QE3050B, during an emissions event (Incident No. 321219) that occurred on September 18, 2019 and lasted six 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 1606, GTC OP
FOP 1606, STC No. 15 OP
NSR Permit No. 4477, SC No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 5,255.00 lbs of VOC and 473.00 lbs of PM as fugitive emissions and released 80.00 lbs of CO, 105.00 lbs of VOC, and 13.00 lbs of NOx from the Flare, EPN L3FLARE, during an emissions event (Incident No. 328019) that began on January 11, 2020 and lasted eight 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 1606, GTC OP
FOP 1606, STC No. 15 OP
NSR Permit No. 4477, SC No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 11,357.00 lbs of VOC as fugitive emissions and released 54.00 lbs of CO, 38.00 lbs of VOC, and 11.00 lbs of NOx from the Flare, EPN L3FLARE, during an emissions event (Incident No. 333755) that occurred on April 11, 2020 and lasted one hour and 21 minutes.

5 Effective Date: 04/22/2026 ADMINORDER 2022-1063-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP, Special Term and Condition 1A OP

Description: Failure to limit HRVOC emissions to 1,200 lbs or less per one-hour block period. Specifically, the Respondent exceeded the HRVOC limit by 225.34 pounds per hour ("lbs/hr") for one hour on September 25, 2021 from the Elevated Flare, Emissions Point Number ("EPN") QE8050B, and by a range from 36.16 lbs/hr to 532.9 lbs/hr for 25 hours from
August 23, 2021 through August 24, 2021 from a leak on a dimethyl formamide exchanger, resulting in the release of 5,105.94 lbs of unauthorized HRVOC emissions.

Classification: Minor

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

Rqmt Prov: FOP, Special Term & Condition 1A OP
FOP, Special Term & Condition 20 OP
NSR, Special Condition 12C PERMIT
NSR, Special Condition 13(C) PERMIT
NSR, Special Condition 13C PERMIT
NSR, Special Condition 8C PERMIT

Description: Failure to record the date and results of each inspection performed. Specifically, the Respondent Provided records for either the audio, visual, and olfactory or Method 21
inspections of the capture systems that were conducted from January 3, 2021 through December 21, 2021 for EPNs L3RTO, L3FLARE, LBFLARE, QE3050B, and QE8050B that included the dates and task, but the results of those inspections were not recorded.

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, Special Term and Condition 20 OP
NSR, Special Condition 13B PERMIT

Description: Failure to conduct monthly bypass valve inspections for the capture system. Specifically, the Respondent did not inspect or monitor the bypass valve for the Additive Feed Vent System, EPN LBF806, during the compliance period from October 1, 2020 through September 30, 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, Special Term and Condition 20 OP
N190M1 PERMIT

Compliance History Report for CN600124705, RN100210319, Rating Year 2025 which includes Compliance History (CH) components from May 05, 2021, through May 05, 2026.

NSR, Special Condition 11E PERMIT

Description: Failure to calibrate each monitoring device in accordance with the manufacturer's specifications or at least annually. Specifically, the Respondent did not calibrate the pressure monitoring device for the 30-F-900B Elutriator Vent, EPN LB30-F-900B in calendar year 2020.
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP, Special Term and Condition 20 OP
NSR, General Requirements (4)(B)(vii), PERMIT

Description: Failure to conduct opacity determinations at least once per year. Specifically, the Respondent did not conduct visual observations for opacity emissions from the Package
Boilers, EPNs UTBLRN and UTBLRS, during calendar years 2020 and 2021.
Classification: Moderate

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

Rqmt Prov: FOP, Special Term and Condition 20 OP
NSR, Special Condition 24 PERMIT

Description: Failure to maintain the mass flow of air and steam to each cyclone of the decoking drums within the permitted range. Specifically, the respondent Exceeded the maximum mass flow limit of 137,037 lbs/hr for air and steam to the Decoking Drum, EPN QE1416F, by a range from 803 lbs/hr to 51,125 lbs/hr for a total of 77 hours on eight days from August 12, 2020 to July 11, 2021, resulting in 944,578 lbs of unauthorized air and steam flow.
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 and Condition 20 OP
NSR No. N190M1 PERMIT
NSR, Special Condition 1 PERMIT

Description: Failure to comply with the MAER. Specifically, the Respondent exceeded the volatile organic compounds ("VOC") MAER of 39.88 tons per year based on a 12-month rolling period for the 12-month periods ending from May 2021 through October 2021 and from March 2022 through May 2022 for the LB-1 Flare, EPN LBFLARE, resulting in 12.00 tons of unauthorized VOC emissions.
Classification: Moderate

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

Rqmt Prov: FOP, Special Term and Condition 20 OP
NSR, Special Condition 16B PERMIT

Description: Failure to prevent the loss of valid data due to periods of monitor break down, out-of-control operation, repair, maintenance, or calibration that exceeded 5.0 percent ("%") of the time (in hours) during the clearing of piping over the previous rolling 12-month period. Specifically, the flow monitor downtime peaked at approximately 17.4% and the temperature monitor downtime peaked at approximately 66% from June 2021 to December 2021 when vapors from the clearing of piping were routed to the
Classification: Moderate

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

Rqmt Prov: FOP, Special Term and Condition 20 OP
NSR No. N162M1 PERMIT
NSR No. PSDTX752M5 PERMIT
NSR, Special Condition 16B PERMIT

Description: Failure to calibrate the flow monitoring device at a frequency in accordance with the manufacturer's specifications or at least annually. Specifically, the Respondent did not calibrate flow monitor for the ammonia scrubber, EPN QENH3SC, for calendar year 2021.
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 and Condition 20 OP
NSR N190M1 PERMIT
NSR, Special Condition 1 PERMIT

Description: Failure to comply with the MAER. Specifically, during stack tests conducted on October 30, 2020 and September 1, 2021, exceeded the particulate matter ("PM") MAER of 0.14 lb/hr by 0.16 lb/hr and 0.71 lb/hr, respectively, for the 30-F-900B Elutriator Vent, EPN LB30F900B, resulting in approximately 7,394.6 lbs of unauthorized PM emissions.
Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)

Description: Failure to submit a revision application for an FOP for those activities at a site which change, add, or remove one or more permit terms and conditions. Specifically, the Respondent did not submit a revision application for FOP No. 02223 to include the applicable requirements of 30 TEX. ADMIN. CODE§ 115.764(e)(l) for the Cooling Tower, EPN QE7801.
Classification: Minor

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 and Conditions OP

Description: Failure to report all instances of deviations. Specifically, the deviation report for the April 1, 2021 through September 30, 2021 reporting period did not include the deviations for failing to record the results of each inspection performed of the capture systems for EPNs L3RTO, L3FLARE, LBFLARE, QE3050B, and QE8050B, failing to conduct monthly bypass valve inspections for the Additive Feed Vent System, failing to prevent the loss of valid data that exceeds 5% of the time when vap
Classification: Minor

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 and Conditions OP

Description: Failure to report all instances of deviations. Specifically, the deviation report for the period of October 1, 2021 through March 31, 2022 reporting period did not include the deviations for failing to record the results of each inspection performed of the capture systems for EPNs L3RTO, L3FLARE, LBFLARE, QE3050B, and QE8050B, failing to conduct monthly bypass valve inspections for the Additive Feed Vent System, failing to prevent the loss of valid data that exceeds 5% of the time when vapors fr
Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
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: 4477 PERMIT
FOP O1606, GTC & STC Nos.1.a. & 15 OP

Description: Failed to prevent unauthorized emissions and failed to limit HRVOC emissions to 1,200 lbs or less per one-hour block period. Specifically, the Respondent released 910.92 lbs of VOC and 10,261.67 lbs of HRVOC as fugitive emissions, during an emissions event (Incident No. 380832) that occurred on June 5, 2022 and lasted 19 minutes. TCEQ staff determined that the emissions event was an excessive emissions event.
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(C)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(D)
30 TAC Chapter 101, SubChapter F 101.201(g)
30 TAC Chapter 101, SubChapter F 101.201(h)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. O1606, GTC & STC No. 2.F. OP

Description: Failure to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify all emissions points from which all emissions were released on the final record for Incident No. 380832.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	May 18, 2021	(1742699)
Item 2	May 20, 2021	(1722598)
Item 3	May 30, 2021	(1724228)
Item 4	June 18, 2021	(1748498)
Item 5	July 20, 2021	(1753455)
Item 6	August 20, 2021	(1758844)
Item 7	September 10, 2021	(1690876)
Item 8	September 14, 2021	(1762479)
Item 9	September 20, 2021	(1768182)
Item 10	October 20, 2021	(1778719)
Item 11	October 31, 2021	(1686165)
Item 12	November 19, 2021	(1785386)
Item 13	December 13, 2021	(1792425)
Item 14	January 20, 2022	(1800272)
Item 15	February 16, 2022	(1808102)
Item 16	May 06, 2022	(1812152)
Item 17	June 17, 2022	(1836859)
Item 18	July 20, 2022	(1844045)
Item 19	July 22, 2022	(1832571)
Item 20	August 12, 2022	(1761888)
Item 21	August 19, 2022	(1850204)
Item 22	September 20, 2022	(1857974)
Item 23	October 20, 2022	(1864328)
Item 24	November 17, 2022	(1871236)
Item 25	January 23, 2023	(1861870)
Item 26	March 16, 2023	(1900287)
Item 27	March 30, 2023	(1894899)
Item 28	May 24, 2023	(1855092)
Item 29	May 25, 2023	(1896133)
Item 30	August 18, 2023	(1934776)
Item 31	October 20, 2023	(1947750)
Item 32	October 26, 2023	(1932030)
Item 33	November 17, 2023	(1953439)
Item 34	December 14, 2023	(1963222)
Item 35	December 18, 2023	(1878808)
Item 36	January 10, 2024	(1879748)
Item 37	January 18, 2024	(1969799)
Item 38	February 19, 2024	(1978878)
Item 39	March 29, 2024	(1982322)
Item 40	April 18, 2024	(1991982)
Item 41	May 05, 2024	(1975666)
Item 42	May 20, 2024	(1998416)
Item 43	June 05, 2024	(1973375)
Item 44	June 18, 2024	(2005381)
Item 45	September 19, 2024	(2014911)
Item 46	October 17, 2024	(2031660)
Item 47	December 20, 2024	(2044369)
Item 48	March 10, 2025	(2046290)
Item 49	March 30, 2025	(2061911)
Item 50	March 31, 2025	(2046989)
Item 51	July 22, 2025	(2063655)

Compliance History Report for CN600124705, RN100210319, Rating Year 2025 which includes Compliance History (CH) components from May 05, 2021, through May 05, 2026.

Item 52	November 18, 2025	(2119658)
Item 53	March 31, 2026	(2136204)
Item 54	April 10, 2026	(2103941)

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: 05/31/2025 (2087350)

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: 06/30/2025 (2094447)

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: 07/25/2025 (2047295)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.345(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1575(k)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 17A PERMIT
Special Term and Condition 20 OP

Description: Failure to perform relative accuracy test audit (RATA) for boilers (EPNs: UTBLRS, UTBLRN) (CATEGORY B3 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(e)
5C THSC Chapter 382 382.085(b)
Special Condition 13 PERMIT
Special Term and Condition 20 OP

Description: Failure to maintain net heating value of 270 BTU/Scf for Flare (EPN: L3FLARE) (CATEGORY B12 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(e)
5C THSC Chapter 382 382.085(b)
Attachment D, Special Condition 13 PERMIT
Special Term and Condition 20 OP

Description: Failure to maintain net heating value of 270 Btu/scf for Flare (EPN: LBFLARE) (CATEGORY B12 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.348(a)(1)(i)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(1)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 20 OP

Description: Failure to collect monthly Zimpro and 1603J NESHAP samples (CATEGORY B1 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
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)
Condition I(H) PERMIT
Special Condition 17C PERMIT
Special Term and Condition 1A OP
Special Term and Condition 20 OP

Compliance History Report for CN600124705, RN100210319, Rating Year 2025 which includes Compliance History (CH) components from May 05, 2021, through May 05, 2026.

Description: Failure to prevent visible emissions from the ARU Flare (EPN: QE3050B) (CATEGORY B17 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6E PERMIT
Special Term and Condition 20 OP
Description: Failure to prevent ammonia (NH3) exceedances for Furnace 11 (EPN: QE1011B) (CATEGORY B13 Violation).
Self Report? NO Classification: Moderate
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)
Special Term and Condition 20 OP
Description: Failure to submit an initial 24-hour notification of a reportable emissions event for Main Flare (EPN: QE8050B) (CATEGORY B3 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 25G PERMIT
Special Term and Condition 20 OP
Description: Failure to prevent the 5% downtime exceedance for the Vent (EPN: QEUNITEM) (CATEGORY B18g1 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
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)
Condition I(H) PERMIT
Special Condition 17C PERMIT
Special Term and Condition 1A OP
Special Term and Condition 20 OP
Description: Failure to prevent visible emissions from the Main Flare (EPN: QE8050B) (CATEGORY B17 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21E PERMIT
Special Term and Condition 20 OP
Description: Failure to timely report olfactory, visual, and/or audio (OVA) leak from the Process Fugitives (EPN: QEFUG) (CATEGORY B3 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 20 OP
Description: Failure to prevent the operation of Emergency Generator (EPN: QE1ADMINGEN) between 6:00 AM and 12:00 PM (CATEGORY B18g1 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 25G PERMIT
Special Term and Condition 20 OP
Description: Failure to prevent the 5% downtime exceedance for Pyrolysis Furnace 3 (EPN: QE1003B) (CATEGORY B18g1 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 25G PERMIT
Special Term and Condition 20 OP
Description: Failure to prevent the 5% downtime exceedance for Pyrolysis Furnace 4 (EPN: QE1004B) (CATEGORY B1 Violation).
Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
Condition I(A)(4)(B) PERMIT
Special Condition 17B PERMIT
Special Term and Condition 1A OP
Special Term and Condition 20 OP

Description: Failure to maintain pilot flame for the ARU Flare (EPN: QE3050B) (CATEGORY B18g1 Violation).

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 20 OP

Description: Failure to prevent the hourly carbon monoxide (CO) permit limit for Furnace 10 (EPN: QE1010B) (CATEGORY C4 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6C PERMIT
Special Term and Condition 20 OP

Description: Failure to prevent an exceedance of the pounds per million British thermal units (lb/MMBtu) limit for nitrogen oxide (NOx) from Furnace 11 (EPN: QE1011B) (CATEGORY B13 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6E PERMIT
Special Term and Condition 20 OP

Description: Failure to maintain the Ammonia (NH3) hourly average concentration limit for Furnace 11 (EPN: QE1011B) (CATEGORY B13 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2450(e)(6)(iii)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 20 OP

Description: Failure to prevent unauthorized venting of Vent (EPN: L3L4205) to the atmosphere (CATEGORY B17 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2450(e)(6)(iii)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 20 OP

Description: Failure to prevent unauthorized venting of Maintenance Vent (EPN: L3SILOS) to the atmosphere (CATEGORY B17 Violation).

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 20 OP

Description: Failure to maintain the Ammonia (NH3) hourly emissions limit for the Utility Boilers (EPNs: UTBLRN and UTBLRS) (CATEGORY B13 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 8D PERMIT
Special Term and Condition 20 OP

Description: Failure to maintain the differential pressure (dP) drop for Scalperator Vent Fines Collectors (EPN: Q1F15004) (CATEGORY B18g1 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 13 PERMIT

Special Term and Condition 20 OP
Description: Failure to maintain the 30-day rolling sample collection for the Mixer Feed Hopper (EPN: Q1F01324) (CATEGORY B1 Violation).

4 Date: 07/31/2025 (2101022)
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: 08/31/2025 (2111932)
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

6 Date: 09/30/2025 (2111933)
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

7 Date: 11/30/2025 (2126529)
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

8 Date: 12/31/2025 (2133128)
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

9 Date: 01/31/2026 (2140584)
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

10 Date: 04/17/2026 (2107492)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6C PERMIT
Special Condition 6E PERMIT
Special Term and Condition 20 OP
Description: Failure to prevent exceedance of the ammonia (NH3) and nitrogen oxides (NOx) concentration limits for Furnace 11 (EPN: QE1011B). (Category B13)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP
Description: Failure to conduct sampling during on-line analyzer downtime for ARU Flare (EPN: QE3050B). (Category C1)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP
Description: Failure to operate Emergency Engine (EPN: ADMINGEN) within the permitted timeframe. (Category C4)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 7B PERMIT
Special Term and Condition 20 OP

Description: Failure to prevent exceedance of carbon monoxide (CO) concentration limit for Boiler A (EPN: QE5802UA). (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6C PERMIT
Special Condition 6E PERMIT
Special Term and Condition 20 OP

Description: Failure to prevent exceedance of the ammonia (NH3) and nitrogen oxide (NOx) concentration limits for Furnace 10 (EPN: QE1010B). (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term and Condition 20 OP

Description: Failure to prevent exceedance of the nitrogen oxide (NOx) Maximum Allowable Emission Rate (MAER) limit for Furnace 10 (EPN: QE1010B). (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter J 115.910(d)
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)
AMOC 162, Condition IE OP
Attachment D, Special Condition 13 PERMIT
Special Term and Condition 20 OP
Special Term and Condition 30 OP

Description: Failure to maintain net heating value for LB-1 Flare (EPN: LBFLARE). (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to conduct quarterly calibration for Q1 Cooling Tower (EPN: Q1CT). (Category B1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 9A PERMIT
Special Term and Condition 20 OP

Description: Failure to prevent exceedance of nitrogen oxide (NOx) concentration limit for Utility Boilers H South (EPN: UTBLRHS). (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 1, SubChapter C, PT 63, SubPT FFFF 63.2450(e)(6)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2505(b)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 3C PERMIT
Special Term and Condition 1A OP
Special Term and Condition 20 OP

Description: Failure to prevent unauthorized venting of Maintenance Vent (EPN: L3SILOS) to the atmosphere. (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 1, SubChapter C, PT 63, SubPT FFFF 63.2450(e)(6)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2505(b)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 3C PERMIT
Special Term and Condition 20 OP

Description: Failure to prevent unauthorized venting of ABIII Dryer Vent (EPN: L3V4205) to the atmosphere. (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 1, SubChapter C, PT 63, SubPT FFFF 63.2450(e)(6)
5C THSC Chapter 382 382.085(b)
Special Condition 3C PERMIT
Special Term and Condition 20 OP

Description: Failure to prevent unauthorized venting of ABIII Silo Cyclone Vents (EPN: L3RTOBF) to the atmosphere. (Category B13)

Self Report? NO Classification: Minor

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

Description: Failure to report all instances of deviation for the reporting period of October 1, 2024 through March 31, 2025. (Category B3)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 9A PERMIT
Special Term and Condition 20 OP

Description: Failure to prevent exceedance of the nitrogen oxide (NOx) concentration limit for Utility Boilers H North (EPN: UTBLRHN). (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term and Condition 20 OP

Description: Failure to prevent exceedance of volatile organic compound (VOC) Maximum Allowable Emission Rate (MAER) limit for Elevated Flare (EPN: QE8050B). (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 2 PERMIT
Special Term and Condition 20 OP

Description: Failure to prevent exceedance of the volatile organic compound (VOC) concentration limit for Mixer Feed Hopper (EPN: Q1 F01324). (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 11A PERMIT
Special Term and Condition 20 OP

Description: Failure to maintain the outlet grain loading factor limit for Additive Feed Vent System (EPN: LBF806). (Category B18(G)(1))

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 17C PERMIT
Special Term and Condition 1A OP
Special Term and Condition 20 OP

Description: Failure to prevent visible emissions for Elevated Flare (EPN: QE8050B). (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to prevent exceedance of sitewide highly reactive volatile organic compound (HRVOC) limit. (Category B13)

F. Environmental audits:

Notice of Intent Date: 07/27/2022 (1833861)

Compliance History Report for CN600124705, RN100210319, Rating Year 2025 which includes Compliance History (CH) components from May 05, 2021, through May 05, 2026.

Disclosure Date: 04/17/2023

Viol. Classification: Minor

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

Rqmt Prov: PERMIT SC 6

Description: Failed to operate EPN Q1INC with an incinerator stack oxygen concentration at the minimum value established during the most recent stack test.

Viol. Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.142

Description: Failed to include 30 Tex. Admin. Code 106.373 refrigeration operations in Table B of the most recent OP-PBRSUP submittal for FOP No. O2223.

Viol. Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT SC1

Description: Failed to comply with maximum allowable MSS tpy 12-month rolling emissions rate limits for CO and NOx for EPN Q8050B, determined after revising the emission calculations.

Viol. Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter S 106.433(8)

30 TAC Chapter 106, SubChapter A 106.8(c)

Description: Failed to maintain records to demonstrate compliance with hourly emissions rate limits established in PBR Registration No. 102494.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter T 106.452(2)(A)

Description: Failed to comply with the daily abrasive blasting authorized 1 ton/day limit on the following dates in 2021: 10/8, 10/11 and in 2022: 1/7, 2/8, 2/14, 2/16, 3/3, 3/14, 4/1, 4/4, 48, 4/19, 5/9, 10/31.

Viol. Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)

Description: failed to prevent weekly maintenance test runs for Emergency Generator PWW321 before noon on 2/3/22 and 2/14/22.

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC4

Description: Failed to prevent the annual LDPE scrap and fines production rate for AB3 Polyethylene Unity from exceeding the permitted 450,000 lbs/yr rate in Table 2 of the NSR Permit No. 4477 application.

Disclosure Date: 10/18/2023

Viol. 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)

Rqmt Prov: PERMIT SC 1(s), 1(t), 2(b), 2(h)

Description: Failed to calculate GHG emissions consistent with Special Condition Nos. 1(s), 1(t), 2(b), and 2(h), although they were calculated consistent with the permit representation in the application.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT Part III, Section B.1(b)

Description: Failed to conduct a survey of potential non-stormwater sources and provide the certification required in Part III, Section B.1.(c) of the Multi Sector General Permit within 180 days of filing an NOI for coverage (or a renewal NOI).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT Part III, Section B.5

Description: Failed to sign and file the Annual Comprehensive Site Compliance Inspection Report for the calendar year 2022 within 30 days of the inspection.

Notice of Intent Date: 11/16/2023 (1943336)

Disclosure Date: 02/07/2024

Viol. Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)

Rqmt Prov: PERMIT Att A, Par 11, and AMOC 162 ID

PERMIT SC 7.E

Description: Failed to prevent one exceedance of the 15-minute velocity requirement on 4/11/22. Specifically, during an investigation of flare tip velocity calculations, it was identified on 1/31/2024 that the AB3 Flare Tip Cross Sectional Area (FTCSA) was incorrect in the site's flare emission tracking program. This program is used to calculate the Flare Tip Velocity for compliance with 40 CFR 60.18(c), NSR 4477 SC 7E, NSR 4477 Attach A Paragraph 11, AMOC 162 I.D. Upon updating the historical data with the

Disclosure Date: 03/22/2024

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT DDDDD 63.7540(a)(10)

Description: Failed to meet the annual tune-up requirement per the work practice standard for the Boiler MACT. During the initial gap analysis for Boiler MACT, package boilers (UTBLRHM, UTBLRHS) require tune-up every five years but they do not have systems in place to claim the 5-yr cadence of the tune-ups, so annual required.

Viol. Classification: Minor

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

Rqmt Prov: PERMIT SC 21.E

Description: Failed to close or monitor within 72 hours an isolated pump awaiting repair with three open-ended lines.

Viol. Classification: Minor

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)(1)

30 TAC Chapter 335, SubChapter E 335.112(a)(9)

Description: Failed to inspect ancillary equipment without secondary containment when inspections of tanks systems are being performed.

Viol. Classification: Minor

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(c)(4)

30 TAC Chapter 335, SubChapter E 335.112(a)(9)

Description: Failed to identify on inspections forms the precipitation in hazardous waste tank secondary containment areas and remove the precipitation within 24 hours.

Disclosure Date: 06/11/2024

Viol. Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)

Description: Failed to ensure the diesel engine has a functioning non-resettable run time totalizer meter needed to comply with 30 Tex. Admin. Code § 117.340(j).

Disclosure Date: 09/05/2024

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 8.D

Description: Failed to monitor downtime tracking meeting intent of NSR Permit No. 19109, Special Condition No. 8.D. Specifically, downtime calculation did not consider periods of operation only in the methodology. After correcting the downtime tracking methodology, periods of operation where loss of valid data occurred due to monitor malfunction, repair, and maintenance exceeded the 5 percent of time the source is in operation for a 12 month rolling period.

Disclosure Date: 10/28/2024

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter E 115.421(8)(A)

Description: Failed to prevent certain activities conducted in the paint yard from utilizing paints that meet requirements specified for miscellaneous metal parts and products coating identified in 30 TAC 115.421(8)(A).

Notice of Intent Date: 11/12/2024 (2023632)

Disclosure Date: 03/26/2025

Viol. Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT SC11

Description: Failed to ensure the AB3 RTO meets the required >98% destruction efficiency (DRE) while on vinyl acetate based products.

Viol. Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT SC1

Description: Failed to modify permit representation and associate MAER to reflect the 2002 modification where the IFR on Tank No. V4367 (EPN L3V4367) primary and secondary seal system was removed and replaced with standalone primary seal system.

Disclosure Date: 06/23/2025

Viol. Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP STC 3.A(iv)(1)

Description: Failed to conduct required quarterly visible emissions evaluations for Emergency Generators (EPN BAFCOEG since 1/1/17), LBSUBGEN, and LBCCRGEN since 1/1/19).

Disclosure Date: 08/27/2025

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT SC 6, Appendix 1.2

Description: Failed to use the required standard cubic feet per minute (SCFM) value for calculations for the Q1-LB1 flare as described in NSR Permit No. 114809 Attachment D, Condition 16 and Appendix 1.2, but used actual cubic feet per minute (ACFM) volumetric flow data in place.

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	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	**TEXAS COMMISSION ON**
EQUISTAR CHEMICALS, LP	**§**	
RN100210319	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2024-1068-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 Equistar Chemicals, LP (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a chemical manufacturing plant located at 1515 Miller Cut-Off Road in La Porte, Harris County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.

3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

4. An administrative penalty in the amount of $173,125 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid $86,563 of the penalty. Pursuant to Tex. Water Code § 7.067, $86,562 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

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

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.

7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.

8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant:

   a. On November 14, 2023, obtained authorization to increase the volatile organic compounds ("VOC") and maintenance, startup, shutdown ("MSS") VOC annual maximum allowable emissions rates ("MAERs") for the LB-1 Flare and MSS Flaring, Emissions Point Number ("EPN") LBFLARE; and

   b. By October 18, 2023, coordinated with the Original Equipment Manufacturer ("OEM") to install and include lock washers under the bolts for actuator end plates to help ensure bolts remain properly torqued and to develop and implement a preventive maintenance process to periodically check bolts on each assembly against OEM torque specifications in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 387306.

II. ALLEGATIONS

1. During a record review for the Plant conducted from March 21, 2023 though July 18, 2023, an investigator documented that the Respondent:

   a. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), New Source Review ("NSR") Permit Nos. 114809 and N190M1, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O2223, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the VOC MAER of 39.88 tons per year ("tpy") based on a 12-month rolling period for the 12-month periods ending on October 2021 and from March 2022 through September 2022 and the MSS VOC MAER of 14.06 tpy based on 12-month rolling periods for the 12-month periods ending from October 2021 through September 2022 for the LB-1 Flare and MSS Flaring, EPN LBFLARE, resulting in 15.69 tons of unauthorized VOC emissions.

   b. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 83822, SC No. 1, FOP No. O2223, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the MSS VOC MAER of 27.82 tpy based on a 12-month rolling period for the 12-month periods ending on January 2022 and from March 2022 through July 2022 for the Elevated Flare, EPN QE8050B, resulting in 2.31 tons of unauthorized VOC emissions.

2. During a record review for the Plant conducted on February 26, 2024, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 4477, SC No. 1, FOP No. O2223, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 12,536.0 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 387306) that occurred on September 12, 2022 and lasted ten minutes.

3. During a record review for the Plant conducted from March 4, 2024 through May 6, 2024, an investigator documented that the Respondent:

   a. Failed to comply with the MAERs, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit Nos. 114809 and N190M1, SC No. 1, FOP No. O2223, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the VOC MAER of 39.88 tpy based on 12-month rolling periods and the MSS VOC MAER of 14.06 tpy based on 12-month rolling periods for the 12-month periods ending from October 2022 through October 2023 for the LB-1 Flare and MSS Flaring, EPN LBFLARE, resulting in 36.37 tons of unauthorized VOC emissions.

   b. Failed to comply with the MAER, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit No. 19109, SC No. 1, FOP No. O2223, GTC and STC No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the particulate matter ("PM") MAER of 0.05 tpy based on a 12-month rolling period for the 12-month periods ending from September 2022 through November 2023 for the Master Batch Filter, EPN Q1D01309, resulting in 0.014 ton of unauthorized PM emissions.

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: Equistar Chemicals, LP, Docket No. 2024-1068-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 $86,562 of the assessed penalty is conditionally offset

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

3. The Respondent shall undertake the following technical requirements:

   a. Within 30 days after the effective date of this Order:

      i. Submit written documentation to demonstrate actions that have been taken to comply with the MSS VOC annual MAER for the Elevated Flare, EPN QE8050B; and

      ii. Submit written documentation to demonstrate actions that have been taken to comply with the PM annual MAER for the Master Batch Filter, EPN Q1D01309.

   b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a. The certification shall be signed by the Respondent and shall include the following certification language:

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

      The certification shall be submitted to:

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

      with a copy to:

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

4. All relief not expressly granted in this Order is denied.

5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.

6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.

7. 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.

8. 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.

9. 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
Kristin Mello-Jurack	08/09/2026
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.

Mark R. Bookmyer	6/23/2026
Signature	Date
Mark Bookmyer	Site Manager
Name (Printed or typed) Authorized Representative of Equistar Chemicals, LP	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: 2024-1068-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Equistar Chemicals, LP
Penalty Amount:	$173,125
SEP Offset Amount:	$86,562
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Houston Regional Monitoring Corporation
Project Name:	*Houston Area Air Monitoring Project*
Total Project Budget:	$500,000
Location of SEP:	Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Harris, Liberty, Matagorda, Montgomery, 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 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

Respondent shall contribute the SEP Offset Amount to the **Houston Regional Monitoring Corporation**, as a Third-Party Administrator, for the *Houston Area Air Monitoring Project* (the "Project"). The Project will operate a network of ambient air monitoring stations that continuously measure and record concentrations of ambient air pollutants. 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 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.

Respondent's signature affixed to this Agreed Order certifies that Respondent has no prior commitment to make this contribution and that it is being contributed solely to settle this enforcement action. Respondent shall not profit in any manner from this SEP.

B. Environmental Benefit

This SEP will provide TCEQ with near real-time access to high quality, short time resolution volatile organic compound, nitrogen oxide, ozone, and meteorological data sets that can be used to evaluate and track air pollution emission events as they occur, conduct source attribution studies, and to assess potential ambient community exposure to a limited number of hazardous air pollutants. Data from the monitors can be used with data from other monitors to provide critical information that can be used to evaluate the effectiveness of current and proposed emission control strategies aimed at achieving compliance with the 8-hr ozone National Ambient Air Quality Standards. It also provides a key source of information that is essential to furthering our overall understanding of those emission sources that contribute to ambient community exposure to toxic air contaminants. Because the information is available in

near real-time, it can be used to provide both agency staff and industry personnel with time sensitive information to investigate emission events in a timely fashion. Another key benefit is the ability to measure the change in the ambient air concentration of the individual target species and quantify control measure effectiveness. Data from these monitors will be publicly accessible through TCEQ's website and will be used in evaluating air quality in the area, in ozone forecasts, and ozone warnings. Thus, the public will directly benefit by having access to the data and the forecasting and notification tools which can be used for public awareness.

C. Minimum Expenditure

Respondent shall contribute at least the SEP Offset Amount to 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, Respondent must contribute the SEP Offset Amount to Third-Party Administrator. Respondent shall make the contribution payable to the **Houston Regional Monitoring Corporation**, and mail it with a copy of the Agreed Order to:

Houston Regional Monitoring Corporation
Attention: Christopher Colville
P.O. Box 116
Katy, TX 77492

3. Records and Reporting

Together with the payment of the SEP Offset Amount, Respondent shall provide the Enforcement SEP Coordinator with proof of payment and transmittal letter indicating full payment of the SEP Offset Amount to Third-Party Administrator. 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 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 above in Sections 2 and 3, the ED may require immediate payment of all or part of the SEP Offset Amount to TCEQ.

In the event the ED determines that Respondent failed to fully implement and complete the contribution to the Project, 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, 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 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

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 Respondent under any other Agreed Order negotiated with TCEQ or any other agency of the state or federal government.