

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Office of Chief Clerk DATE: September 19, 2024

From: Kathy Humphreys
Staff Attorney
Environmental Law Division

Subject: Backup Documents Filed for Consideration of Hearing Requests at
Agenda

Applicant:	Motiva Enterprises LLC
Proposed Permit No.:	WQ0003057000
Program:	Water
Docket No.:	TCEQ Docket No. 2024-1229-IWD

Enclosed please find a copy of the following documents for inclusion in the background material for this permit application:

- Draft permit
- Statement of Basis/Technical Summary and ED's preliminary decision
- Compliance History Report



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087
Austin, Texas 78711-3087

PERMIT TO DISCHARGE WASTES

under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

TPDES PERMIT NO.
WQ0003057000
*[For TCEQ office use only -
EPA I.D. No. TX0105287]*

This renewal replaces TPDES Permit
No. WQ0003057000, issued on
January 18, 2019.

Motiva Enterprises LLC

whose mailing address is

P.O. Box 712
Port Arthur, Texas 77641

is authorized to treat and discharge wastes from Motiva Enterprises Port Arthur Chemicals, a
chemical manufacturing facility (SIC 2869)

located at 4241 Savannah Avenue, in the City of Port Arthur, Jefferson County, Texas 77640

to Jefferson County Drainage Ditch (JCDD) No. 7 Main Outfall Canal, thence to Alligator Bayou,
thence to Intracoastal Waterway Tidal in Segment No. 0702 of the Neches-Trinity Coastal Basin

only according to effluent limitations, monitoring requirements, and other conditions set forth in this
permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of
the State of Texas, and other orders of the TCEQ. The issuance of this permit does not grant to the
permittee the right to use private or public property for conveyance of wastewater along the discharge
route described in this permit. This includes, but is not limited to, property belonging to any
individual, partnership, corporation, or other entity. Neither does this permit authorize any invasion
of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility
of the permittee to acquire property rights as may be necessary to use the discharge route.

This permit shall expire at midnight, five years from the date of permit issuance.

ISSUED DATE:

For the Commission

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 001

- 1. During the period beginning upon the date of permit issuance and lasting through the date of permit expiration, the permittee is authorized to discharge non-process area stormwater runoff, hydrostatic test water, steam condensate, potable waterline flushing, other utility wastewaters ¹, construction stormwater ², and post-first flush stormwater subject to the following effluent limitations:

Intermittent and flow variable basis.

Effluent Characteristics	Discharge Limitations			Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency	Sample Type
Flow	Report, MGD	Report, MGD	N/A	1/day ³	Estimate
Total Organic Carbon	N/A	75	75	1/month ³	Grab
Oil and Grease	N/A	15	15	1/month ³	Grab

- 2. The pH must not be less than 6.0 standard units nor greater than 9.0 standard units and must be monitored 1/month ³, by grab sample.
- 3. There must be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
- 4. Effluent monitoring samples must be taken at the following location: At Outfall 001, from the storm sewer discharge pump sample tap prior to entering JCDD No. 7 Main Outfall Canal.

¹ See Other Requirements, Item 5.

² See Other Requirements, Item 8. Also, see page 16 for requirements relating to Stormwater Associated with Construction Activities.

³ When discharge occurs.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 002

- 1. During the period beginning upon the date of permit issuance and lasting through the date of permit expiration, the permittee is authorized to discharge non-process area stormwater runoff, hydrostatic test water, steam condensate, potable waterline flushing, other utility wastewaters ¹, and construction stormwater ² subject to the following effluent limitations:

Intermittent and flow variable basis.

Effluent Characteristics	Discharge Limitations			Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency	Sample Type
Flow	Report, MGD	Report, MGD	N/A	1/day ³	Estimate
Total Organic Carbon	N/A	75	75	1/month ³	Grab
Oil and Grease	N/A	15	15	1/month ³	Grab

- 2. The pH must not be less than 6.0 standard units nor greater than 9.0 standard units and must be monitored 1/month³ by grab sample.
- 3. There must be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
- 4. Effluent monitoring samples must be taken at the following location: At Outfall 002, from the stormwater discharge pump sample tap prior to entering JCDD No. 7 Main Outfall Canal.

¹ See Other Requirements, Item 5.

² See Other Requirements, Item 8. Also, see page 16 for requirements relating to Stormwater Associated with Construction Activities.

³ When discharge occurs.

DEFINITIONS AND STANDARD PERMIT CONDITIONS

As required by Title 30 Texas Administrative Code (TAC) Chapter 305, certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§305.121 - 305.129 (relating to Permit Characteristics and Conditions) as promulgated under the Texas Water Code (TWC) §§5.103 and 5.105, and the Texas Health and Safety Code (THSC) §§361.017 and 361.024(a), establish the characteristics and standards for waste discharge permits, including sewage sludge, and those sections of 40 Code of Federal Regulations (CFR) Part 122 adopted by reference by the Commission. The following text includes these conditions and incorporates them into this permit. All definitions in Texas Water Code §26.001 and 30 TAC Chapter 305 shall apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

1. Flow Measurements

- a. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder, and limited to major domestic wastewater discharge facilities with a one million gallons per day or greater permitted flow.
- b. Daily average flow - the arithmetic average of all determinations of the daily flow within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily flow, the determination shall be the arithmetic average of all instantaneous measurements taken during that month. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.
- c. Daily maximum flow - the highest total flow for any 24-hour period in a calendar month.
- d. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.
- e. 2-hour peak flow (domestic wastewater treatment plants) - the maximum flow sustained for a two-hour period during the period of daily discharge. The average of multiple measurements of instantaneous maximum flow within a two-hour period may be used to calculate the 2-hour peak flow.
- f. Maximum 2-hour peak flow (domestic wastewater treatment plants) - the highest 2-hour peak flow for any 24-hour period in a calendar month.

2. Concentration Measurements

- a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.
 - i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.
 - ii. For all other wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average concentration.
- b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar week, Sunday through Saturday.
- c. Daily maximum concentration - the maximum concentration measured on a single day, by the sample type specified in the permit, within a period of one calendar month.
- d. Daily discharge - the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total

mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the sampling day.

The "daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that day.

- e. Bacteria concentration (Fecal coliform, *E. coli*, or Enterococci) – the number of colonies of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the n th root of the product of all measurements made in a calendar month, where n equals the number of measurements made; or computed as the antilogarithm of the arithmetic mean of the logarithms of all measurements made in a calendar month. For any measurement of bacteria equaling zero, a substitute value of one shall be made for input into either computation method. If specified, the 7-day average for bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
 - f. Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading calculations during a period of one calendar month. These calculations must be made for each day of the month that a parameter is analyzed. The daily discharge, in terms of mass (lbs/day), is calculated as $(\text{Flow, MGD} \times \text{Concentration, mg/L} \times 8.34)$.
 - g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), within a period of one calendar month.
3. Sample Type
- a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(c).
 - b. Grab sample - an individual sample collected in less than 15 minutes.
4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
5. The term "sewage sludge" is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.
6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

MONITORING AND REPORTING REQUIREMENTS

1. Self-Reporting

Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§319.4 - 319.12. Unless otherwise specified, effluent monitoring data shall be submitted each month, to the Enforcement Division (MC 224), by the 20th day of the following month for each discharge that is described by this permit whether or not a discharge is made for that month. Monitoring results must be submitted online using the NetDMR reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. Monitoring results must be signed and certified as required by Monitoring and Reporting Requirements No. 10.

As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act; TWC Chapters 26, 27, and 28; and THSC Chapter 361, including but not limited to knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or falsifying, tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit or violating any other requirement imposed by state or federal regulations.

2. Test Procedures

- a. Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§319.11 - 319.12. Measurements, tests, and calculations shall be accurately accomplished in a representative manner.
- b. All laboratory tests submitted to demonstrate compliance with this permit must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

3. Records of Results

- a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR §264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.
- c. Records of monitoring activities shall include the following:
 - i. date, time, and place of sample or measurement;
 - ii. identity of individual who collected the sample or made the measurement;
 - iii. date and time of analysis;
 - iv. identity of the individual and laboratory who performed the analysis;
 - v. the technique or method of analysis; and
 - vi. the results of the analysis or measurement and quality assurance/quality control records.

The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified above, all results of such monitoring shall be included in the calculation and reporting of the values submitted on the approved self-report form. Increased frequency of sampling shall be indicated on the self-report form.

5. Calibration of Instruments

All automatic flow measuring or recording devices and all totalizing meters for measuring flows shall be accurately calibrated by a trained person at plant start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Such person shall verify in writing that the device is operating properly and giving accurate results. Copies of the verification shall be retained at the facility site or shall be readily available for review by a TCEQ representative for a period of three years.

6. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date to the regional office and the Enforcement Division (MC 224).

7. Noncompliance Notification

- a. In accordance with 30 TAC §305.125(9) any noncompliance that may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the regional office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the regional office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. For Publicly Owned Treatment Works (POTWs), effective September 1, 2020, the permittee must submit the written report for unauthorized discharges and unanticipated bypasses that exceed any effluent limit in the permit using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
 - b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:
 - i. unauthorized discharges as defined in Permit Condition 2(g).
 - ii. any unanticipated bypass that exceeds any effluent limitation in the permit.
 - iii. violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.
 - c. In addition to the above, any effluent violation that deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the regional office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.
 - d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.
8. In accordance with the procedures described in 30 TAC §§35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.

9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the regional office, orally or by facsimile transmission within 24 hours, and both the regional office and the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:

- a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - i. one hundred micrograms per liter (100 µg/L);
 - ii. two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - iii. five (5) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. the level established by the TCEQ.

- b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - i. five hundred micrograms per liter (500 µg/L);
 - ii. one milligram per liter (1 mg/L) for antimony;
 - iii. ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. the level established by the TCEQ.

10. Signatories to Reports

All reports and other information requested by the Executive Director shall be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

11. All POTWs must provide adequate notice to the Executive Director of the following:

- a. any new introduction of pollutants into the POTW from an indirect discharger that would be subject to CWA §301 or §306 if it were directly discharging those pollutants;
- b. any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and
- c. for the purpose of this paragraph, adequate notice shall include information on:
 - i. the quality and quantity of effluent introduced into the POTW; and
 - ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

PERMIT CONDITIONS

1. General

- a. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application or in any report to the Executive Director, it shall promptly submit such facts or information.
- b. This permit is granted on the basis of the information supplied and representations made by the permittee during action on an application, and relying upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part, in accordance with 30 TAC Chapter 305, Subchapter D, during its term for good cause including, but not limited to, the following:
 - i. violation of any terms or conditions of this permit;
 - ii. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
 - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- c. The permittee shall furnish to the Executive Director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending, or terminating the permit. The permittee shall also furnish to the Executive Director, upon request, copies of records required to be kept by the permit.

2. Compliance

- a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.
- b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment,

revocation, or suspension, or for denial of a permit renewal application or an application for a permit for another facility.

- c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.
- e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.
- f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§305.62 and 305.66 and TWC §7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.
- h. In accordance with 30 TAC §305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility that does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.
- i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA §402, or any requirement imposed in a pretreatment program approved under the CWA §§402(a)(3) or 402(b)(8).

3. Inspections and Entry

- a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC Chapter 361.
- b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit, or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in TWC §7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.

4. Permit Amendment or Renewal

- a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:
 - i. the alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in accordance with 30 TAC §305.534 (relating to New Sources and New Dischargers); or
 - ii. the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring and Reporting Requirements No. 9; or
 - iii. the alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- b. Prior to any facility modifications, additions, or expansions that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.
- c. The permittee must apply for an amendment or renewal at least 180 days prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. If an application is submitted prior to the expiration date of the permit, the existing permit shall remain in effect until the application is approved, denied, or returned. If the application is returned or denied, authorization to continue such activity shall terminate upon the effective date of the action. If an application is not submitted prior to the expiration date of the permit, the permit shall expire and authorization to continue such activity shall terminate.
- d. Prior to accepting or generating wastes that are not described in the permit application or that would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit.
- e. In accordance with the TWC §26.029(b), after a public hearing, notice of which shall be given to the permittee, the Commission may require the permittee, from time to time, for good cause, in accordance with applicable laws, to conform to new or additional conditions.
- f. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under CWA §307(a) for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition. The permittee shall comply with effluent standards or prohibitions established under CWA §307(a) for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Permit Transfer

- a. Prior to any transfer of this permit, Commission approval must be obtained. The Commission shall be notified in writing of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Applications Review and Processing Team (MC 148) of the Water Quality Division.
- b. A permit may be transferred only according to the provisions of 30 TAC §305.64 (relating to Transfer of Permits) and 30 TAC §50.133 (relating to Executive Director Action on Application or WQMP update).

6. Relationship to Hazardous Waste Activities

This permit does not authorize any activity of hazardous waste storage, processing, or disposal that requires a permit or other authorization pursuant to the Texas Health and Safety Code.

7. Relationship to Water Rights

Disposal of treated effluent by any means other than discharge directly to water in the state must be specifically authorized in this permit and may require a permit pursuant to Texas Water Code Chapter 11.

8. Property Rights

A permit does not convey any property rights of any sort, or any exclusive privilege.

9. Permit Enforceability

The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

10. Relationship to Permit Application

The application pursuant to which the permit has been issued is incorporated herein; provided, however, that in the event of a conflict between the provisions of this permit and the application, the provisions of the permit shall control.

11. Notice of Bankruptcy.

- a. Each permittee shall notify the Executive Director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:
 - i. the permittee;
 - ii. an entity (as that term is defined in 11 USC, §101(15)) controlling the permittee or listing the permit or permittee as property of the estate; or
 - iii. an affiliate (as that term is defined in 11 USC, §101(2)) of the permittee.
- b. This notification must indicate:
 - i. the name of the permittee;
 - ii. the permit number(s);
 - iii. the bankruptcy court in which the petition for bankruptcy was filed; and
 - iv. the date of filing of the petition.

OPERATIONAL REQUIREMENTS

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.
2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§319.21 - 319.29 concerning the discharge of certain hazardous metals.

3. Domestic wastewater treatment facilities shall comply with the following provisions:
 - a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.
 - b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment or other treatment unit regulated by this permit.
4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.
6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC §7.302(b)(6).
7. Documentation

For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification under the same conditions as self-monitoring data are required to be kept and made available. Except for information required for TPDES permit applications, effluent data, including effluent data in permits, draft permits and permit applications, and other information specified as not confidential in 30 TAC §1.5(d), any information submitted pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted in the manner prescribed in the application form or by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, information may be made available to the public without further notice. If the Commission or Executive Director agrees with the designation of confidentiality, the TCEQ will not provide the information for public inspection unless required by the Texas Attorney General or a court pursuant to an open records request. If the Executive Director does not agree with the designation of confidentiality, the person submitting the information will be notified.

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.
 - a. Whenever flow measurements for any domestic sewage treatment facility reach 75% of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion or upgrading of the domestic wastewater treatment or collection facilities. Whenever the flow reaches 90% of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment or collection facilities. In the case of a domestic wastewater treatment facility that reaches 75% of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Enforcement Division (MC 219) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

- b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission, and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.
 - c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.
9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.
 10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.
 11. Facilities that generate industrial solid waste as defined in 30 TAC §335.1 shall comply with these provisions:
 - a. Any solid waste, as defined in 30 TAC §335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.
 - b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.
 - c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.8(b)(1), to the Corrective Action Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.
 - d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335.5.
 - e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.
 - f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:
 - i. volume of waste and date(s) generated from treatment process;
 - ii. volume of waste disposed of on-site or shipped off-site;
 - iii. date(s) of disposal;

- iv. identity of hauler or transporter;
- v. location of disposal site; and
- vi. method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility site, or shall be readily available for review by authorized representatives of the TCEQ for at least five years.

12. For industrial facilities to which the requirements of 30 TAC Chapter 335 do not apply, sludge and solid wastes, including tank cleaning and contaminated solids for disposal, shall be disposed of in accordance with THSC Code Chapter 361.

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OTHER REQUIREMENTS

1. The Executive Director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the General Land Office (GLO) and has determined that the action is consistent with the applicable CMP goals and policies.
2. Violations of daily maximum limitations for the following pollutants shall be reported orally or by facsimile to TCEQ Region 10 within 24 hours from the time the permittee becomes aware of the violation, followed by a written report within five working days to TCEQ Region 10 and the Enforcement Division (MC 224): None.
3. This permit does not authorize the discharge of domestic wastewater. All domestic wastewater must be disposed of in an approved manner, such as routing to an approved on-site septic tank and drainfield system or to an authorized third party for treatment and disposal.
4. This permit does not authorize the disposal or discharge of process wastewater. Process wastewater is routed to Motiva Enterprises wastewater treatment plant discharged under TPDES Permit No. WQ0000414000.
5. DEFINITIONS
 - i. The term “non-process area stormwater runoff,” refers to stormwater that has not come in contact with any process area, parts, and materials.
 - ii. The term “post-first flush stormwater runoff,” refers to excess stormwater from the process area, after the facility has transferred approximately the first 1,500,000 gallons of process area stormwater to wastewater treatment and/or wastewater tanks.
 - iii. The term “hydrostatic test water,” refers to any water produced from the direct process of testing plant equipment and property; or the method for determining the structural integrity of a vessel by either introducing water into the vessel, or submerging an empty vessel into water.
 - iv. The term “steam condensate,” refers to water accumulated by the process of generating steam.
 - v. The term “potable waterline flushing,” refers to the process of clearing out drinkable water lines.
 - vi. The term “other utility wastewater,” refers to wastewater from, but not limited to the following: wet scrubber air pollution control systems, evaporator and boiler blowdown, laboratory and sampling streams, non-contact cooling (heating) operations, cooling tower basin cleaning wastes, cooling tower blowdown, fire control water system flush, emergency firefighting activities, uncontaminated fire hydrant system flushing, potable water sources, lawn watering and irrigation runoff but shall be minimized (provided that all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling), the routine washing of pavement conducted without the use of detergents or other chemicals and where spills or leaks of toxic hazardous materials have not occurred (unless all spilled material has been removed), uncontaminated air conditioner condensate, compressor condensate, steam condensate, and condensate from the outside storage of refrigerated gases or liquids, foundation drains or footing drains where flows are not contaminated with pollutants (e.g., process materials, solvents, and other pollutants), uncontaminated water used for dust suppression, springs and other uncontaminated ground water, and incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but excluding intentional discharges from the cooling tower (e.g., “piped” cooling tower blowdown or

drains). Sanitary wastes are not included.

The discharge of hyperchlorinated water is not authorized in this permit, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life.

- vii. The term "construction stormwater," refers to water associated with general construction activities found to be necessary to accommodate periodic construction projects such as the addition of buildings, or concrete slabs.
6. Hydrostatic test water shall not contain corrosion inhibitors, antifreeze compounds, or other chemical additives. The rate of discharge via Outfall 001 and 002 shall be controlled to prevent flooding or erosion of the discharge area. The discharge shall not cause any nuisance conditions to adjacent landowners along the discharge route. The permittee shall take all steps necessary to prevent any adverse effect to human health or safety, or to the environment.
7. This provision supersedes and replaces Provision 1, Paragraph 1 of Monitoring and Reporting requirements found on Page 4 of this permit.

Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§319.4 – 319.12. Unless otherwise specified, a monthly effluent report shall be submitted each month, to the location(s) specified on the reporting form or the instruction sheet, by the 25th day of the following month for each discharge which is described by this permit whether or not a discharge is made for that month. Monitoring results must be reported on the approved TPDES self-report form, Discharge Monitoring Report (DMR) Form EPA No. 3320-1, signed and certified as required by Monitoring and Reporting Requirements No. 10.

8. STORMWATER BEST MANAGEMENT PRACTICES

The permittee must continue to implement a stormwater pollution prevention plan (SWP₃) that includes a set of best management practices (BMPs) to eliminate or lessen the exposure of stormwater to industrial activities and pollutants. The SWP₃ must be maintained on site and be made readily available for review by authorized TCEQ personnel. The SWP₃ must contain elements, or sections, to require implementation of the following activities:

- A. *Good Housekeeping Measures* - Activities must be defined and implemented to ensure areas of the facility that either contribute or potentially contribute pollutants to stormwater discharges are maintained and operated in a clean and orderly manner. The frequency for conducting each of the good housekeeping measures must be defined in the SWP₃.
- B. *Spill Prevention and Response Measures* - Areas must be identified where spills would likely contribute pollutants to stormwater discharges. Procedures must be identified and implemented to minimize or prevent contamination of stormwater from spills. Spill cleanup techniques must be identified and the necessary materials and equipment for cleanup made available to facility personnel. Facility personnel that work in the identified areas must be trained in spill prevention and response measures at a minimum frequency of once per year. A record of employee training shall be maintained on a minimum frequency of once per year, maintained on site, and be made readily available for inspection by authorized TCEQ personnel upon request.

The SWP₃ may be modified at any time in order to implement either additional or more effective pollution control measures. A summary of revisions, including the dates of the revisions, shall be maintained on a quarterly basis, maintained as a part of the SWP₃

document, and made readily available for inspection by authorized TCEQ personnel upon request.

Qualified personnel, who are familiar with the industrial activities performed at the facility, must conduct monthly inspections to determine the effectiveness of the Good Housekeeping Measures, Spill Prevention and Response Measures, Best Management Practices, and the Employee Training Program. The results of inspections must be documented in an inspection summary report; include an assessment for any necessary revisions or additional measures to increase effectiveness of the SWP3; and include a time-frame for implementation of any follow-up actions. The summary report must be maintained on site, and be made readily available for inspection by authorized TCEQ personnel upon request.

STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES

Motiva Enterprises LLC shall continue to implement a Stormwater Pollution Prevention Plan (SWP3), and follow the other conditions of this permit, to authorize stormwater discharges from each construction activity performed by Motiva Enterprises LLC, that results in a land disturbance of one (1) or more acres. Construction stormwater is authorized and regulated at Outfalls 001 and 002 under this permit only (TXG150000 does not apply to these discharges). Any other discharges of construction stormwater at this facility that do not discharge via Outfalls 001 or 002 would need to be authorized separately under TXG150000 or this permit would need to be amended accordingly to authorize those discharges. A specific point-source discharge of construction stormwater can only be authorized and regulated under either an individual permit or under TXG150000, but cannot be authorized and regulated under both.

a. Eligible Construction Activities

Discharges of stormwater runoff from construction activities that are located at the facility authorized under this TPDES permit, and where Motiva Enterprises LLC is the construction site operator, are eligible for authorization under this permit.

b. Eligible Discharges

1. Discharges of stormwater runoff from small and large construction activities may be authorized under this permit.
2. Discharges of stormwater runoff from concrete batch plants, asphalt batch plants, equipment staging areas, material storage yards, material borrow areas, and excavated material disposal areas may be authorized under this permit, provided that the following conditions are met:
 - a. the activity is located on the permitted construction site and directly supports the construction activity;
 - b. a stormwater pollution prevention plan (SWP3) is developed according to the provisions of this permit and includes appropriate controls and measures to reduce erosion and discharge of pollutants in stormwater runoff from the construction support activities at the site; and
 - c. the concrete batch plant and asphalt plant does not operate beyond the completion date of the construction activity.
3. The following non-stormwater discharges may be discharged as a result of the construction activities:
 - a. water line flushing and similar potable water sources;
 - b. uncontaminated pumped groundwater, including infiltrated water in trenches or other excavated areas;

- c. air conditioning condensate; and
 - d. pavement, exterior building, vehicle, and equipment wash water from washing activities conducted without the use of detergents or other chemicals.
- c. Numeric Effluent Limitations

All discharges of stormwater runoff from concrete batch plants must be monitored and meet the numeric effluent limitations delineated at Pages 2 and 2a of this permit. Where runoff exits the concrete batch plant at numerous locations, as single representative sample may be obtained and analyzed to meet the requirements of this permit.

- d. Stormwater Pollution Prevention Plan (SWP3)

The permittee shall develop and implement a SWP3. The SWP3 must be maintained on-site and made readily available for review by the TCEQ upon request. The SWP3 must, at a minimum, include the following:

1. A site or project description, which includes the following information:
 - a. a description of the nature of the construction activity;
 - b. a list of potential pollutants and their sources;
 - c. a description of the intended schedule or sequence of activities that will disturb soils for major portions of the site;
 - d. the total number of acres of the entire property and the total number of acres where construction activities will occur, including off-site material storage areas, overburden and stockpiles of dirt, and borrow areas.
 - e. data describing the soil or the quality of any discharge from the site;
 - f. a map showing the general location of the site (e.g., a portion of a city or county map);
 - g. a detailed site map (or maps) indicating the following:
 1. drainage patterns and approximate slopes anticipated after major grading activities;
 2. areas where soil disturbance will occur;
 3. locations of all major erosion and sediment controls and natural buffers, either planned or in place;
 4. locations where temporary or permanent stabilization practices are expected to be used;
 5. locations of construction support activities, including off-site activities, including material, waste, borrow, fill, or equipment storage areas;
 6. surface waters (including wetlands) either at, adjacent, or in close proximity to the site;
 7. locations where stormwater discharges from the site directly to a surface water body or a municipal separate storm sewer system; and
 8. vehicle wash areas.
 - h. the location and description of support activities such as the concrete plant,

gravel washing facilities, and other activities providing support to the construction site;

- i. the name of receiving waters at or near the site(s) that may be disturbed or that may receive discharges from disturbed areas of the project(s);
2. A description of the Best Management Practices (BMPs) that will be used to minimize pollution in runoff. The description must identify the general timing or sequence for implementation. At a minimum, the description must include the following components:
 - a. General Requirements
 1. Erosion and sediment controls must be designed to retain sediment on-site to the extent practicable with consideration for local topography, soil type, and rainfall.
 2. Control measures must be properly selected, installed, and maintained according to the manufacturer's or designer's specifications.
 3. Controls must be developed to minimize the off-site transport of litter, construction debris, and construction materials.
 - b. Erosion Control and Stabilization Practices

The SWP3 must include a description of temporary and permanent erosion control and stabilization practices for the site(s), including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation is preserved where it is possible.

 1. Erosion control and stabilization practices may include but are not limited to: establishment of temporary or permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of existing trees and vegetation, slope texturing, temporary velocity dissipation devices, flow diversion mechanisms, and other similar measures.
 2. The following records must be maintained and either attached to or referenced in the SWP3:
 - a. the dates when major grading activities occur;
 - b. the dates when construction activities temporarily or permanently cease on a portion of the site; and
 - c. the dates when stabilization measures are initiated.
 3. Erosion control and stabilization measures must be initiated immediately in portions of the site(s) where construction activities have temporarily ceased. Stabilization measures that provide a protective cover must be initiated immediately in portions of the site(s) where construction activities have permanently ceased. Except as provided in 3(a) through 3(c) below, these measures must be completed no more than 14 days after the construction activity in that portion of the site(s) has temporarily or permanently ceased:
 - a. Where the immediate initiation of stabilization measures after construction activity temporarily or permanently ceased is precluded by snow cover or frozen ground conditions, stabilization measures must be initiated as soon as practicable.
 - b. In arid areas, semi-arid areas, or drought-stricken areas where the

immediate initiation of stabilization measures after construction activity has temporarily or permanently ceased or is precluded by arid conditions, erosion control and stabilization measures must be initiated as soon as practicable. Where vegetative controls are not feasible due to arid conditions, the permittee shall immediately install, and within 14 calendar days of a temporary or permanent cessation of work in any portion of the site(s) complete, non-vegetative erosion controls. If non-vegetative controls are not feasible, the permittee shall install temporary sediment controls as required in Paragraph 3(c) below.

- c. In areas where temporary stabilization measures are infeasible, the permittee may alternatively utilize temporary perimeter controls. The permittee must document in the SWP3 the reason why stabilization measures are not feasible, and must demonstrate that the perimeter controls will retain sediment on site(s) to the extent practicable. The permittee must continue to inspect the BMPs for unstabilized sites.
- e. Sediment Control Practices

The SWP3 must include a description of any sediment control practices used to remove eroded soils from stormwater runoff, including the general timing or sequence for implementation of controls.

1. Sedimentation Basin(s)

- a. A sedimentation basin is required, where feasible, for a common drainage location that serves an area with ten (10) or more acres disturbed at one time. A sedimentation basin may be temporary or permanent, and must provide sufficient storage to contain a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained. When calculating the volume of runoff from a 2-year, 24-hour storm event, it is not required to include the flows from offsite areas and flow from onsite areas that are either undisturbed or have already undergone permanent stabilization, if these flows are diverted around both the disturbed areas of the site(s) and the sediment basin. Capacity calculations shall be included in the SWP3.
 - b. Where rainfall data is not available or a calculation cannot be performed, the sedimentation basin must provide at least 3,600 cubic feet of storage per acre drained until final stabilization of the site(s).
 - c. If a sedimentation basin is not feasible, then the permittee shall provide equivalent control measures until final stabilization of the site(s). In determining whether installing a sediment basin is feasible, the permittee may consider factors such as site soils, slope, available area, public safety, precipitation patterns, site geometry, site vegetation, infiltration capacity, geotechnical factors, depth to groundwater, and other similar considerations. The permittee shall document the reason that the sediment basins are not feasible, and shall utilize equivalent control measures, which may include a series of smaller sediment basins.
2. Perimeter Controls - At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site(s) conditions.
3. Controls for Sites With Drainage Areas Less than Ten Acres:
- a. Sediment traps and sediment basins may be used to control solids in stormwater runoff for drainage locations serving less than ten (10) acres. At a minimum, silt fences,

vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site(s) conditions.

- b. Alternatively, a sediment basin that provides storage for a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained may be utilized. Where rainfall data is not available or a calculation cannot be performed, a temporary or permanent sediment basin providing 3,600 cubic feet of storage per acre drained may be provided. If a calculation is performed, then the calculation shall be included in the SWP₃.

f. Description of Permanent Stormwater Controls

A description of any measures that will be installed during the construction process to control pollutants in stormwater discharges that may occur after construction operations have been completed must be included in the SWP₃.

1. Other Required Controls and BMPs

- a. The permittee shall minimize, to the extent practicable, the off-site vehicle tracking of sediments and the generation of dust. The SWP₃ must include a description of controls utilized to accomplish this requirement.
- b. The SWP₃ must include a description of construction and waste materials expected to be stored on-site and a description of controls to minimize pollutants from these materials.
- c. The SWP₃ must include a description of potential pollutant sources from areas other than construction (such as stormwater discharges from dedicated gravel washing facilities and dedicated concrete batch plants), and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.
- d. The permittee shall place velocity dissipation devices at discharge locations and along the length of any outfall channel (such as runoff conveyance) to provide a non-erosive flow velocity from the structure to a water course, so that the natural physical and biological characteristics and functions are maintained and protected.
- e. The permittee shall design and utilize appropriate controls to minimize the offsite transport of suspended sediments and other pollutants if it is necessary to pump or channel standing water from the construction site.

2. Maintenance Requirements

- a. All protective measures identified in the SWP₃ must be maintained in effective operating condition. If, through inspections or other means, the permittee determines that BMPs are not operating effectively, then the permittee shall perform maintenance as necessary to maintain the continued effectiveness of stormwater controls, and prior to the next rain event if feasible. If maintenance prior to the next anticipated storm event is impracticable, the reason shall be documented in the SWP₃ and maintenance must be scheduled and accomplished as soon as practicable. Erosion and sediment controls that have been intentionally disabled, run-over, removed, or otherwise rendered ineffective must be replaced or corrected immediately upon discovery.
- b. If periodic inspections or other information indicates a control has been used incorrectly, is performing inadequately, or is damaged, then the permittee shall replace or modify the control as soon as practicable after making the discovery.
- c. Sediment must be removed from sediment traps and sedimentation ponds no later than the time that design capacity has been reduced by 50%. For perimeter controls such as silt fences, berms, etc., the trapped sediment must be removed before it reaches

50% of the above-ground height.

- d. If sediment escapes the construction site, accumulations must be removed at a frequency that minimizes off-site impacts, and prior to the next rain event, if feasible.

3. Inspections of Controls

- a. Personnel provided by the permittee must inspect disturbed areas of the construction site(s) that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, discharge locations, and structural controls for evidence of, or the potential for, pollutants entering the drainage system. Personnel conducting these inspections must be knowledgeable of this permit, familiar with the construction site(s), and knowledgeable of the SWP3 for the site(s). Sediment and erosion control measures identified in the SWP3 must be inspected to ensure that they are operating correctly. Locations where vehicles enter or exit the site must be inspected for evidence of off-site sediment tracking. Inspections must be conducted at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.
- b. Where sites have been finally or temporarily stabilized or where runoff is unlikely due to winter conditions (e.g., site(s) is covered with snow, ice, or frozen ground exists), inspections must be conducted at least once every month. During periods of drought, inspections must be conducted at least once every month and within 24 hours after the end of a storm event of 0.5 inches or greater.
- c. As an alternative to the above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, then the inspection must occur on a specifically defined day, regardless of whether or not there has been a rainfall event since the previous inspection.
- d. The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may be changed a maximum of one time each month, the schedule change must be implemented at the beginning of a calendar month, and the reason for the schedule change must be documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).
- e. In the event of flooding or other uncontrollable situations which prohibit access to the inspection sites, inspections must be conducted as soon as access is practicable.
- f. The SWP3 must be modified based on the results of inspections, as necessary, to better control pollutants in runoff. Revisions to the SWP3 must be completed within seven (7) calendar days following the inspection. If existing BMPs are modified or if additional BMPs are necessary, an implementation schedule must be described in the SWP3 and wherever possible those changes implemented before the next storm event. If implementation before the next anticipated storm event is impracticable, these changes must be implemented as soon as practicable.
- g. The permittee shall prepare, and retain as part of the SWP3 a report summarizing the scope of the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWP3 must be made and retained as part of the SWP3. Major observations should include: The locations of discharges of sediment or other pollutants from the site(s); locations of BMPs that need to be maintained; locations of BMPs that failed to operate as designed or proved inadequate for a particular location; and locations where additional BMPs are needed.
- h. Actions taken as a result of inspections must be described within, and retained as a part

of, the SWP₃. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWP₃ and this permit. The report must be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

- i. The names and qualifications of personnel making the inspections for the permittee may be documented once in the SWP₃ rather than being included in each report.

g. Erosion and Sediment Control Requirements

The permittee shall ensure that the discharge, achieves, at a minimum, the following effluent limitations representing the degree of effluent reduction attainable by application of the best practicable control technology currently available (BPT).

1. Erosion and sediment controls - Design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:
 - a. Control stormwater volume and velocity within the site(s) to minimize soil erosion;
 - b. Control stormwater discharges, including both peak flowrates and total stormwater volume, to minimize erosion at outlets and to minimize downstream channel and streambank erosion;
 - c. Minimize the amount of soil exposed during construction activity;
 - d. Minimize the disturbance of steep slopes;
 - e. Minimize sediment discharges from the site(s). The design, installation, and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site(s);
 - f. If earth disturbance activities are located in close proximity to a surface water, provide and maintain appropriate natural buffers if feasible and as necessary, around surface waters, depending on site-specific topography, sensitivity, and proximity to water bodies. Direct stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration unless unfeasible; and
 - g. Minimize soil compaction and, unless infeasible, preserve topsoil.
 - h. TCEQ does not consider stormwater control features (e.g., stormwater conveyance channels, storm drain inlets, sediment basins) to constitute "surface waters" for the purposes of triggering the buffer requirement in item (f) above. Also, areas that the permittee does not own or that are otherwise outside their operational control may be considered areas of undisturbed natural buffer for purposes of compliance with this requirement.
2. Soil stabilization - Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have temporarily or permanently ceased on any portion of the site(s) and will not resume for a period exceeding 14 calendar days. Temporary stabilization must be completed within 14 days after initiation of soil stabilization measures, and final stabilization must be achieved prior to termination of permit coverage. In arid, semi-arid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative non-vegetative stabilization measures must be employed as soon as practicable.
3. Dewatering - Discharges from dewatering activities, including discharges from dewatering

- of trenches and excavations, are prohibited, unless managed by appropriate controls.
4. Pollution prevention measures - Design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:
 - a. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
 - b. Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the construction site to precipitation and to stormwater; and
 - c. Minimize the discharge of pollutants from spills and leaks, and implement chemical spill and leak prevention and response procedures.
 5. Prohibited discharges - The following discharges are prohibited:
 - a. Wastewater from wash out of concrete trucks, unless managed by an appropriate control;
 - b. Wastewater from wash out and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
 - c. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
 - d. Soaps or solvents used in vehicle and equipment washing.
 6. Surface outlets - When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface, unless infeasible.
- h. Keeping Plans Current
1. The permittee must amend the SWP₃ whenever:
 - a. there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants and that has not been previously addressed in the SWP₃; or
 - b. results of inspections or investigations by construction site operators, authorized TCEQ personnel, or a federal state or local agency approving sediment and erosion plans indicate the SWP₃ is proving ineffective in eliminating or significantly minimizing pollutants in discharges authorized under this permit.
 - i. Additional Retention of Records Requirements
The permittee must retain a copy of the SWP₃ and any summary reports for a minimum period of three (3) years from the date that final stabilization has been achieved.
 - j. Definitions Applicable to Discharges of Stormwater Associated With Industrial Activities
 1. Best Management Practices (BMPs) – schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
 2. Construction Site Operator – The entity associated with a construction project that meets all of the following criteria:
 - a. the entity has operational control over construction plans and specifications to the

- extent necessary to meet the requirements and conditions of this permit; and
- b. the entity has day-to-day operational control of those activities at a project which are necessary to ensure compliance with a SWP3 for the site or other permit conditions (e.g. they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).
3. Control Measure – any BMP or other method used to prevent or reduce the discharge of pollutants.
 4. Conveyance – Curbs, gutters, man-made channels and ditches, drains, pipes, and other constructed features designed or used for flood control or to otherwise transport stormwater runoff.
 5. Discharge – when used without a qualifier, refers to the discharge of stormwater runoff or certain non-stormwater discharges as allowed under the authorization of this permit.
 6. Final Stabilization – A construction site status where either of the following two conditions are met:
 - a. All soil disturbing activities at the site have been completed and a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.
 - b. For construction projects on land used for agricultural purposes (e.g. pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to a surface water and areas that are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition 6(a) above.
 - c. Large Construction Activity – Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, and original purpose of a ditch, channel, or other similar stormwater conveyance.
 - d. Small Construction Activity – Construction activities including clearing, grading, and excavating that result in land disturbance of equal or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, and original purpose of a ditch, channel, or other similar stormwater conveyance.
 - e. Stormwater – stormwater runoff, snow melt runoff, and surface runoff and drainage.
 - f. Stormwater Associated with Construction Activity – Stormwater runoff from an area where there is either a large construction activity or a small construction activity.

STATEMENT OF BASIS/TECHNICAL SUMMARY AND
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DESCRIPTION OF APPLICATION

Applicant: Motiva Enterprises LLC; Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0003057000 (EPA I.D. No. TX0105287)

Regulated activity: Industrial wastewater permit

Type of application: Renewal

Request: Renewal without changes

Authority: Federal Clean Water Act (CWA) §402; Texas Water Code (TWC) §26.027; 30 Texas Administrative Code (TAC) Chapter 305, Subchapters C-F, and Chapters 307 and 319; commission policies; and Environmental Protection Agency (EPA) guidelines

EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The draft permit will expire at midnight, five years from the date of permit issuance according to the requirements of 30 TAC §305.127(1)(C)(i).

REASON FOR PROJECT PROPOSED

The applicant applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of its existing permit.

PROJECT DESCRIPTION AND LOCATION

The applicant currently operates Motiva Enterprises Port Arthur Chemicals, a chemical manufacturing facility.

The wastewater system consists of process wastewater, non-process area stormwater runoff, hydrostatic test water, steam condensate, potable waterline flushing, other utility wastewaters, construction stormwater and post-first flush stormwater. Process wastewater and process area stormwater runoff are pre-treated on-site, then routed to the Motiva Port Arthur Refinery (TPDES Permit No. WQ0000414000) for further treatment and discharge. During periods of heavy rainfall, post-first flush stormwater runoff (excess stormwater runoff) is discharged via Outfall 001. Non-process area stormwater, hydrostatic test water, steam condensate, potable water line flushing, fire water system flushing, construction stormwater runoff and other utility wastewaters are discharged via Outfalls 001 and 002 without treatment.

The facility is located at 4241 Savannah Avenue, in the City of Port Arthur, Jefferson County, Texas 77640.

Discharge Route

The effluent is discharged to Jefferson County Drainage Ditch (JCDD) No. 7 Main Outfall Canal, thence to Alligator Bayou, thence to Intracoastal Waterway Tidal in Segment No. 0702 of the Neches-Trinity Coastal Basin. The unclassified receiving water uses are intermediate aquatic life use for JCDD No. 7 Main Outfall Canal and Alligator Bayou. The designated uses for Segment No. 0702 are primary contact recreation and high aquatic life use. The effluent limits in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and revisions.

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Endangered Species Review

The discharge from this permit action is not expected to have an effect on any federal endangered or threatened aquatic or aquatic dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization of the Texas Pollutant Discharge Elimination System program (September 14, 1998; October 21, 1998 update). To make this determination for TPDES permits, TCEQ and EPA only considered aquatic or aquatic dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. Though the piping plover, *Charadrius melodus* Ord, can occur in Jefferson County, the county is north of Copano Bay and not a watershed of high priority per Appendix A of the biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Impaired Water Bodies

Segment No. 0702 is currently listed on the State's inventory of impaired and threatened waters, the 2022 Clean Water Act Section 303(d) list. The listings are for bacteria from the confluence with Sabine-Neches Canal Tidal (0703) to the eastern most boundary of East Bay (AU 0702_01) and Taylor Bayou tidal from the confluence with the Intracoastal Waterway Tidal to the saltwater barriers (AU 0702_02); and for dioxin in edible tissue and PCBs in edible tissue from the eastern most boundary of East Bay to Port Bolivar (AU 0702_03). Alligator Bayou and Main Canals A, B, C, and D (0702A) are also listed on the 303(d) list for toxicity in sediment from Taylor Bayou Tidal (0702) to the confluence with Main Canal D above SH 82 (AU 0702A_01) and toxicity in water in Main Canal D from the confluence with Alligator Bayou at SH 82 upstream to about 0.35 km upstream of the confluence with Canal A (AU 0702A_03).

The draft permit does not authorize the discharge of domestic wastewater, nor are there any other anthropogenic sources of bacteria identifiable from information provided in the application; therefore, the discharge from this facility is not expected to contribute to the listed impairment for bacteria. The application did not report any source(s) of dioxin or PCBs, nor are these chemicals manufactured, stored, or used on-site; therefore, the discharge from this facility is not expected to contribute to the listed impairment for dioxins and PCBs. According to the document *Assessment of the Presence and Causes of Ambient Water Toxicity in Alligator Bayou, Segment 0702A* (February 2003), no specific toxicant in sediment was identifiable; however, toxicity was noted to be attributable to toxic metals and organics. No metals or organic pollutants were identified as having reasonable potential to exceed water quality standards; therefore, the discharge from this facility is not expected to contribute to the listed impairment for toxicity in sediments. Regarding toxicity in water, the document *Assessment of the Presence and Causes of Ambient Water Toxicity in Alligator Bayou, Segment 0702A* (February 2003) notes that the toxicity identification evaluation (TIE) results suggest that some combination of particle-bound contaminant and/or a volatile organic compound may be the cause of sublethal waterborne toxicity in Alligator Bayou. The facility is not authorized to discharge process wastewater from chemical manufacturing, and no volatile organics were reported in the application as part of the effluent analysis; therefore, the discharge from this facility is not expected to contribute to the listed impairment for toxicity in water.

Completed Total Maximum Daily Loads (TMDLs)

There are no completed TMDLs for Segment No. 0702.

Dissolved Oxygen

Due to the low concentration of oxygen demanding constituents in the discharges from this facility, no significant dissolved oxygen depletion is anticipated in the receiving waters.

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SUMMARY OF EFFLUENT DATA

The following is a quantitative description of the discharge described in the monthly effluent report data for the period January 2019 through December 2023. The "Avg of Daily Avg" values presented in the following table are the average of all daily average values for the reporting period for each pollutant. The "Max of Daily Max" values presented in the following table are the individual maximum values for the reporting period for each pollutant. Flows are expressed in million gallons per day (MGD). All pH values are expressed in standard units (SU).

Flow

Outfall	Frequency	Avg of Daily Avg, MGD	Max of Daily Max, MGD
001	Intermittent	0.802	18.96
002	Intermittent	0.229	5.23

Effluent Characteristics

Outfall	Pollutant	Avg of Daily Avg	Max of Daily Max
		mg/L	mg/L
001	Total Organic Carbon (TOC)	N/A	31.6
	Oil and Grease	N/A	3.50
	pH	7.04 SU (min.)	8.66 SU
002	TOC	N/A	14.8
	Oil and Grease	N/A	4.00
	pH	6.71 SU (min.)	8.25 SU

No effluent limit violations were documented in the monthly effluent reports.

DRAFT PERMIT CONDITIONS

The draft permit authorizes the discharge of non-process area stormwater runoff, hydrostatic test water, steam condensate, potable waterline flushing, other utility wastewaters, construction stormwater, and post-first flush stormwater on an intermittent and flow variable basis via Outfall 001; and non-process area stormwater runoff, hydrostatic test water, steam condensate, potable waterline flushing, other utility wastewaters, and construction stormwater on an intermittent and flow variable basis via Outfall 002.

Effluent limitations are established in the draft permit as follows:

Outfall	Pollutant	Daily Average mg/L	Daily Maximum mg/L
001	Flow	Report, MGD	Report, MGD
	Total Organic Carbon	N/A	75
	Oil and Grease	N/A	15
	pH	6.0 SU (min.)	9.0 SU
002	Flow	Report, MGD	Report, MGD
	Total Organic Carbon	N/A	75
	Oil and Grease	N/A	15
	pH	6.0 SU (min.)	9.0 SU

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OUTFALL LOCATIONS

Outfall	Latitude	Longitude
001	29.897447 N	93.973370 W
002	29.899725 N	93.971507 W

Technology-Based Effluent Limitations

Regulations in Title 40 of the Code of Federal Regulations (40 CFR) require that technology-based limitations be placed in wastewater discharge permits based on effluent limitations guidelines, where applicable, or on best professional judgment (BPJ) in the absence of guidelines.

The discharge of non-process area stormwater runoff, hydrostatic test water, steam condensate, potable waterline flushing, other utility wastewater, post-first flush stormwater runoff, and construction stormwater are not subject to federal effluent limitation guidelines.

The effluent limitations for total organic carbon, oil and grease and pH are continued from the existing permit based on similar facilities. The effluent limitations for Outfalls 001 and 002 are continued from the existing permit based on EPA anti-backsliding regulations [40 CFR §122.44(l)], as well as the application submitted is for renewal only, thus limitations cannot be removed or increased.

Water Quality-Based Effluent Limitations

The facility discharges primarily stormwater on an intermittent and flow-variable basis via Outfalls 001 and 002. Discharges of primarily stormwater on an intermittent and flow-variable basis are not typically subject to critical conditions evaluations and calculation of aquatic life and human protection water quality-based effluent limitations. Therefore, the analytical data submitted in the permit application was compared to the metals listed in 30 TAC 319. The submitted analytical data did not exceed the 30 TAC 319 limits, therefore no additional monitoring and reporting requirements or numeric effluent limits are included in the draft permit.

Total Dissolved Solids (TDS), Chloride, and Sulfate Screening

Segment No. 0702, which receives the discharges from this facility, does not have criteria established for TDS, chloride, or sulfate in 30 TAC Chapter 307; therefore, no screening was performed for TDS, chloride, or sulfate in the effluent.

pH Screening

The existing permit includes pH limits of 6.0 – 9.0 SU at Outfalls 001 and 002, which discharge into an unclassified water body. Consistent with the procedures for pH screening that were submitted to EPA with a letter dated May 28, 2014, and approved by EPA in a letter dated June 2, 2014, requiring a discharge to an unclassified water body to meet pH limits of 6.0 – 9.0 standard units reasonably ensures instream compliance with *Texas Surface Water Quality Standards* pH criteria. These limits have been carried forward in the draft permit.

Whole Effluent Toxicity Testing (Biomonitoring)

Biomonitoring requirements are not included in the draft permit at Outfalls 001 and 002.

SUMMARY OF CHANGES FROM APPLICATION

No changes were made from the application.

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SUMMARY OF CHANGES FROM EXISTING PERMIT

The following additional changes have been made to the draft permit.

1. Pages 3-13 were updated (May 2021 version).
2. The facility name has been changed from Flint Hills Resources Port Arthur, LLC to Motiva Enterprises LLC in the draft permit.
3. The mailing address has been changed from 4241 Savannah Avenue, Port Arthur, Texas 77640 to P.O. Box 712 Port Arthur, Texas 77641 in the draft permit.
4. Other Requirement No. 3, regarding domestic wastewater, has been updated to the current language.
5. Existing Other Requirement Nos. 5 and 6 have been removed because the requirements have been fulfilled. Subsequently, existing Other Requirement Nos. 7-10 have been renumbered.
6. The first paragraph of New Other Requirement No. 8 was updated to match the current construction stormwater language.
7. Other Requirement No. 10 in the existing has been updated to replace Flint Hills Resources Port Arthur, LLC with Motiva Enterprises LLC.

BASIS FOR DRAFT PERMIT

The following items were considered in developing the draft permit:

1. Application received on June 19, 2023, and additional information received on July 20, 2023, and July 28, 2023.
2. Existing permits: TPDES Permit No. WQ0003057000 issued on January 18, 2019.
3. TCEQ Rules.
4. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective March 1, 2018, as approved by EPA Region 6.
5. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective March 6, 2014, as approved by EPA Region 6, for portions of the 2018 standards not approved by EPA Region 6.
6. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective July 22, 2010, as approved by EPA Region 6, for portions of the 2014 standards not approved by EPA Region 6.
7. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective August 17, 2000, and Appendix E, effective February 27, 2002, for portions of the 2010 standards not approved by EPA Region 6.
8. *Procedures to Implement the Texas Surface Water Quality Standards* (IPs), Texas Commission on Environmental Quality, June 2010, as approved by EPA Region 6.
9. *Procedures to Implement the Texas Surface Water Quality Standards*, Texas Commission on Environmental Quality, January 2003, for portions of the 2010 IPs not approved by EPA Region 6.
10. Memos from the Standards Implementation Team and Water Quality Assessment Team of the Water Quality Assessment Section of the TCEQ.
11. *Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits*, TCEQ Document No. 98-001.000-OWR-WQ, May 1998.
12. EPA Effluent Guidelines: N/A.
13. Consistency with the Coastal Management Plan: The executive director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
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accordance with the regulations of the General Land Office and has determined that the action is consistent with the applicable CMP goals and policies.

14. Letter dated May 28, 2014, from L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ, to Bill Honker, Director, Water Quality Protection Division, EPA (TCEQ proposed development strategy for pH evaluation procedures).
15. Letter dated June 2, 2014, from William K. Honker, P.E., Director, Water Quality Protection Division, EPA, to L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ (Approval of TCEQ proposed development strategy for pH evaluation procedures).
16. General Guidance – Industrial Permits: Uncontaminated Stormwater Runoff, EPA, January 1997.
17. *Assessment of the Presence and Causes of Ambient Water Toxicity in Alligator Bayou, Segment 0702A*, Prepared by Parsons, February 2003 for the Texas Commission on Environmental Quality.

PROCEDURES FOR FINAL DECISION

When an application is declared administratively complete, the chief clerk sends a letter to the applicant advising the applicant to publish the Notice of Receipt of Application and Intent to Obtain Permit in the newspaper. In addition, the Chief Clerk instructs the applicant to place a copy of the application in a public place for reviewing and copying in the county where the facility is or will be located. This application will be in a public place throughout the comment period. The Chief Clerk also mails this notice to any interested persons and, if required, to landowners identified in the permit application. This notice informs the public about the application and provides that an interested person may file comments on the application or request a contested case hearing or a public meeting.

Once a draft permit is completed, it is sent to the Chief Clerk, along with the Executive Director's preliminary decision contained in the technical summary or fact sheet. At that time, the Notice of Application and Preliminary Decision will be mailed to the same people and published in the same newspaper as the prior notice. This notice sets a deadline for making public comments. The applicant must place a copy of the Executive Director's preliminary decision and draft permit in the public place with the application.

Any interested person may request a public meeting on the application until the deadline for filing public comments. A public meeting is intended for the taking of public comment and is not a contested case hearing.

After the public comment deadline, the Executive Director prepares a response to all significant public comments on the application or the draft permit raised during the public comment period. The Chief Clerk then mails the Executive Director's response to comments and final decision to people who have filed comments, requested a contested case hearing, or requested to be on the mailing list. This notice provides that if a person is not satisfied with the Executive Director's response and decision, they can request a contested case hearing or file a request to reconsider the Executive Director's decision within 30 days after the notice is mailed.

The Executive Director will issue the permit unless a written hearing request or request for reconsideration is filed within 30 days after the Executive Director's response to comments and final decision is mailed. If a hearing request or request for reconsideration is filed, the Executive Director will not issue the permit and will forward the application and request to the TCEQ commissioners for their consideration at a scheduled commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If the Executive Director calls a public meeting or the commission grants a contested case hearing as described above, the commission will give notice of the date, time, and place of the meeting or hearing.

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If a hearing request or request for reconsideration is made, the commission will consider all public comments in making its decision and shall either adopt the Executive Director's response to public comments or prepare its own response.

For additional information about this application, contact Alyssa Loveday at (512) 239-4524.

Alyssa Loveday
Alyssa Loveday

January 25, 2024
Date

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
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Appendix A
Comparison of Technology-Based Effluent Limits and Water Quality-Based Effluent Limits

The following table is a summary of technology-based effluent limitations calculated/assessed in the draft permit (Technology-Based), calculated/assessed water quality-based effluent limitations (Water Quality-Based), and effluent limitations in the existing permit (Existing Permit). Effluent limitations appearing in bold are the most stringent of the three and are included in the draft permit.

Outfall	Pollutant	Technology-Based		Water Quality-Based		Existing Permit	
		Daily Avg	Daily Max	Daily Avg	Daily Max	Daily Avg	Daily Max
		mg/L	mg/L	mg/L	mg/L	mg/L	mg/L
001 and 002	Flow	Report, MGD	Report, MGD	-	-	Report, MGD	Report, MGD
	Total Organic Carbon	N/A	75	-	-	N/A	75
	Oil and Grease	N/A	15	-	-	N/A	15
	pH	6.0 SU (minimum)	9.0 SU	-	-	6.0 SU (min.)	9.0 SU



Compliance History Report

Compliance History Report for CN600124051, RN100217389, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN600124051, Motiva Enterprises LLC	Classification: SATISFACTORY	Rating: 9.55
Regulated Entity:	RN100217389, MOTIVA ENTERPRISES PORT ARTHUR CHEMICALS	Classification: SATISFACTORY	Rating: 10.74
Complexity Points:	24	Repeat Violator: NO	
CH Group:	05 - Chemical Manufacturing		
Location:	4241 SAVANNAH AVE PORT ARTHUR, TX 77640-3668, JEFFERSON COUNTY		
TCEQ Region:	REGION 10 - BEAUMONT		

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER JE0135Q

AIR QUALITY NON PERMITTED ID NUMBER

ENV100217389

AIR NEW SOURCE PERMITS PERMIT 16989

AIR NEW SOURCE PERMITS REGISTRATION 55148

AIR NEW SOURCE PERMITS AFS NUM 4824500082

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX794

AIR NEW SOURCE PERMITS REGISTRATION 111992

AIR NEW SOURCE PERMITS PERMIT 140051

AIR NEW SOURCE PERMITS REGISTRATION 124103

AIR NEW SOURCE PERMITS REGISTRATION 150531

AIR NEW SOURCE PERMITS REGISTRATION 164263

AIR NEW SOURCE PERMITS REGISTRATION 164117

AIR NEW SOURCE PERMITS REGISTRATION 163951

AIR NEW SOURCE PERMITS REGISTRATION 150649

AIR NEW SOURCE PERMITS REGISTRATION 161300

AIR NEW SOURCE PERMITS REGISTRATION 161654

AIR NEW SOURCE PERMITS REGISTRATION 173548

AIR NEW SOURCE PERMITS REGISTRATION 172191

AIR NEW SOURCE PERMITS REGISTRATION 169831

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1564

AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX195

UNDERGROUND INJECTION CONTROL PERMIT

5X2500122

WASTEWATER EPA ID TX0105287

POLLUTION PREVENTION PLANNING ID NUMBER

P00678

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 89230

TAX RELIEF ID NUMBER 19879

AIR OPERATING PERMITS PERMIT 1317

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

1230093

AIR NEW SOURCE PERMITS ACCOUNT NUMBER

JE0135Q

AIR NEW SOURCE PERMITS REGISTRATION 169161

AIR NEW SOURCE PERMITS REGISTRATION 48586

AIR NEW SOURCE PERMITS REGISTRATION 112518

AIR NEW SOURCE PERMITS REGISTRATION 133863

AIR NEW SOURCE PERMITS REGISTRATION 118347

AIR NEW SOURCE PERMITS REGISTRATION 119835

AIR NEW SOURCE PERMITS REGISTRATION 164412

AIR NEW SOURCE PERMITS REGISTRATION 168490

AIR NEW SOURCE PERMITS REGISTRATION 165268

AIR NEW SOURCE PERMITS REGISTRATION 164053

AIR NEW SOURCE PERMITS REGISTRATION 156024

AIR NEW SOURCE PERMITS REGISTRATION 159717

AIR NEW SOURCE PERMITS REGISTRATION 158961

AIR NEW SOURCE PERMITS REGISTRATION 172293

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX794M1

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1624

AIR NEW SOURCE PERMITS PERMIT 156571

IHW CORRECTIVE ACTION SOLID WASTE

REGISTRATION # (SWR) 89230

WASTEWATER PERMIT WQ0003057000

AIR EMISSIONS INVENTORY ACCOUNT NUMBER

JE0135Q

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXR000080142

TAX RELIEF ID NUMBER 19657

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

Date Compliance History Report Prepared: February 06, 2024

Agency Decision Requiring Compliance History: Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.

Component Period Selected: January 31, 2019 to December 31, 2023

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

Name: Alyssa Loveday

Phone: (512) 239-4524

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? YES
- 3) Who is the current owner/operator?
Opal Group, Inc. OPERATOR since 12/21/2009
Flint Hills Resources, LP OWNER OPERATOR since 10/15/2007
Motiva Chemicals LLC OWNER OPERATOR since 6/20/1996
CHAMPIONX LLC OWNER OPERATOR since 5/8/2014
Afton Chemical Additives Corporation OWNER OPERATOR since 7/19/2013
Huntsman Petrochemical Corporation OWNER OPERATOR since 7/19/2013
Koch Pipeline OWNER OPERATOR since 5/21/2013
Huntsman Petrochemical LLC OWNER OPERATOR since 3/7/2019
Motiva Enterprises LLC OWNER OPERATOR since 10/31/2022
- 4) Who was/were the prior owner(s)/operator(s)? Motiva Enterprises LLC, OWNER OPERATOR, 4/18/2019 to 12/12/2019

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 02/12/2019 ADMINORDER 2018-0323-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 G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Special Term & Condition 24 OP
Description: Failure to prevent unauthorized emissions.
- 2 Effective Date: 01/21/2020 ADMINORDER 2018-1718-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 G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Special Term & Condition 24 OP
Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 4,181.70 pounds ("lbs") of carbon monoxide, 10,022.52 lbs of ethylene, and 578.97 lbs of nitrogen oxides from the Light Olefins Unit Elevated Flare, Emissions Point Number LOUFLARE, during an emissions event (Incident No. 290520) that began on August 19, 2018 and lasted eight hours and 30 minutes.
- 3 Effective Date: 08/18/2020 ADMINORDER 2019-1289-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 G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PSD-TX-794, SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 24 OP
Description: Failure to maintain an emission rate below the allowable emission limit.
- A8 Mod 2D
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT

Compliance History Report for CN600124051, RN100217389, Rating Year 2023 which includes Compliance History (CH) components from January 31, 2019, through December 31, 2023.

Special Condition 24 OP

Description: Failure to maintain an emission rate below the allowable emission limit.

A8, Mod 2B

- 4 Effective Date: 03/16/2021 ADMINORDER 2020-0790-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 G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 24 OP
Special Conditions No. 28.A OP
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 243.005 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 326444) that began on December 10, 2019 and lasted 36 hours and 48 minutes. The emissions event occurred due to the overfilling of Tank 33743 that caused a pressure relief valve to lift at the Light Olefins Unit, resulting in a spill and the release to the atmosphere.
- 5 Effective Date: 10/27/2021 ADMINORDER 2020-1275-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 G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GTC and STC No. 23 OP
SC No. 1 PERMIT
SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 24 OP
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,090.74 lbs of CO, 5,754.08 lbs of VOC, and 274.99 lbs of NOx from the Light Olefins Unit Elevated Flare, EPN LOUFLARE, during an emissions event (Incident No. 335752) that occurred on May 19, 2020 and lasted two hours and 50 minutes.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GTC and STC No. 23 OP
SC No. 1 PERMIT
SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 24 OP
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 8,227.59 lbs of CO, 14,361.69 lbs of VOC, 1,082.18 lbs of NOx, and 56.96 lbs of nitrogen dioxide from the Light Olefins Unit Elevated Flare, EPN LOUFLARE, during an emissions event (Incident No. 340127) that began on August 4, 2020 and lasted 64 hours and 10 minutes.
- 6 Effective Date: 05/17/2022 ADMINORDER 2021-0279-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 G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: SC No. 1 PERMIT
SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 24 OP
Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 334.12 pounds of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 345332) that occurred on November 2, 2020 and lasted four hours and 15 minutes. The emissions event occurred when a relief valve on the chemical injection system was set at a lower pressure than one of the process injection points that caused the relief valve to relieve and allow condensate from the cracked g

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 24 OP

Description: Failure to maintain an emission rate below the allowable emission limit.

A12i6, Mod2d

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 24 OP

Description: Failure to maintain an emission rate below the allowable emission limit (Incident No. 366135).

A12i6, Mod2d

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 24 OP

Description: Failure to maintain an emission rate below the allowable emission limit (Incident No. 368816).

A12i6, Mod2d

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	February 15, 2019	(1564241)
Item 2	March 14, 2019	(1564242)
Item 3	March 15, 2019	(1552339)
Item 4	March 19, 2019	(1551840)
Item 5	April 22, 2019	(1573342)
Item 6	May 20, 2019	(1586291)
Item 7	June 18, 2019	(1586292)
Item 8	June 20, 2019	(1575492)
Item 9	July 15, 2019	(1594689)
Item 10	August 07, 2019	(1582073)
Item 11	August 16, 2019	(1582395)
Item 12	August 20, 2019	(1600989)
Item 13	September 20, 2019	(1607906)
Item 14	October 11, 2019	(1614771)
Item 15	October 22, 2019	(1602999)
Item 16	November 19, 2019	(1620560)
Item 17	December 19, 2019	(1627910)
Item 18	January 22, 2020	(1635536)
Item 19	January 30, 2020	(1617412)
Item 20	February 19, 2020	(1642153)

Item 21	March 09, 2020	(1633633)
Item 22	March 10, 2020	(1631169)
Item 23	March 23, 2020	(1648665)
Item 24	March 26, 2020	(1632683)
Item 25	April 15, 2020	(1633114)
Item 26	April 22, 2020	(1655020)
Item 27	April 24, 2020	(1644185)
Item 28	April 29, 2020	(1633113)
Item 29	May 18, 2020	(1661579)
Item 30	May 22, 2020	(1639251)
Item 31	May 29, 2020	(1645935)
Item 32	June 10, 2020	(1668113)
Item 33	June 25, 2020	(1652096)
Item 34	July 16, 2020	(1675060)
Item 35	August 13, 2020	(1663375)
Item 36	August 20, 2020	(1681828)
Item 37	September 21, 2020	(1688405)
Item 38	September 22, 2020	(1677493)
Item 40	October 21, 2020	(1671271)
Item 41	October 22, 2020	(1694766)
Item 42	October 23, 2020	(1672985)
Item 43	October 27, 2020	(1671409)
Item 44	November 10, 2020	(1716884)
Item 45	November 13, 2020	(1678620)
Item 46	November 24, 2020	(1679937)
Item 47	December 11, 2020	(1716885)
Item 49	January 14, 2021	(1716886)
Item 50	January 22, 2021	(1686002)
Item 51	January 25, 2021	(1699021)
Item 52	February 22, 2021	(1729964)
Item 53	March 22, 2021	(1729965)
Item 55	April 15, 2021	(1729966)
Item 56	April 16, 2021	(1685771)
Item 57	April 23, 2021	(1709156)
Item 58	May 10, 2021	(1706208)
Item 59	May 12, 2021	(1706080)
Item 60	May 13, 2021	(1742271)
Item 61	May 14, 2021	(1679452)
Item 62	May 27, 2021	(1706077)
Item 63	June 17, 2021	(1722030)
Item 64	June 24, 2021	(1735361)
Item 65	July 16, 2021	(1753166)
Item 66	August 10, 2021	(1758570)
Item 68	September 16, 2021	(1767864)
Item 69	September 23, 2021	(1746772)
Item 70	October 12, 2021	(1778426)
Item 71	October 31, 2021	(1762401)
Item 72	November 10, 2021	(1785097)
Item 73	November 17, 2021	(1773914)
Item 74	November 19, 2021	(1773783)
Item 76	December 15, 2021	(1792130)
Item 77	January 13, 2022	(1799979)
Item 78	February 08, 2022	(1771775)
Item 79	February 14, 2022	(1807811)
Item 80	February 24, 2022	(1789254)
Item 81	March 07, 2022	(1814854)
Item 82	March 25, 2022	(1795867)
Item 83	March 31, 2022	(1803510)

Item 84	April 13, 2022	(1821423)
Item 85	April 18, 2022	(1809758)
Item 86	May 16, 2022	(1830320)
Item 87	June 15, 2022	(1836570)
Item 88	June 21, 2022	(1823747)
Item 89	July 14, 2022	(1843755)
Item 90	July 18, 2022	(1825715)
Item 91	August 08, 2022	(1832528)
Item 92	August 15, 2022	(1849916)
Item 93	September 13, 2022	(1857687)
Item 94	September 19, 2022	(1825736)
Item 95	September 30, 2022	(1798187)
Item 96	October 10, 2022	(1841022)
Item 97	October 13, 2022	(1864040)
Item 99	November 18, 2022	(1870949)
Item 100	December 05, 2022	(1859984)
Item 101	December 13, 2022	(1876806)
Item 102	January 13, 2023	(1866568)
Item 103	January 18, 2023	(1883617)
Item 104	January 19, 2023	(1869383)
Item 105	January 24, 2023	(1845902)
Item 106	February 10, 2023	(1891430)
Item 107	March 13, 2023	(1900003)
Item 108	March 20, 2023	(1881578)
Item 109	April 05, 2023	(1886080)
Item 110	April 12, 2023	(1887070)
Item 111	April 18, 2023	(1906803)
Item 112	May 15, 2023	(1913956)
Item 113	June 09, 2023	(1845906)
Item 114	June 16, 2023	(1920564)
Item 115	June 28, 2023	(1855515)
Item 116	July 14, 2023	(1927550)
Item 117	August 10, 2023	(1934491)
Item 118	September 18, 2023	(1940668)
Item 119	September 19, 2023	(1930045)
Item 120	October 06, 2023	(1931178)
Item 121	October 18, 2023	(1947470)
Item 122	November 07, 2023	(1932007)
Item 123	November 14, 2023	(1953155)

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: 03/03/2023 (1868577)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter D 115.356(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 15F PERMIT

Compliance History Report for CN600124051, RN100217389, Rating Year 2023 which includes Compliance History (CH) components from January 31, 2019, through December 31, 2023.

SPECIAL CONDITION 16F PERMIT
 SPECIAL CONDITION 1A OP
 Special Condition 23 OP
 SPECIAL CONDITION 27 OP
 SPECIAL CONDITION 8 PERMIT
 Description: Failure to monitor Leak Detection and Repair (LDAR) components.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1030(b)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 23 OP
 SPECIAL CONDITION 27 OP
 SPECIAL CONDITION 8 PERMIT
 Description: Failure to operate a component with an instrument reading of less than 500 parts per million (ppm).
 Self Report? NO 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)
 GENERAL TERMS AND CONDITIONS OP
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 23 OP
 SPECIAL CONDITION 4(B)(ii) PERMIT
 SPECIAL CONDITION 4(B)(v) PERMIT
 SPECIAL CONDITION 4(B)(vi) PERMIT
 Description: Failure to maintain the ammonia emission limit for LOU Standby Boiler.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SPECIAL CONDITION 11(C) PERMIT
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 23 OP
 SPECIAL CONDITION 27 OP
 SPECIAL CONDITION 6 PERMIT
 SPECIAL CONDITION 8 PERMIT
 Description: Failure to prevent a smoking flare.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS & CONDITIONS OP
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 23 IHWPERMTCP
 SPECIAL CONDITION 27 OP
 SPECIAL CONDITION 38(A)(1) PERMIT
 SPECIAL CONDITION 42(C)(3) PERMIT
 Description: Failure to document volatile organic compounds (VOC) exhaust concentration in accordance to permit.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.105(f)(1)
 30 TAC Chapter 117, SubChapter B 117.110(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SPECIAL CONDITION 1A OP

Description: SPECIAL CONDITION 4(B)(v PERMIT
 Failure to maintain carbon monoxide (CO) emissions below permitted limits.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.144(3)(F)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 23 OP
 SPECIAL CONDITION 27 OP
 SPECIAL CONDITION 7 PERMIT

Description: Failure to accurately record process parameters for the treatment process or
 wastewater treatment system unit.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SPECIAL CONDITION 11(A) PERMIT
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 23 OP
 SPECIAL CONDITION 27 OP
 SPECIAL CONDITION 6 PERMIT
 SPECIAL CONDITION 8 PERMIT

Description: Failure to maintain the flare's net heating value at or above 300 British
 thermal units per standard cubic foot (Btu/scf) (AUFLARE).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 46(A)(2) PERMIT
 SPECIAL CONDITION 46(A)(4) PERMIT

Description: Failure to conduct carbon monitoring.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SPECIAL CONDITION 11(A) PERMIT
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 23 OP
 SPECIAL CONDITION 27 OP
 SPECIAL CONDITION 6 PERMIT
 SPECIAL CONDITION 8 PERMIT

Description: Failure to maintain the flare's net heating value at or above 300 British
 thermal units per standard cubic foot (Btu/scf) (LOUFLARE).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP

Description: Failure to report all deviations.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 23 OP
SPECIAL CONDITION 27 OP
SPECIAL CONDITION 38A PERMIT
Description: Failure to conduct monitoring within 15 days.
Self Report? NO Classification: Moderate
Citation: GENERAL TERMS AND CONDITIONS OP
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1019(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(b)(5)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 1A OP
Description: Failure to maintain records.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 15(E) PERMIT
SPECIAL CONDITION 16(E) PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 23 OP
SPECIAL CONDITION 8 PERMIT
Description: Failure to prevent open-ended lines (OELs).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
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 61.357(d)(7)(ii)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 23 OP
SPECIAL CONDITION 27 OP
SPECIAL CONDITION 7 PERMIT
Description: Failure to maintain Waste Water Stripping Units operating limits for benzene.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter D 115.356(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(c)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 15F PERMIT
SPECIAL CONDITION 16F PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 23 OP
SPECIAL CONDITION 27 OP
SPECIAL CONDITION 8 PERMIT
Description: Failure to tag 11 LDAR components on Delay of Repair.

F. Environmental audits:

Notice of Intent Date: 07/17/2018 (1505541)

Disclosure Date: 03/25/2019

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4245(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6645(c)

Description: Failed to submit the initial notifications for 37G-O100. Specifically, there was no record of a 30-day post construction notification required by 40 CFR § 60.4245(c) for 37G-O100 or of a 120-day post startup notification required by 40 CFR § 63.6645(c) (startup was March 21, 2016, so initial notification was due on April 20, 2016 and post construction notification was due on July 19, 2016).

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4245(d)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(d)

Description: Failed to submit a 30-day pretest notification and 60-day performance test report for 37G-O100. Specifically, a performance test occurred on April 4, 2016 for 37G-O100 and no record was found that a 30-day pretest notification was submitted (the pretest notification was due on March 5, 2016 and the 60-day report was due on Jun 3, 2016).

Disclosure Date: 06/20/2019

Viol. Minor

Classification:

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT IIII 60.4211(f)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6602
40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6655(c)

Description: Maintenance records are inconsistent, or not available, to validate that stationary RICEs were maintained according to FHRs owner maintenance plan.

Viol. Minor

Classification:

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6655(f)

Description: Hourly engine runtime records are not available or were not tracked for the following pumps. (EPNs: 30G-101, 33P-106, 33P-107, 34P-114A, 34P-114B, 33P-I 14S, 34P-I 18S, P-1, 34P-109A, 34P-109B, 34P-1Q9C, 34P-109D)

Viol. Minor

Classification:

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

Description: FHR has been utilizing 52 hours per pump as the maximum allowed maintenance hours instead of actual runtime, to calculate emissions from stationary pumps in the site's annual emission inventory.

Viol. Moderate

Classification:

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT JJJJ 60.4243(b)

Description: The emergency backup generator (EPN: 37G-0100) was incorrectly permitted as an EPA certified engine. However, after reviewing the manufacturer's information the engine is not an EPA certified engine.

Notice of Intent Date: 02/21/2020 (1633650)

No DOV Associated

Notice of Intent Date: 05/17/2022 (1825836)

No DOV Associated

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOV's Issued During Component Period 1/31/2019 and 12/31/2023

1	Date: 05/28/2019 (1554906)		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	30 TAC Chapter 122, SubChapter B 122.145(2)(A)		
	5C THSC Chapter 382 382.085(b)		
	GENERAL TERMS AND CONDITIONS PERMIT		
	Description: Failure to report all deviations.		
	B3, Moderate 2g		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 101, SubChapter A 101.20(2)		
	30 TAC Chapter 115, SubChapter D 115.354(11)		
	30 TAC Chapter 115, SubChapter D 115.354(2)		
	30 TAC Chapter 116, SubChapter G 116.715(a)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)		
	5C THSC Chapter 382 382.085(b)		
	GENERAL TERMS AND CONDITIONS PERMIT		
	SPECIAL CONDITION 15F PERMIT		
	SPECIAL CONDITION 16F PERMIT		
	SPECIAL CONDITION 1A PERMIT		
	SPECIAL CONDITION 24 PERMIT		
	SPECIAL CONDITION 28A PERMIT		
	SPECIAL CONDITION 8 PERMIT		
	Description: Failure to monitor Leak Detection and Repair (LDAR) components.		
	C7, Moderate 2a		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 101, SubChapter A 101.20(2)		
	30 TAC Chapter 115, SubChapter D 115.352()		
	30 TAC Chapter 116, SubChapter G 116.715(a)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)		
	5C THSC Chapter 382 382.085(b)		
	GENERAL TERMS AND CONDITIONS OP		
	SPECIAL CONDITION 15E PERMIT		
	SPECIAL CONDITION 16E PERMIT		
	SPECIAL CONDITION 1A OP		
	SPECIAL CONDITION 24 OP		
	Description: Failure to prevent open-ended lines (OELs).		
	C10, Moderate 2a		
	Self Report? NO	Classification: Moderate	
	Citation:		
	30 TAC Chapter 101, SubChapter A 101.20(2)		
	30 TAC Chapter 115, SubChapter D 115.352(2)		
	30 TAC Chapter 116, SubChapter G 116.715(a)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(a)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)		
	5C THSC Chapter 382 382.085(b)		
	GENERAL TERMS AND CONDITIONS OP		
	SPECIAL CONDITION 1A OP		
	SPECIAL CONDITION 24 OP		
	SPECIAL CONDITION 28A OP		
	SPECIAL CONDITION 8 PERMIT		

Description: Failure to repair leaking Leak Detection and Repair (LDAR) components within 15 days.

B18(g)(1), Moderate 2a

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(f)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to conduct quarterly visual inspections for 55 components.

C1, Moderate

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 6 PERMIT
SPECIAL CONDITION 8 PERMIT

Description: Failure to conduct weekly monitoring on Leak Detection and Repair (LDAR) pumps.

B18(g)(1), Moderate 2a

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 16(H) PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 6 PERMIT
SPECIAL CONDITION 8 PERMIT

Description: Failure to affix a weatherproof and readily visible tag to a leaking component and maintain the tag until it is eligible for removal.

C1, Minor 3d

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.355(1)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(b)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 15F PERMIT
SPECIAL CONDITION 16F PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 6 PERMIT
SPECIAL CONDITION 8 PERMIT

Description: Failure to monitor Leak Detection and Repair (LDAR) components according to 40 Code of Federal Regulations (40 CFR) Appendix A, Method 21.

C1, Minor 3a

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.356(3)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(4)(i)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to address unsafe-to-monitor (UTM) Leak Detection and Repair (LDAR) component monitoring within the facility's UTM Plan.

C1, Moderate 2b

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.999(c)(2)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(e)(1)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to submit accurate 40 Code of Federal Regulations (40 CFR) 63, Subpart YY semi-annual reports.

C3, Minor 3c

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(f)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(i)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to submit accurate 40 Code of Federal Regulations (40 CFR) 63, Subpart H semi-annual reports.

C3, Minor 3c

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to easily identify _____'s sampling connection systems.

C1, Minor 3d

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(d)(6)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to track process unit shutdowns.

B3, Moderate 2b

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 117, SubChapter B 117.105(f)(1)
30 TAC Chapter 117, SubChapter B 117.110(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 4(B)(v) REG

Description: Failure to maintain carbon monoxide (CO) emissions below permitted limits.

B18(g)(1), Moderate 2d

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 42(C)(3) PERMIT

Description: Failure to record vacuum truck VOC exhaust concentrations.

C1, Moderate 2a

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 2H PERMIT

Description: Failure to maintain a vacuum of at least 1.5 inches of water column on Emission Point Number (EPN) RSELDFLR.

B18(g)(1), Moderate 2g

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 115, SubChapter B 115.136(a)(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 26A PERMIT
Description: Failure to continuously measure and record operational parameters of the carbon adsorption system (CAS).

C1, Minor 3c

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(ii)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to maintain Benzene Waste Operations National Emission Standards for Hazardous Pollutants (NESHAP) (BWON) applicable waste containers in a closed, sealed position.

B18(g)(1), Moderate 2g

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 11 PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 26A OP
SPECIAL CONDITION 6 PERMIT
SPECIAL CONDITION 8 PERMIT

Description: Failure to prevent a smoking flare.

B18(g)(1), Moderate 2d

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.44b(a)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 4(B)(ii) REG

Description: Failure to maintain oxides of nitrogen (NOx) emissions below their limits.

B18(g)(1), Moderate 2d

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP

Description: SPECIAL CONDITION 24 OP
SPECIAL CONDITION 4(B)(vi) REG
Failure to limit ammonia (NH3) emissions to permitted levels.
B18(g)(1), Moderate 2d
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 115, SubChapter B 115.144(3)(F)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 7 PERMIT
Description: Failure to monitor the Wastewater Stripping Units.
B1, Moderate 2a

2 Date: 07/18/2019 (1580573)
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
PSD-TX-794 - SPECIAL CONDITION 1 PERMIT
SPECIAL CONDITION 24 OP
Description: Failure to maintain an emission rate below the allowable emission limit.
B13 Mod 2D

3 Date: 04/24/2020 (1630343)
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 42(C)(3) PERMIT
Description: Failure to record vacuum truck blower requirements.
C1, Mod2a

Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 1A OP
Description: Failure to prevent visible emissions.

B18(g)(1), Mod2d
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 15E PERMIT
SPECIAL CONDITION 16E PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to prevent open-ended lines (OELs).

C10, Mod2a

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 15F PERMIT
SPECIAL CONDITION 16F PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to monitor Leak Detection and Repair (LDAR) components.

C7, Mod2a

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1031(f)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to operate a compressor with an instrument reading of less than 500 parts per million (ppm) of Volatile Organic Compounds (VOC).

B18(g)(1), Mod 2d

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.44b(a)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 4(B)(ii) PERMIT

Description: Failure to maintain oxides of nitrogen (NOx) emissions below their limits.

B18(g)(1), Mod 2d

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 4(B)(vi) PERMIT

Description: Failure to limit ammonia (NH3) emissions to permitted levels.

B18(g)(1), Mod2d

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 117, SubChapter B 117.105(f)(1)
30 TAC Chapter 117, SubChapter B 117.110(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 4(B)(v) PERMIT

Description: Failure to maintain carbon monoxide (CO) emissions below permitted limits.

B18(g)(1), Mod2d

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 6 PERMIT
SPECIAL CONDITION 8 PERMIT

Description: Failure to prevent smoking flare.

B18(g)(1), Mod2d

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP

Description: Failure to perform daily monitoring of the flares for visible emissions.

B18(g)(1), Mod2d

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP

Description: Failure to report all deviations.

B3, Mod2g

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter B 115.144(3)(F)
30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to monitor the Wastewater Stripping Units.

B1, Mod2a

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to route emissions from waste streams to a control device.

B18(g)(1), Mod2d

Self Report? NO

Classification: Major

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 11A OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to monitor vacuum truck openings.

B18(g)(1), Mod2d

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.348(a)(1)(i)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to maintain the benzene concentration in the wastewater treatment system effluent below the limit of 10 parts per million by weight (ppmw).

B18(g)(1), Mod2d

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(7)(iv)(A)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to maintain the average temperature of the Regenerative Thermal

Compliance History Report for CN600124051, RN100217389, Rating Year 2023 which includes Compliance History (CH) components from January 31, 2019, through December 31, 2023.

Oxidizer (RTO).

B18(g)(1), Mod2d

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(ii)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to maintain Benzene Waste Operations National Emission Standards for Hazardous Pollutants (NESHAP) (BWON) applicable waste containers in a closed, sealed position.

B18(g)(1), Mod2g

Self Report? NO Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(7)(ii)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to submit an accurate 40 Code of Federal Regulations (CFR) 61 Subpart FF quarterly report.

C3, Minor3c

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(1)(A)
30 TAC Chapter 122, SubChapter B 122.165(a)(8)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 29 OP

Description: Failure to accurately certify the Permit Compliance Certifications (PCC).

B3, Mod2d

4 Date: 06/25/2020 (1650702)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 327 327.3(c)

Description: Failure by Motiva Chemicals LLC to notify the agency as soon as possible but not later than 24 hours after the discovery of the spill or discharge. EIC B18(q)(1), MOD

5 Date: 06/03/2021 (1702425)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP

Description: Failure to report all deviations.

B3, Mod2g
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 15(E) PERMIT
SPECIAL CONDITION 16(E) PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to prevent open-ended lines (OELs).

C10, Mod2a
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 15F PERMIT
SPECIAL CONDITION 16F PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to monitor leak detection and repair (LDAR) components.

C7, Mod2a
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(j)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 1A OP

Description: Failure to properly identify equipment in Organic Hazardous Air Pollutant (HAP) Service (for less than 300 hours per year).

C7, Mod2a
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 11(C) PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP

SPECIAL CONDITION 28A OP
SPECIAL CONDITION 6 PERMIT
SPECIAL CONDITION 8 PERMIT
Description: Failure to prevent a smoking flare (LOUFLARE).
B18g1, Mod2d
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 6 PERMIT
SPECIAL CONDITION 8 PERMIT

Description: Failure to prevent a smoking flare (AUFLARE-1).
B18g1, Mod2d
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 46(A)(2) PERMIT

Description: Failure to monitor the carbon system utilized during spray painting activities.
B1, Mod2a
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 42(C)(3) PERMIT

Description: Failure to record vacuum truck blower requirements.
C1, Mod2a
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.348(a)(1)(i)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to maintain the benzene concentration in the wastewater treatment system effluent below the limit of 10 parts per million by weight (ppmw).

B18g1, Mod2d
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 115, SubChapter B 115.144(3)(F)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to monitor the Wastewater Stripping Units.

B1, Mod2a

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 26A PERMIT

Description: Failure to continuously measure and record operational parameters of the carbon adsorption system (CAS).

B1, Mod2a

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1030(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1031(f)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 REG

Description: Failure to operate a component with an instrument reading of less than 500 parts per million (ppm).

B18g1, Mod2d

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to conduct weekly monitoring on a Leak Detection and Repair (LDAR) pump.

B18g1, Mod2a

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(d)(2)
5C THSC Chapter 382 382.085(b)

GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 16(K) PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP

Description: Failure to properly document a component as unsafe-to-repair (UTR).

C1, Mod2b

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 26(B)(1) PERMIT
SPECIAL CONDITION 28A OP

Description: Failure to calibrate a PID prior to use.

B18g1, Mod2a

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 4(B)(vi) PERMIT

Description: Failure to limit ammonia (NH3) emissions to permitted levels.

B18(g)(1), Mod2d

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 117, SubChapter B 117.105(f)(1)
30 TAC Chapter 117, SubChapter B 117.110(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 4(B)(v) PERMIT

Description: Failure to maintain carbon monoxide (CO) emissions below permitted limits.

B18(g)(1), Mod2d

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 11(C) PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 6 PERMIT
SPECIAL CONDITION 8 PERMIT

Description: Failure to prevent a smoking flare (LOUFLARE-2).

B18g1, Mod2d

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(c)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.987(c)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 11 PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 6 PERMIT
SPECIAL CONDITION 8 PERMIT

Description: Failure to continuously record data documenting the presence of a pilot flame.

B18g1, Mod2d

6 Date: 1/03/2022 (1774328)

Self Report? NO Classification: Minor

Citation:

Description: 30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)
Failure by Motiva Chemicals LLC-Motiva Chemicals to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days.

7 Date: 01/01/2022 (1794114)

Self Report? NO Classification: Moderate

Citation:

Description: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
Failure to obtain a permit or meet the conditions of a permit by rule (PBR) prior to the installation of fugitive components in the Cyclohexane Unit.

B8, Mod2b

Self Report? NO Classification: Moderate

Citation:

Description: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter D 115.356(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 15F PERMIT
SPECIAL CONDITION 16F PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to monitor Leak Detection and Repair (LDAR) components.

C7, Mod2a

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP

Description: Failure to report all deviations.

B3, Mod2g

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP

Description: Failure to operate the flare with a constant pilot flame (LOUFLARE).

B18g1, Mod2g

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP

Description: Failure to prevent open-ended lines (OELs).

C10, Mod2a

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP

Description: Failure to prevent a smoking flare (LOUFLARE and AUFLARE-1).

B18g1, Mod2d

Self Report? NO Classification: Moderate

Compliance History Report for CN600124051, RN100217389, Rating Year 2023 which includes Compliance History (CH) components from January 31, 2019, through December 31, 2023.

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1030(b)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 8

Description: Failure to operate a component with an instrument reading of less than 500 parts per million (ppm).

B18g1, Mod2d

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.44b(a)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 4(B)(ii) PERMIT
SPECIAL CONDITION 4(B)(v) PERMIT
SPECIAL CONDITION 4(B)(vi) PERMIT

Description: Failure to limit emissions to permitted levels (LOUBOILR12).

B18g1, Mod2d

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 117, SubChapter B 117.105(f)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP

Description: Failure to maintain Carbon Monoxide (CO) emissions below permitted limits (LOUBOILER6).

B18g1, Mod2d

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 42(C)(3) PERMIT

Description: Failure to record vacuum truck blower requirements.

C1, Mod2a

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 117, SubChapter B 117.105(f)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP

Description: Failure to maintain Carbon Monoxide (CO) emissions below permitted limits (LOUBOILER3).

B18(g)(1), Mod2d

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 3(A)(iv)(1) OP
Description: Failure to conduct quarterly visible emissions observations (LOUVENTDD1 and LOUVENTDD2).

B1, Mod2a

Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 115, SubChapter B 115.144(3)(F)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to continuously monitor and record the Wastewater Stripping Units.

B1, Mod2a

Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 115, SubChapter B 115.114(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(e)(2)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP

Description: Failure to complete repairs to Tank 33799 within the required timeframe.

B18g1, Mod2g

Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 11(A) PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 24 OP
SPECIAL CONDITION 28A OP
SPECIAL CONDITION 6 PERMIT
SPECIAL CONDITION 8 PERMIT

Description: Failure to maintain the flare's net heating value at or above 300 British thermal units per standard cubic foot (Btu/scf) (LOUFLARE).

B18g1, Mod2d

8 Date: 06/28/2022 (1817612)

Self Report? NO Classification: Minor
Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
PC Pg. 8, No. 2(g) PERMIT

Description: Failure by Motiva Chemicals (Motiva) wastewater treatment plant (WWTP) to prevent any unauthorized discharge (UD) of wastewater into or adjacent to

waters of the State at any location not permitted as an outfall.

9*

Date: 03/03/2023 (1868577)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter D 115.356(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 15F PERMIT
SPECIAL CONDITION 16F PERMIT
SPECIAL CONDITION 1A OP
Special Condition 23 OP
SPECIAL CONDITION 27 OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to monitor Leak Detection and Repair (LDAR) components.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1030(b)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 23 OP
SPECIAL CONDITION 27 OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to operate a component with an instrument reading of less than 500 parts per million (ppm).

Self Report? NO

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)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 23 OP
SPECIAL CONDITION 4(B)(ii) PERMIT
SPECIAL CONDITION 4(B)(v) PERMIT
SPECIAL CONDITION 4(B)(vi) PERMIT

Description: Failure to maintain the ammonia emission limit for LOU Standby Boiler.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP

SPECIAL CONDITION 11(C) PERMIT
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 23 OP
 SPECIAL CONDITION 27 OP
 SPECIAL CONDITION 6 PERMIT
 SPECIAL CONDITION 8 PERMIT
 Description: Failure to prevent a smoking flare.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS & CONDITIONS OP
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 23 IHWPERMTCP
 SPECIAL CONDITION 27 OP
 SPECIAL CONDITION 38(A)(1) PERMIT
 SPECIAL CONDITION 42(C)(3) PERMIT
 Description: Failure to document volatile organic compounds (VOC) exhaust concentration in accordance to permit.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 117, SubChapter B 117.105(f)(1)
 30 TAC Chapter 117, SubChapter B 117.110(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 4(B)(v) PERMIT
 Description: Failure to maintain carbon monoxide (CO) emissions below permitted limits.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 115, SubChapter B 115.144(3)(F)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 23 OP
 SPECIAL CONDITION 27 OP
 SPECIAL CONDITION 7 PERMIT
 Description: Failure to accurately record process parameters for the treatment process or wastewater treatment system unit.
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 GENERAL TERMS AND CONDITIONS OP
 SPECIAL CONDITION 11(A) PERMIT
 SPECIAL CONDITION 1A OP
 SPECIAL CONDITION 23 OP
 SPECIAL CONDITION 27 OP
 SPECIAL CONDITION 6 PERMIT
 SPECIAL CONDITION 8 PERMIT
 Description: Failure to maintain the flare's net heating value at or above 300 British thermal units per standard cubic foot (Btu/scf) (AUFLARE).
 Self Report? NO Classification: Moderate
 Citation:
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 46(A)(2) PERMIT
SPECIAL CONDITION 46(A)(4) PERMIT
Description: Failure to conduct carbon monitoring.
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)

5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 11(A) PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 23 OP
SPECIAL CONDITION 27 OP
SPECIAL CONDITION 6 PERMIT
SPECIAL CONDITION 8 PERMIT
Description: Failure to maintain the flare's net heating value at or above 300 British thermal units per standard cubic foot (Btu/scf) (LOUFLARE).
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP

Description: Failure to report all deviations.
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 23 OP
SPECIAL CONDITION 27 OP
SPECIAL CONDITION 38A PERMIT

Description: Failure to conduct monitoring within 15 days.
Self Report? NO Classification: Moderate
Citation:

GENERAL TERMS AND CONDITIONS OP
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1019(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(b)(5)
5C THSC Chapter 382 382.085(b)
SPECIAL CONDITION 1A OP

Description: Failure to maintain records.
Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)
5C THSC Chapter 382 382.085(b)

GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 15(E) PERMIT
SPECIAL CONDITION 16(E) PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 23 OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to prevent open-ended lines (OELs).

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
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 61.357(d)(7)(ii)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS AND CONDITIONS OP
SPECIAL CONDITION 23 OP
SPECIAL CONDITION 27 OP
SPECIAL CONDITION 7 PERMIT

Description: Failure to maintain Waste Water Stripping Units operating limits for benzene.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter D 115.356(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(c)
5C THSC Chapter 382 382.085(b)
GENERAL TERMS & CONDITIONS OP
SPECIAL CONDITION 15F PERMIT
SPECIAL CONDITION 16F PERMIT
SPECIAL CONDITION 1A OP
SPECIAL CONDITION 23 OP
SPECIAL CONDITION 27 OP
SPECIAL CONDITION 8 PERMIT

Description: Failure to tag 11 LDAR components on Delay of Repair.

* NOVs applicable for the Compliance History rating period 9/1/2018 to 8/31/2023

Appendix B**All Investigations Conducted During Component Period January 31, 2019 and December 31, 2023**

Item 1*	February 15, 2019**	(1564241)
Item 2*	March 14, 2019**	(1564242)
Item 3*	March 15, 2019**	(1552339)
Item 4*	March 19, 2019**	(1551840)
Item 5*	April 22, 2019**	(1573342)
Item 6	May 20, 2019**	(1554906)
Item 7*	June 18, 2019**	(1586292)
Item 8*	June 20, 2019**	(1575492)
Item 9*	July 15, 2019**	(1594689)
Item 10*	August 07, 2019**	(1582073)
Item 11*	August 16, 2019**	(1582395)
Item 12*	August 20, 2019**	(1600989)
Item 13	August 28, 2019**	(1580573)
Item 14	August 29, 2019**	(1580215)
Item 15*	September 20, 2019**	(1607906)
Item 16*	October 11, 2019**	(1614771)
Item 17	October 16, 2019**	(1599199)
Item 18*	October 22, 2019**	(1602999)
Item 19	October 30, 2019**	(1597050)
Item 20*	November 19, 2019**	(1620560)
Item 21	December 13, 2019**	(1609610)
Item 22*	December 19, 2019**	(1627910)
Item 23*	January 22, 2020**	(1635536)
Item 24*	January 30, 2020**	(1617412)
Item 25*	February 19, 2020**	(1642153)
Item 26*	March 09, 2020**	(1633633)
Item 27*	March 10, 2020**	(1631169)
Item 28*	March 23, 2020**	(1648665)
Item 29*	March 26, 2020**	(1632683)
Item 30*	April 15, 2020**	(1633114)
Item 31	April 21, 2020**	(1630343)
Item 32*	April 22, 2020**	(1655020)
Item 33*	April 24, 2020**	(1644185)
Item 34*	April 29, 2020**	(1633113)
Item 35*	May 18, 2020**	(1661579)
Item 36*	May 22, 2020**	(1639251)
Item 37	May 29, 2020**	(1633117)
Item 38*	June 10, 2020**	(1668113)
Item 39	June 25, 2020**	(1650702)
Item 40*	July 16, 2020**	(1675060)
Item 41	July 28, 2020**	(1659686)
Item 42*	August 13, 2020**	(1663375)
Item 43*	August 20, 2020**	(1681828)
Item 44	August 31, 2020**	(1652985)

Item 45*	September 21, 2020**	(1688405)
Item 46*	September 22, 2020**	(1677493)
Item 47*	October 21, 2020**	(1671271)
Item 48*	October 22, 2020**	(1694766)
Item 49*	October 23, 2020**	(1672985)
Item 50*	October 27, 2020**	(1671409)
Item 51	October 30, 2020**	(1669868)
Item 52*	November 10, 2020**	(1716884)
Item 53*	November 13, 2020**	(1678620)
Item 54*	November 24, 2020**	(1679937)
Item 55*	December 11, 2020**	(1716885)
Item 56*	January 14, 2021**	(1716886)
Item 57*	January 22, 2021**	(1686002)
Item 58*	January 25, 2021**	(1699021)
Item 59	January 29, 2021**	(1690831)
Item 60*	February 22, 2021**	(1729964)
Item 61*	March 22, 2021**	(1729965)
Item 62*	April 15, 2021**	(1729966)
Item 63*	April 16, 2021**	(1685771)
Item 64*	April 23, 2021**	(1709156)
Item 65*	May 10, 2021**	(1706208)
Item 66*	May 12, 2021**	(1706080)
Item 67*	May 13, 2021**	(1742271)
Item 68*	May 14, 2021**	(1679452)
Item 69	May 25, 2021**	(1702425)
Item 70*	May 27, 2021**	(1706077)
Item 71*	June 17, 2021**	(1722030)
Item 72*	June 24, 2021**	(1735361)
Item 73*	July 16, 2021**	(1753166)
Item 74*	August 10, 2021**	(1758570)
Item 75	September 16, 2021**	(1747032)
Item 76*	September 23, 2021**	(1746772)
Item 77*	October 12, 2021**	(1778426)
Item 78*	October 31, 2021**	(1762401)
Item 79	November 05, 2021**	(1755790)
Item 80*	November 10, 2021**	(1785097)
Item 81*	November 17, 2021**	(1773914)
Item 82*	November 19, 2021**	(1773783)
Item 83	December 15, 2021**	(1762965)
Item 84	January 03, 2022**	(1774328)
Item 85*	January 13, 2022**	(1799979)
Item 86*	February 08, 2022**	(1771775)
Item 87*	February 14, 2022**	(1807811)
Item 88*	February 24, 2022**	(1789254)
Item 89*	March 07, 2022**	(1814854)
Item 90	March 15, 2022**	(1794114)
Item 91	March 23, 2022**	(1795049)

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Item 92*	March 25, 2022**	(1795867)
Item 93*	March 31, 2022**	(1803510)
Item 94*	April 13, 2022**	(1821423)
Item 95*	April 18, 2022**	(1809758)
Item 96*	May 16, 2022**	(1830320)
Item 97	May 20, 2022**	(1812041)
Item 98*	June 15, 2022**	(1836570)
Item 99	June 17, 2022**	(1817612)
Item 100*	June 21, 2022**	(1823747)
Item 101*	July 14, 2022**	(1843755)
Item 102*	July 18, 2022**	(1825715)
Item 103*	August 08, 2022**	(1832528)
Item 104*	August 15, 2022**	(1849916)
Item 105*	September 13, 2022**	(1857687)
Item 106*	September 19, 2022**	(1825736)
Item 107*	September 30, 2022**	(1798187)
Item 108*	October 10, 2022**	(1841022)
Item 109*	October 13, 2022**	(1864040)
Item 110	November 09, 2022**	(1852785)
Item 111*	November 18, 2022**	(1870949)
Item 112	November 28, 2022**	(1839928)
Item 113*	December 05, 2022**	(1859984)
Item 114	December 09, 2022**	(1839927)
Item 115*	December 13, 2022**	(1876806)
Item 116*	January 13, 2023**	(1866568)
Item 117*	January 18, 2023**	(1883617)
Item 118*	January 19, 2023**	(1869383)
Item 119*	January 24, 2023**	(1845902)
Item 120*	February 10, 2023**	(1891430)
Item 121	February 27, 2023**	(1868577)
Item 122*	March 13, 2023**	(1900003)
Item 123*	March 20, 2023**	(1881578)
Item 124*	April 05, 2023**	(1886080)
Item 125*	April 12, 2023**	(1887070)
Item 126*	April 18, 2023**	(1906803)
Item 127*	May 15, 2023**	(1913956)
Item 128	June 01, 2023**	(1896193)
Item 129*	June 09, 2023**	(1845906)
Item 130*	June 16, 2023**	(1920564)
Item 131*	June 28, 2023**	(1855515)
Item 132	June 30, 2023**	(1855518)
Item 133	July 07, 2023**	(1845908)
Item 134*	July 14, 2023**	(1927550)
Item 135*	August 10, 2023**	(1934491)
Item 136*	September 18, 2023	(1940668)
Item 137*	September 19, 2023	(1930045)
Item 138*	October 06, 2023	(1931178)

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Item 139*	October 18, 2023	(1947470)
Item 140*	November 07, 2023	(1932007)
Item 141*	November 14, 2023	(1953155)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2018 and 08/31/2023.

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