Executive Summary – Enforcement Matter – Case No. 66474
Braskem America, Inc.
RN102888328
Docket No. 2024-1241-AIR-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
AIR
Small Business:
No
Location(s) Where Violation(s) Occurred:
Braskem America, 8811 Strang Road, La Porte, Harris County
Type of Operation:
Chemical manufacturing plant
Other Significant Matters:
Additional Pending Enforcement Actions: No
Past-Due Penalties: No
Past-Due Fees: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: January 2, 2026
Comments Received: No

Penalty Information

Total Penalty Assessed: $23,263
Total Paid to General Revenue: $11,632
Total Due to General Revenue: $0
Payment Plan: N/A
Supplemental Environmental Project ("SEP") Conditional Offset: $11,631
Name of SEP: Barbers Hill Independent School District (Third-Party Pre-Approved)
Compliance History Classifications:
Person/CN - Satisfactory
Site/RN - Satisfactory
Major Source: Yes
Statutory Limit Adjustment: N/A
Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: June 26, 2024 and September 23, 2024 through November 20, 2024
Date(s) of NOE(s): July 19, 2024 and November 26, 2024

Executive Summary – Enforcement Matter – Case No. 66474
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Docket No. 2024-1241-AIR-E

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 10.17 pounds ("lbs") of carbon monoxide , 1.76 lbs of nitrogen oxides , and 841.91 lbs of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 400391) that occurred on May 11, 2023 and lasted 56 minutes [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 5572B, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1424, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 11, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment is operated over the previous rolling 12-month period. Specifically, the valid differential pressure data loss ranged from 5.81% to 21.71% based on a rolling 12-month period for the 12-month periods ending from May 2023 through August 2024 for the Elutriator Bag Filter [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 5572B, SC No. 12.B, FOP No. O1424, GTC and STC No. 11, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to report all instances of deviations. Specifically, the deviation report for the February 3, 2023 through August 2, 2023 reporting period did not include the deviation for failing to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment was operated [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A) and (C), FOP No. O1424, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4. Failed to report all instances of deviations. Specifically, the deviation report for the August 3, 2023 through February 2, 2024 reporting period did not include the deviation for failing to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment was operated [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A) and (C), FOP No. O1424, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

a. On November 1, 2023, updated the tubing installation procedure to include detailed multi-step directions to ensure secure assembly and tightening in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 400391;

b. By November 1, 2024, replaced differential pressure transmitters and implemented measures designed to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment is operated;

c. On March 10, 2025, submitted a revised deviation report for the February 3, 2023 through August 2, 2023 reporting period to report the deviation for failing to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment was operated; and

d. On March 10, 2025, submitted a revised deviation report for the August 3, 2023 through February 2, 2024 reporting period to report the deviation for failing to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment was operated.

Technical Requirements:

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

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Yuliya Dunaway, Enforcement Division, Enforcement Team 2, MC R-13, (210) 403-4077; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548
TCEQ SEP Coordinator: Stuart Beckley, Enforcement Division, MC 219, (512) 239-3565
SEP Third-Party Administrator: Griffith, Moseley, Johnson & Associates, Inc., 2901 Turtle Creek Drive, Suite 445, Port Arthur, Texas 77642
Respondent: Jeremy Holton, Site Leader, Braskem America, Inc., 8811 Strang Road, La Porte, Texas 77571
Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

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

DATES						
Assigned	24-Jul-2024					
PCW	3-Jun-2025	**Screening**	24-Jul-2024	**EPA Due**	25-May-2025	

RESPONDENT/FACILITY INFORMATION			
Respondent	Braskem America, Inc.		
Reg. Ent. Ref. No.	RN102888328		
Facility/Site Region	12-Houston	**Major/Minor Source**	Major

CASE INFORMATION			
Enf./Case ID No.	66474	**No. of Violations**	4
Docket No.	2024-1241-AIR-E	**Order Type**	1660
Media Program(s)	Air	**Government/Non-Profit**	No
Multi-Media		**Enf. Coordinator**	Yuliya Dunaway
		EC's Team	Enforcement Team 2

Admin. Penalty $ Limit Minimum $0 Maximum $25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — ***Subtotal 1*** **$13,250**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **100.0%** Adjustment — ***Subtotals 2, 3, & 7*** **$13,250**

Notes: Enhancement for one NOV with the same/similar violation, five NOVs with dissimilar violations, five orders containing a denial of liability, and two orders without a denial of liability. Reduction for three notices of intent to conduct an audit and one disclosure of violations.

Culpability No **0.0%** Enhancement — ***Subtotal 4*** **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments — ***Subtotal 5*** **-$3,237**

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

Total EB Amounts $647
Estimated Cost of Compliance $15,500

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — ***Final Subtotal*** **$23,263**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$23,263**

STATUTORY LIMIT ADJUSTMENT — ***Final Assessed Penalty*** **$23,263**

DEFERRAL **0.0%** Reduction — ***Adjustment*** **$0**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: No deferral for orders in which the Respondent has two or more prior administrative penalty orders as set out in Tex. Water Code § 7.105(b)(2), (b)(4), and (b)(6).

PAYABLE PENALTY **$23,263**

Screening Date	24-Jul-2024	**Docket No.** 2024-1241-AIR-E	**PCW**
Respondent	Braskem America, Inc.		*Policy Revision 5 (January 28, 2021)*
Case ID No.	66474		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN102888328		
Media	Air		
Enf. Coordinator	Yuliya Dunaway		

Compliance History Worksheet

>> Compliance History *Site* Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	1	5%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	5	100%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgments or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	1	-2%

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 160%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with the same/similar violation, five NOVs with dissimilar violations, five orders containing a denial of liability, and two orders without a denial of liability. Reduction for three notices of intent to conduct an audit and one disclosure of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 160%

>> Final Compliance History Adjustment

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

Screening Date	24-Jul-2024	**Docket No.** 2024-1241-AIR-E	**PCW**
Respondent	Braskem America, Inc.		*Policy Revision 5 (January 28, 2021)*
Case ID No.	66474		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN102888328		
Media	Air		
Enf. Coordinator	Yuliya Dunaway		

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 5572B, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1424, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 11, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 10.17 pounds ("lbs") of carbon monoxide, 1.76 lbs of nitrogen oxides, and 841.91 lbs of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 400391) that occurred on May 11, 2023 and lasted 56 minutes.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 30.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $17,500

$7,500

Violation Events

Number of Violation Events: 1 — 1 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $7,500

One monthly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction $1,875

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

Notes: The Respondent achieved compliance by November 1, 2023, prior to the Notice of Enforcement ("NOE") dated July 19, 2024.

Violation Subtotal $5,625

Economic Benefit (EB) for this violation

Estimated EB Amount $238

Statutory Limit Test

Violation Final Penalty Total $13,125

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

Economic Benefit Worksheet

Respondent Braskem America, Inc.
Case ID No. 66474
Reg. Ent. Reference No. RN102888328
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$10,000	11-May-2023	1-Nov-2023	0.48	$238	n/a	$238
Notes for DELAYED costs	Estimated cost to update the tubing installation procedure to include detailed multi-step directions to ensure secure assembly and tightening in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 400391. The Date Required is the date the emissions event occurred and the Final Date is the date of compliance.						
Avoided Costs	**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	$10,000	TOTAL	$238

Screening Date	24-Jul-2024	**Docket No.** 2024-1241-AIR-E	**PCW**
Respondent	Braskem America, Inc.		*Policy Revision 5 (January 28, 2021)*
Case ID No.	66474		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN102888328		
Media	Air		
Enf. Coordinator	Yuliya Dunaway		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 5572B, SC No. 12.B, FOP No. O1424, GTC and STC No. 11, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment is operated over the previous rolling 12-month period. Specifically, the valid differential pressure data loss ranged from 5.81% to 21.71% based on a rolling 12-month period for the 12-month periods ending from May 2023 through August 2024 for the Elutriator Bag Filter.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR	Harm			
Release	Major	Moderate	Minor	
Actual				
Potential			x	**Percent** 7.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor	
				Percent 0.0%

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

Adjustment $23,250

$1,750

Violation Events

Number of Violation Events: 3 — 489 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	x
annual	
single event	

Violation Base Penalty $5,250

Three semiannual events are recommended for the period of non-compliance from May 1, 2023 through August 31, 2024.

Good Faith Efforts to Comply

25.0% Reduction $1,312

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

Notes: The Respondent achieved compliance by November 1, 2024, prior to the NOE dated November 26, 2024.

Violation Subtotal $3,938

Economic Benefit (EB) for this violation

Estimated EB Amount $377

Statutory Limit Test

Violation Final Penalty Total $9,188

This violation Final Assessed Penalty (adjusted for limits) $9,188

Economic Benefit Worksheet

Respondent Braskem America, Inc.
Case ID No. 66474
Reg. Ent. Reference No. RN102888328
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$5,000	1-May-2023	1-Nov-2024	1.51	$377	n/a	$377
Notes for DELAYED costs	Estimated cost to replace differential pressure transmitters and implement measures designed to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment is operated. The Date Required is the initial date of non-compliance and the Final Date is the date of compliance.						
Avoided Costs	**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	$5,000	TOTAL	$377

Screening Date	24-Jul-2024	**Docket No.** 2024-1241-AIR-E	**PCW**
Respondent	Braskem America, Inc.		*Policy Revision 5 (January 28, 2021)*
Case ID No.	66474		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN102888328		
Media	Air		
Enf. Coordinator	Yuliya Dunaway		

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A) and (C), FOP No. O1424, GTC, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to report all instances of deviations. Specifically, the deviation report for the February 3, 2023 through August 2, 2023 reporting period did not include the deviation for failing to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment was operated.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm: Major	Moderate	Minor
	Actual			
	Potential			

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes: Less than 30% of the rule requirements were not met.

Adjustment $24,750

$250

Violation Events

Number of Violation Events: 1 — 460 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $250

One single event is recommended.

Good Faith Efforts to Comply

10.0% Reduction $25

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

Notes: The Respondent achieved compliance by March 10, 2025, after the NOE dated November 26, 2024.

Violation Subtotal $225

Economic Benefit (EB) for this violation

Estimated EB Amount $19

Statutory Limit Test

Violation Final Penalty Total $475

This violation Final Assessed Penalty (adjusted for limits) $475

Economic Benefit Worksheet

Respondent Braskem America, Inc.
Case ID No. 66474
Reg. Ent. Reference No. RN102888328
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$250	1-Sep-2023	10-Mar-2025	1.52	$19	n/a	$19
Notes for DELAYED costs	Estimated costs to submit a revised deviation report for the February 3, 2023 through August 2, 2023 reporting period to report the deviation for failing to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment was operated. The Date Required is the date the deviation should have been reported and the Final Date is the date of compliance.						
Avoided Costs	**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	$250	TOTAL	$19

Screening Date	24-Jul-2024	**Docket No.** 2024-1241-AIR-E	**PCW**
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Case ID No.	66474		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN102888328		
Media	Air		
Enf. Coordinator	Yuliya Dunaway		

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A) and (C), FOP No. O1424, GTC, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to report all instances of deviations. Specifically, the deviation report for the August 3, 2023 through February 2, 2024 reporting period did not include the deviation for failing to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment was operated.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			

OR

Percent 0.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes: Less than 30% of the rule requirements were not met.

Adjustment $24,750

$250

Violation Events

Number of Violation Events: 1 — 276 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $250

One single event is recommended.

Good Faith Efforts to Comply

10.0% Reduction $25

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

Notes: The Respondent achieved compliance by March 10, 2025, after the NOE dated November 26, 2024.

Violation Subtotal $225

Economic Benefit (EB) for this violation

Estimated EB Amount $13

Statutory Limit Test

Violation Final Penalty Total $475

This violation Final Assessed Penalty (adjusted for limits) $475

Economic Benefit Worksheet

Respondent Braskem America, Inc.
Case ID No. 66474
Reg. Ent. Reference No. RN102888328
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/Construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$250	3-Mar-2024	10-Mar-2025	1.02	$13	n/a	$13

Notes for DELAYED costs

Estimated costs to submit a revised deviation report for the August 3, 2023 through February 2, 2024 reporting period to report the deviation for failing to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment was operated. The Date Required is the date the deviation should have been reported and the Final Date is the date of compliance.

Avoided Costs (ANNUALIZE avoided costs before entering item (except for one-time avoided costs))							
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0

Notes for AVOIDED costs

Approx. Cost of Compliance $250

TOTAL $13

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

Compliance History Report

Compliance History Report for CN603921271, RN102888328, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN603921271, Braskem America, Inc. **Classification:** SATISFACTORY **Rating:** 8.52

Regulated Entity: RN102888328, Braskem America **Classification:** SATISFACTORY **Rating:** 32.93

Complexity Points: 20 **Repeat Violator:** NO

CH Group: 05 - Chemical Manufacturing

Location: 8811 Strang Road, La Porte, Harris County, Texas

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0825G
AIR OPERATING PERMITS PERMIT 1424
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1011175
AIR NEW SOURCE PERMITS PERMIT 5572B
AIR NEW SOURCE PERMITS REGISTRATION 5572C
AIR NEW SOURCE PERMITS REGISTRATION 40591
AIR NEW SOURCE PERMITS REGISTRATION 41949
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0825G
AIR NEW SOURCE PERMITS AFS NUM 4820100485
AIR NEW SOURCE PERMITS REGISTRATION 70549
AIR NEW SOURCE PERMITS REGISTRATION 81336
AIR NEW SOURCE PERMITS REGISTRATION 168370
AIR NEW SOURCE PERMITS REGISTRATION 163589
AIR NEW SOURCE PERMITS REGISTRATION 152219
AIR NEW SOURCE PERMITS REGISTRATION 161961
USED OIL ID NUMBER HOU00055
PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 24175
WASTEWATER PERMIT WQ0002107000
WASTEWATER EPA ID TX0074276
AIR EMISSIONS INVENTORY ACCOUNT NUMBER HG0825G
POLLUTION PREVENTION PLANNING ID NUMBER P06432
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD098200637
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 31010
TAX RELIEF ID NUMBER 23969

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

Date Compliance History Report Prepared: March 03, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 03, 2020 to March 03, 2025

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

Name: Yuliya Dunaway **Phone:** (210) 403-4077

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? YES
2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

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

1 Effective Date: 07/20/2020 ADMINORDER 2019-1464-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms and Conditions OP

Special Condition 1 PERMIT
Special Terms and Conditions No. 11 OP

Description: Failure to prevent the release of unauthorized emissions. [Category A12.i.(6)]

Classification: Minor

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

Rqmt Prov: O1424 OP
STC No. 2.F OP

Description: Failed to identify all required information on the final record for a reportable emissions event

Classification: Moderate

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

Rqmt Prov: GTC OP
Special Condition 1 PERMIT
STC No. 11 OP

Description: Failure to prevent unauthorized emissions. [Category A12.i.(6)]

Classification: Minor

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

Rqmt Prov: O1424 OP
STC No. 2.F OP

Description: Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event

2 Effective Date: 09/22/2020 ADMINORDER 2020-0271-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT
Special Condition 11 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Minor

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

Rqmt Prov: Special Condition 2.F PERMIT

Description: Failure to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not speciate the VOC and the estimated total quantities for those compounds on the final record for Incident No. 301143.

3 Effective Date: 01/19/2022 ADMINORDER 2020-1369-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: GTC and STC Nos. 1.A and 11 OP
Special Condition 1 PERMIT

Description: Failure to operate the flare with a flame present at all times and failed to prevent unauthorized emissions that was discovered on December 5, 2017, TCEQ/STEERS Incident No. 273939. (Category A12.i.6)

Classification: Minor

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

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. O1424, GTC and STC No. 2.F OP

Description: Failure to identify all required information on the final record for a reportable emissions event, TCEQ/STEERS Incident No. 273939. (Category C3).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. O1424, GTC and STC Nos. 1.A and OP

Description: Failure to operate the flare with a flame present at all times and failed to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on January 18, 2018, TCEQ/STEERS Incident No. 276781.(Category A12.i.(6))

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Description: Failure to submit a PCC within 30 days of any certification period. During a record review conducted on September 2, 2020 through September 30, 2020, an investigator documented that the PCC for February 3, 2019 through February 2, 2020 certification period was due by March 3, 2020, but was not submitted until September 30, 2020.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on January 17, 2018, TCEQ/STEERS Incident No. 276527 (Category A12.i.(6)).

Classification: Minor

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

Rqmt Prov: FOP No. 1424, GTC and STC No. 2F OP

Description: Failure to submit an accurate final record associated with an emissions event, TCEQ/STEERS Incident No. 276527 (Category C3). The Respondent did not identify propane and ethylene, the estimated total quantities of propane and ethylene, and the correct estimated duration of the emissions on the final record for Incident No. 276527.

4 Effective Date: 07/07/2023 ADMINORDER 2021-0874-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

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

Rqmt Prov: FOP 1424, GTC OP
FOP 1424, STC No. 11 OP
Special Condition 1 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 530.00 lbs of VOC as fugitive emissions and released 59.98 lbs of carbon monoxide, 29.99 lbs of nitrogen oxides, and 108.86 lbs of VOC from the C Flare, Emissions Point Number 140, during an emissions event (Incident No. 307046) that occurred on April 23, 2019 and lasted two hours. The emissions event occurred when stress corrosion cracking caused a leak on a section of pipe

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1424, GTC OP
FOP 1424, STC No. 1.A OP
FOP 1424, STC No. 11 OP
Special Conditions 1 PERMIT

Description: Failed to prevent unauthorized emissions and failed to limit the highly reactive volatile organic compounds ("HRVOC") emissions to 1,200 lbs or less per one-hour block period. Specifically, the Respondent released 107.70 lbs of volatile organic compounds ("VOC"), 1,911.90 lbs of HRVOC, 327.10 lbs of nitrogen oxides ("NOx"), and 653.10 lbs of carbon monoxide ("CO") from the C Flare, EPN 140, during an emissions event (Incident No. 355077) that occurred on April 29, 2021 and lasted three hours

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1424, GTC OP
FOP 1424, STC No. 1.A OP
FOP 1424, STC No. 11 OP
NSR 5572B, SC No. 1 PERMIT

Description: Failed to prevent unauthorized emissions and failed to limit the HRVOC emissions to 1,200 lbs or less per one-hour block period. Specifically, the Respondent released 1,975.30 lbs of HRVOC, 100.82 lbs of NOx, and 493.36 lbs of CO from the C Flare, EPN 140, during an emissions event (Incident No. 359264) that occurred on May 19, 2021 and lasted three hours and 12 minutes. The emissions event occurred when an arc fault at a transformer disconnect in the Plant's substation caused a loss of electr

Classification: Minor

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

Rqmt Prov: FOP 1424, STC No. 2.F OP

Description: Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 359264 was due by May 20, 2021 at 1:40 p.m., but was not submitted until May 30, 2021 at 12:01 a.m.

Classification: Moderate

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

Rqmt Prov: FOP 1424, GTC OP
FOP 1424, STC No. 11 OP
SC 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 660.17 lbs of CO, 93.60 lbs of NOx, and 1,107.00 lbs of VOC from the C Flare, EPN 140, during an emissions event (Incident No. 292022) that occurred on September 12, 2018 and lasted four hours. The emissions event occurred due to the failure of a solenoid in a piece of equipment associated with the C Boiler Burner Management System that tripped the circuit breaker located at the system's control panel and forced

Classification: Minor

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

Rqmt Prov: FOP 1424, GTC OP
FOP 1424, STC No. 2.F OP

Description: Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify the estimated total quantities for the speciated VOC on the final record for Incident No. 292022.

Classification: Moderate

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

Rqmt Prov: FOP 1424, GTC OP
FOP 1424, STC No. 11 OP
Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 171.90 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 320081) that occurred on August 31, 2019 and lasted one hour and nine minutes. The emissions event occurred due to a seal failure on the main Propylene Feed Pump for the C Line Production Unit, resulting in the release to the atmosphere.

5 Effective Date: 07/27/2023 ADMINORDER 2021-0475-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: FOP 1424, GTC OP
FOP 1424, STC No. 11 OP
Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 699 pounds ("lbs") of volatile organic compounds ("VOC") as fugitive emissions, during an emissions event (Incident No. 324550) that occurred on November 9, 2019 and lasted five hours and 59 minutes. The emissions event occurred due to the inadvertent removal of a Lok-ring cap that caused a transfer pipeline in the distillation section to become breached, resulting in the release to the atmosphere.

Classification: Moderate

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

Rqmt Prov: FOP 1424, GTC OP
FOP 1424, STC No. 11 OP
NSR Permit 5572B, SC No, 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,290.60 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 322265) that occurred on October 5, 2019 and lasted three hours. The emissions event occurred when an elevated in-service propylene pipe was cut into during a maintenance activity, resulting in the release to the atmosphere.

Classification: Moderate

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

Rqmt Prov: FOP 1424, GTC OP
FOP 1424, STC No. 11 OP
SPECIAL CONDITION NO. 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,041.52 lbs of carbon monoxide, 144.21 lbs of nitrogen oxides, and 1,482.08 lbs of VOC from the C Flare, Emissions Point Number 140, during an emissions event (Incident No. 288767) that occurred on July 20, 2018 and lasted five hours. The emissions event occurred due to a low water level switch being bumped which triggered a boiler shutdown, resulting in flaring.

6 Effective Date: 08/22/2023 ADMINORDER 2022-0102-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 5572B PERMIT
FOP 1424, GTC OP
FOP 1424, STC Nos. 1.A and 11 OP

Description: Failed to operate the flare with a flame present at all times and failed to prevent unauthorized emissions. Specifically, the Respondent released 421.60 pounds ("lbs") of volatile organic compounds ("VOC") from the C Flare, Emissions Point Number ("EPN") 140, during an emissions event (Incident No. 367554) that occurred on September 29, 2021 and lasted one hour. The emissions event occurred due to a sudden breakdown of the C Flare Pilots and when intense rain and high winds extinguished all thr

Classification: Moderate

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

Rqmt Prov: 5572B PERMIT
FOP 1424, GTC OP
FOP 1424, STC No. 11 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 503.70 lbs of carbon monoxide, 241.10 lbs of nitrogen oxides, and 2,778.75 lbs of VOC from the C Flare, EPN 140, and 1,530.60 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 371186) that occurred on December 8, 2021 and lasted one hour and 56 minutes. The emissions event occurred when the head flange for Propylene Feed Filter F201B was not fully bolted before adjusting the isolation valve d

7 Effective Date: 02/18/2025 ADMINORDER 2024-0401-IWD-E (1660 Order-Agreed Order With Denial)

Classification: Major

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

Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.
Classification: Minor
Citation: 2A TWC Chapter 5, SubChapter A 5.702
30 TAC Chapter 290, SubChapter E 290.51(a)(6)
Description: Failed to pay fees and/or any associated late fees for TCEQ Financial Administration Account No. 91011175.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	April 13, 2020	(1654458)
Item 2	May 20, 2020	(1661029)
Item 3	June 18, 2020	(1667558)
Item 4	July 20, 2020	(1674507)
Item 5	August 18, 2020	(1681279)
Item 6	September 16, 2020	(1687853)
Item 7	September 21, 2020	(1673233)
Item 8	September 22, 2020	(1673211)
Item 9	October 16, 2020	(1694202)
Item 10	November 19, 2020	(1715239)
Item 11	November 20, 2020	(1686288)
Item 12	December 16, 2020	(1715240)
Item 13	January 19, 2021	(1715241)
Item 14	February 11, 2021	(1728308)
Item 15	March 19, 2021	(1728309)
Item 16	May 19, 2021	(1741445)
Item 17	May 20, 2021	(1722819)
Item 18	May 30, 2021	(1724449)
Item 19	June 18, 2021	(1748071)
Item 20	August 03, 2021	(1744993)
Item 21	August 17, 2021	(1758043)
Item 22	September 23, 2021	(1690409)
Item 23	September 27, 2021	(1690515)
Item 24	November 12, 2021	(1784551)
Item 25	November 17, 2021	(1691941)
Item 26	December 17, 2021	(1791585)
Item 27	February 22, 2022	(1795298)
Item 28	March 11, 2022	(1814310)
Item 29	May 18, 2022	(1829714)
Item 30	June 20, 2022	(1836013)
Item 31	August 19, 2022	(1849379)
Item 32	September 09, 2022	(1857146)
Item 33	December 12, 2022	(1876266)
Item 34	January 13, 2023	(1883080)
Item 35	February 11, 2023	(1890888)
Item 36	March 10, 2023	(1899461)
Item 37	April 14, 2023	(1906263)
Item 38	April 28, 2023	(1853033)
Item 39	May 09, 2023	(1913418)
Item 40	June 17, 2023	(1920028)
Item 41	June 21, 2023	(1789392)
Item 42	July 07, 2023	(1846213)
Item 43	August 04, 2023	(1968986)
Item 44	August 29, 2023	(1924415)
Item 45	September 06, 2023	(1869040)
Item 46	September 14, 2023	(1925912)

Item 47	October 04, 2023	(1931923)
Item 48	November 16, 2023	(1879745)
Item 49	December 10, 2023	(1962397)
Item 50	February 15, 2024	(1978051)
Item 51	March 20, 2024	(1984624)
Item 52	July 12, 2024	(2012111)
Item 53	August 13, 2024	(2017703)
Item 54	October 12, 2024	(2030854)
Item 55	November 09, 2024	(2037171)
Item 56	December 14, 2024	(2043556)

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: 03/31/2024 (1991147)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

2 Date: 04/30/2024 (1997602)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

3 Date: 05/31/2024 (2004565)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

4 Date: 07/22/2024 (1988734)
Self Report? NO Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(4)
Permit Condition 2(g) PERMIT
Description: Failure to prevent the unauthorized discharge of wastewater.

5 Date: 08/31/2024 (2024741)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

6 Date: 11/26/2024 (2009630)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 1, SubChapter C, PT 63, SubPT FFFF 63.2450(e)(5)
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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(e)
5C THSC Chapter 382 382.085(b)
Special Condition 19A PERMIT
Special Condition 3A PERMIT
Special Condition 4A PERMIT
Special Condition 4B PERMIT
Special Term and Condition 11 OP
Special Term and Condition 1A OP
Description: Failure to maintain the permitted minimum net heating value for B-Flare (EPN: 44). (Category B.18.g.1)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 19A PERMIT
Special Condition 3A PERMIT
Special Condition 4A PERMIT
Special Term and Condition 11 OP
Special Term and Condition 1A OP

Description: Failure to maintain the permitted minimum net heating value for C-Flare (EPN: 140). (Category B.18.g.1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
Special Condition 19B PERMIT
Special Condition 3A PERMIT
Special Condition 4A PERMIT
Special Term and Condition 11 OP
Special Term and Condition 1A OP

Description: Failure to maintain the pilot flame for B-Flare (EPN: 44). (Category B.18.g.1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21B PERMIT
Special Term and Condition 11 OP

Description: Failure to prevent an exceedance of the permitted total dissolved solid (TDS) limit for C Cooling Tower (EPN: 130). (Category B.18.g.1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 33 PERMIT
Special Term and Condition 11 OP

Description: Failure to collect samples and conduct monthly volatile organic compounds (VOC) head space test for Finishing and Hopper Car Loading Residual VOC (EPN: 58/59/60/61). (Category B1)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 25B PERMIT
Special Term and Condition 11 OP

Description: Failure to stop loading tank truck and install a replacement vapor scrubber with carbon polisher skid with fresh scrubber liquid and fresh activated carbon after exceeding the permitted volatile organic compounds (VOC) concentration for Recovered Hexane/Oligomer Tank Truck Loading (EPN: 43). (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)(G)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 40A PERMIT
Special Term and Condition 11 OP

Description: Failure to maintain the Environmental Protection Agency (EPA) Method 21 calibration records. (Category B3)

F. Environmental audits:

Notice of Intent Date: 07/11/2019 (1580758)

Disclosure Date: 07/01/2020

Viol. Classification: Moderate

Citation: 40 CFR Chapter 273, SubChapter I, PT 273, SubPT B 273.15(c)
30 TAC Chapter 335, SubChapter H 335.261(a)

Description: Failure to properly label universal waste batteries with accumulation date data.

Viol. Moderate

Classification:
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(2)

Description: Failure to label hazardous waste drums in hazardous waste storage areas with date of accumulation.
Viol. Moderate
Classification:
Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16
30 TAC Chapter 335, SubChapter E 335.112(a)

Description: Failure to ensure employees complete annual review of hazardous waste rules.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 335, SubChapter C 335.69(e)

Description: Failure to mark hazardous waste drum as full in the hazardous waste accumulation area.
Viol. Moderate
Classification:
Citation: 30 TAC Chapter 290, SubChapter F 290.121

Description: Failure to include accurate information in the Portable Water Monitoring Plan.

Notice of Intent Date: 03/24/2022 (1809779)
No DOV Associated

Notice of Intent Date: 09/06/2022 (1847074)
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 NOVs Issued During Component Period 3/3/2020 and 3/3/2025

1 Date: 02/29/2020 (1648110)

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

2 Date: 04/23/2020 (1626065)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 290, SubChapter D 290.43(c)(7)
Description: Failure to construct the ground storage tank drain so that it is not a potential agent in the contamination of the stored water.

3 Date: 10/30/2020 (1672364)

Self Report? NO Classification: Minor
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6 PERMIT
Special Term and Condition 11 OP
Description: Failure to conduct the monthly VOC headspace test for the C-line Pellet Silo (EPN: 110) (Category C1).

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 115, SubChapter H 115.722(d)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 19A PERMIT
Special Condition 3 PERMIT
Special Condition 4 PERMIT
Special Term and Condition 11 OP
Special Term and Condition 1A OP
Description: Failure to maintain the net heating value above the minimum permitted limit for the C-Flare (EPN: 140) (Category C4).

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 115, SubChapter H 115.722(d)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 19A PERMIT
Special Condition 3 PERMIT
Special Condition 4 PERMIT
Special Term and Condition 11 OP
Special Term and Condition 1A OP
Description: Failure to maintain the net heating value above the minimum permitted limit for the B-Flare (EPN: 44) (Category C4).

4 Date: 06/30/2021 (1752628)

Self Report? YES Classification: Moderate
Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

5 Date: 08/31/2021 (1767294)

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

6 Date: 09/30/2021 (1777756)

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

7 Date: 12/31/2021 (1799426)

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

8 Date: 01/31/2022 (1807258)

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

9 Date: 03/31/2022 (1820881)

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

10 Date: 06/30/2022 (1843211)

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

11 Date: 08/08/2022 (1826010)

Self Report? NO Classification: Moderate
Citation:
2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(5)
TX0074276 PERMIT
WQ0002107000 PERMIT
Description: Failure to prevent the unauthorized discharge of wastewater.

12 Date: 08/30/2022 (1762661)

Self Report? NO Classification: Moderate
Citation:

1424 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5572B PERMIT
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct weekly monitoring of cooling tower EPN 33

Self Report? NO Classification: Moderate

Citation:

1424 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5572B PERMIT
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct the monthly volatile organic compound (VOC) headspace test for EPNs 58/59/60/61 (Category C1)

Self Report? NO Classification: Moderate

Citation:

1424 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5572B PERMIT
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain the net heating value above the minimum permitted limit for the B-Flare (EPN: 44) (Category C4)

Self Report? NO Classification: Moderate

Citation:

1424 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5572B OP
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain the net heating value above the minimum permitted limit for the C-Flare (EPN: 140) (Category C4)

Self Report? NO Classification: Moderate

Citation:

1424 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5272B PERMIT
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent exceedance of VOC emissions for EPN: 46A (Category B17).

Self Report? NO Classification: Moderate

Citation:

1424 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5572B PERMIT
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain the net heating value above the minimum permitted limit for the D-Flare (EPN: 202) (Category C4).

Self Report? NO Classification: Moderate

Citation:

1424 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(7)(i)
40 CFR Part 60, Subpart A 60.18(c)(4)(i)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain the exit velocity value less than the permitted limit for the D-Flare (EPN: 202) (Category C4).

Self Report? NO Classification: Moderate

Citation:

1424 OP
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5272B PERMIT
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent exceedance of CO emissions for EPN: 202. (Category B17).

Self Report? NO Classification: Moderate

Citation:
1424 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5572B PERMIT
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent exceedance of NOX emissions for EPN: 202 (Category B17).

Self Report? NO Classification: Moderate

Citation:
1424 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR, SC1 PERMIT

Description: Failure to prevent exceedance of VOC emissions for EPN: 202.

Self Report? NO Classification: Moderate

Citation:
1424 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5572B PERMIT
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct weekly monitoring cooling tower EPN 130 (Category B1).

13 Date: 09/30/2022 (1863501)

Self Report? YES Classification: Moderate

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

Description: Failure to meet the limit for one or more permit parameter

14 Date: 10/31/2022 (1870411)

Self Report? YES Classification: Moderate

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

Description: Failure to meet the limit for one or more permit parameter

15 Date: 02/16/2023 (1841315)

Self Report? YES Classification: Moderate

Citation:
1424 OP
30 TAC Chapter 115, SubChapter H 115.764(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to continually operate flow monitoring system while Unit Cooling Tower was operational; EPN 33 (Category B1)

Self Report? YES Classification: Moderate

Citation:
1424 OP
30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5572B PERMIT
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain flare net heating value for FLARE-2; emission point number (EPN) 140
(Category B17)

Self Report? YES Classification: Moderate
Citation:
1424 OP
30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Description: Failure to perform manual sampling at FLARE-2; EPN 140 (Category B1)

Self Report? YES Classification: Moderate
Citation:
1424 OP
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(b)(4)
5572B PERMIT
5C THSC Chapter 382 382.085(b)
Description: Failure to submit semi-annnual NESHAPS compliance report (Category C3)

Self Report? YES Classification: Moderate
Citation:
1424 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5572B PERMIT
5C THSC Chapter 382 382.085(b)
Description: Failure to monitor components within 15 days of being placed in service at Unit CFUGS; EPN 150 (Category B1)

Self Report? YES Classification: Moderate
Citation:
1424 OP
30 TAC Chapter 115, SubChapter H 115.781(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Description: Failure to identify all components within HRVOC service at unit CFUGS; EPN 150 (Category B3)

Self Report? YES Classification: Moderate
Citation:
1424 OP
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter H 115.781(b)(8)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5572B PERMIT
5C THSC Chapter 382 382.085(b)
Description: Failure to monitor HRVOC components on a quarterly basis at unit CFUGS; EPN 150 (Category B1)

Self Report? YES Classification: Moderate
Citation:
1424 OP
30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5572B PERMIT
5C THSC Chapter 382 382.085(b)
Description: Failure to maintain flare net heating value for unit FLARE-3; emission point number (EPN) 202
(Category B17)

Self Report? YES Classification: Minor
Citation:

1424 OP
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)
Description: Failure to report all instances of deviations in the August 3, 2018 through February 2, 2019 semi-annual deviation report. (Category B3)

Self Report? YES Classification: Moderate
Citation:
1424 OP

30 TAC Chapter 106, SubChapter A 106.6(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with combined total annual NOx Registered Emission limits for C Line Boilers: EPNs 180D through 180M and EPN 120 (Category B17)

Self Report? NO Classification: Minor

Citation:

1424 OP
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)

Description: Failure to report all instances of deviations in the February 3, 2019 through August 2, 2019 semi-annual deviation report. (Category B3)

Self Report? NO Classification: Minor

Citation:

1424 OP
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)

Description: Failure to report all instances of deviations in the August 3, 2019 through February 2, 2020 semi-annual deviation report. (Category B3)

Self Report? NO Classification: Minor

Citation:

1424 OP
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)

Description: Failure to report all instances of deviations in the February 3, 2020 through August 2, 2020 semi-annual deviation report. (Category B3)

Self Report? NO Classification: Minor

Citation:

1424 OP
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)

Description: Failure to report all instances of deviations in the August 3, 2020 through February 2, 2021 semi-annual deviation report. (Category B3)

16 Date: 06/30/2023 (1926995)

Self Report? YES Classification: Moderate

Citation:

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

Description: Failure to meet the limit for one or more permit parameter

17 Date: 07/31/2023 (1933959)

Self Report? YES Classification: Moderate

Citation:

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

Description: Failure to meet the limit for one or more permit parameter

18 Date: 08/31/2023 (1940098)

Self Report? YES Classification: Moderate

Citation:

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

Description: Failure to meet the limit for one or more permit parameter

19* Date: 09/30/2023 (1946936)

Self Report? YES Classification: Moderate

Citation:

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

Description: Failure to meet the limit for one or more permit parameter

20* Date: 10/31/2023 (1952624)

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

21* Date: 01/11/2024 (1924914)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
NSR Special Condition (SC) 1 PERMIT
Description: Failure to prevent the tons per year (TPY) permit exceedance of volatile organic compounds (VOC) for Storage Tank D-104 [EPN: 46A] (Category B13)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
NSR Special Condition (SC) 1 PERMIT
Description: Failure to prevent nitrogen oxide (NOx) and carbon monoxide (CO) tons per year (TPY) exceedances for D Line Totally Enclosed Ground Flare (LPFLARE-3) [EPN: 202] (Category B13)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 115, SubChapter H 115.722(d)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
FOP Special Term & Condition (ST&C) 1A OP
NSR Special Condition (SC) 19A PERMIT
NSR Special Condition (SC) 3A PERMIT
NSR Special Condition (SC) 4A PERMIT
Description: Failure to maintain the net heating value of 300 British Thermal Unit per standard cubic foot (BTU/scf) for FLARE-1 [EPN: 44] (Category C7)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 115, SubChapter H 115.722(d)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
FOP Special Term & Condition (ST&C) 1A OP
NSR Special Condition (SC) 19A PERMIT
NSR Special Condition (SC) 3A PERMIT
NSR Special Condition (SC) 4A PERMIT
Description: Failure to maintain the net heating value of 300 British Thermal Unit per standard cubic foot (BTU/scf) for D Line Totally Enclosed Ground Flare (LPFLARE-3) [EPN: 202] (Category C7)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
FOP Special Term & Condition (ST&C) 1A OP
NSR Special Condition (SC) 19C PERMIT
NSR Special Condition (SC) 3A PERMIT
NSR Special Condition (SC) 4A PERMIT

Description: Failure to prevent visible emissions for more than 5 minutes in any 2-hour period from D Line Totally Enclosed Ground Flare (LPFLARE-3) [EPN: 202] (Category B13)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter B 115.126(7)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
FOP Special Term & Condition (ST&C) 1A OP
NSR Special Condition (SC) 19B PERMIT

Description: Failure to prevent pilot flame outages for FLARE-1 [EPN: 44] (Category C7)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter H 115.725(d)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
FOP Special Term & Condition (ST&C) 1A OP
NSR Special Condition (SC) 19A PERMIT
NSR Special Condition (SC) 3A PERMIT
NSR Special Condition (SC) 4A PERMIT

Description: Failure to maintain the net heating value of 300 British Thermal Units per standard cubic foot (BTU/scf) for FLARE-2 [EPN: 140] (Category C7)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
NSR Special Condition (SC) 21A PERMIT

Description: Failure to perform the 2022 annual drift eliminator inspection for Cooling Tower 33011 [EPN: 33] (Category B1)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
NSR Special Condition (SC) 21A PERMIT

Description: Failure to perform the 2022 annual drift eliminator inspection for "C" Line Cooling Tower (C-TOWER) [EPN: 130] (Category B1)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
FOP Special Term & Condition (ST&C) 1A OP
NSR Special Condition (SC) 26E PERMIT
NSR Special Condition (SC) 3C PERMIT

Description: Failure to prevent Open Ended Lines (OELs) in volatile organic compound (VOC) and highly reactive volatile organic compound (HRVOC) service in "C" Line Fugitives [EPN: 150] (Category C10).

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 115, SubChapter D 115.356(2)(E)(vi)
30 TAC Chapter 115, SubChapter H 115.786(d)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.486a(c)(5)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
FOP Special Term & Condition (ST&C) 1A OP
NSR Special Condition (SC) 28H PERMIT
NSR Special Condition (SC) 3C PERMIT
Description: Failure to list components on Delay of Repair (DOR) from "D" Line Fugitives [EPN: 204] (Category B3)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VVa 60.482-7a(c)(2)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
FOP Special Term & Condition (ST&C) 1A OP
NSR Special Condition (SC) 3C PERMIT
Description: Failure to conduct monthly monitoring for leaking components from "D" Line Fugitives [EPN: 204] (Category B1)

Self Report? NO Classification: Moderate
Citation:
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term & Condition (ST&C) 11 OP
NSR Special Condition (SC) 1 PERMIT
Description: Failure to prevent volatile organic compounds (VOC) tons per year (TPY) exceedances for D Line Totally Enclosed Ground Flare (LPFLARE-3) [EPN: 202] (Category B13)

22* Date: 03/31/2024 (1991147)

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

23* Date: 04/30/2024 (1997602)

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

24* Date: 05/31/2024 (2004565)

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

25* Date: 07/22/2024 (1988734)

Self Report? NO Classification: Moderate
Citation:
2D TWC Chapter 26, SubChapter A 26.121(a)(1)

30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(4)
Permit Condition 2(g) PERMIT

Description: Failure to prevent the unauthorized discharge of wastewater.

26* Date: 08/31/2024 (2024741)

Self Report? YES Classification: Moderate

Citation:

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

Description: Failure to meet the limit for one or more permit parameter

27 Date: 11/26/2024 (2009630)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter H 115.722(d)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 1, SubChapter C, PT 63, SubPT FFFF 63.2450(e)(5)
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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(e)
5C THSC Chapter 382 382.085(b)
Special Condition 19A PERMIT
Special Condition 3A PERMIT
Special Condition 4A PERMIT
Special Condition 4B PERMIT
Special Term and Condition 11 OP
Special Term and Condition 1A OP

Description: Failure to maintain the permitted minimum net heating value for B-Flare (EPN: 44). (Category B.18.g.1)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter H 115.722(d)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 19A PERMIT
Special Condition 3A PERMIT
Special Condition 4A PERMIT
Special Term and Condition 11 OP
Special Term and Condition 1A OP

Description: Failure to maintain the permitted minimum net heating value for C-Flare (EPN: 140). (Category B.18.g.1)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
Special Condition 19B PERMIT
Special Condition 3A PERMIT
Special Condition 4A PERMIT
Special Term and Condition 11 OP
Special Term and Condition 1A OP

Description: Failure to maintain the pilot flame for B-Flare (EPN: 44). (Category B.18.g.1)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21B PERMIT
Special Term and Condition 11 OP

Description: Failure to prevent an exceedance of the permitted total dissolved solid (TDS)

limit for C Cooling Tower (EPN: 130). (Category B.18.g.1)

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 33 PERMIT
Special Term and Condition 11 OP

Description: Failure to collect samples and conduct monthly volatile organic compounds (VOC) head space test for Finishing and Hopper Car Loading Residual VOC (EPN: 58/59/60/61). (Category B1)

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 25B PERMIT
Special Term and Condition 11 OP

Description: Failure to stop loading tank truck and install a replacement vapor scrubber with carbon polisher skid with fresh scrubber liquid and fresh activated carbon after exceeding the permitted volatile organic compounds (VOC) concentration for Recovered Hexane/Oligomer Tank Truck Loading (EPN: 43). (Category C4)

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)(G)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 40A PERMIT
Special Term and Condition 11 OP

Description: Failure to maintain the Environmental Protection Agency (EPA) Method 21 calibration records. (Category B3)

* NOVs applicable for the Compliance History rating period 9/1/2019 to 8/31/2024

Appendix B
All Investigations Conducted During Component Period March 03, 2020 and March 03, 2025

Item 1	March 17, 2020**	(1648110)
Item 2*	April 13, 2020**	(1654458)
Item 3	April 23, 2020**	(1626065)
Item 4*	May 20, 2020**	(1661029)
Item 5*	June 18, 2020**	(1667558)
Item 6*	July 20, 2020**	(1674507)
Item 7*	August 18, 2020**	(1681279)
Item 8	August 25, 2020**	(1618776)
Item 9*	September 16, 2020**	(1687853)
Item 10*	September 21, 2020**	(1673233)
Item 11*	September 22, 2020**	(1673211)
Item 12	October 06, 2020**	(1483763)
Item 13*	October 16, 2020**	(1694202)
Item 14	October 20, 2020**	(1506282)
Item 15	October 30, 2020**	(1672364)
Item 16*	November 19, 2020**	(1715239)
Item 17*	November 20, 2020**	(1686288)
Item 18*	December 16, 2020**	(1715240)
Item 19	January 04, 2021**	(1673087)
Item 20*	January 19, 2021**	(1715241)

Item 21*	February 11, 2021**	(1728308)
Item 22*	March 19, 2021**	(1728309)
Item 23	March 23, 2021**	(1658840)
Item 24	April 28, 2021**	(1704935)
Item 25*	May 19, 2021**	(1741445)
Item 26*	May 20, 2021**	(1722819)
Item 27*	May 30, 2021**	(1724449)
Item 28	June 10, 2021**	(1684149)
Item 29*	June 18, 2021**	(1748071)
Item 30	June 25, 2021**	(1724934)
Item 31	June 30, 2021**	(1658672)
Item 32	July 15, 2021**	(1736990)
Item 33	July 19, 2021**	(1767294)
Item 34*	August 03, 2021**	(1744993)
Item 35*	August 17, 2021**	(1758043)
Item 36	August 31, 2021**	(1685746)
Item 37	September 09, 2021**	(1745387)
Item 38	September 17, 2021**	(1777756)
Item 39*	September 23, 2021**	(1690409)
Item 40*	September 27, 2021**	(1690515)
Item 41	October 04, 2021**	(1685772)
Item 42	November 11, 2021**	(1639684)
Item 43*	November 12, 2021**	(1784551)
Item 44*	November 17, 2021**	(1691941)
Item 45*	December 17, 2021**	(1791585)
Item 46	January 04, 2022**	(1765278)
Item 47	January 19, 2022**	(1799426)
Item 48	February 13, 2022**	(1807258)
Item 49*	February 22, 2022**	(1795298)
Item 50	March 08, 2022**	(1782863)
Item 51*	March 11, 2022**	(1814310)
Item 52	April 14, 2022**	(1820881)
Item 53*	May 18, 2022**	(1829714)
Item 54*	June 20, 2022**	(1836013)
Item 55	July 16, 2022**	(1843211)
Item 56	July 18, 2022**	(1483548)
Item 57	August 08, 2022**	(1826010)
Item 58*	August 19, 2022**	(1849379)
Item 59	August 30, 2022**	(1762661)
Item 60*	September 09, 2022**	(1857146)
Item 61	October 15, 2022**	(1863501)
Item 62	November 14, 2022**	(1870411)
Item 63*	December 12, 2022**	(1876266)
Item 64*	January 13, 2023**	(1883080)
Item 65*	February 11, 2023**	(1890888)
Item 66	February 16, 2023**	(1841315)
Item 67	March 03, 2023**	(1551172)
Item 68*	March 10, 2023**	(1899461)
Item 69	March 22, 2023**	(1840105)

Item 70*	April 14, 2023**	(1906263)
Item 71*	April 28, 2023**	(1853033)
Item 72*	May 09, 2023**	(1913418)
Item 73	May 17, 2023**	(1878768)
Item 74*	June 17, 2023**	(1920028)
Item 75*	June 21, 2023**	(1789392)
Item 76*	July 07, 2023**	(1846213)
Item 77	July 14, 2023**	(1926995)
Item 78	August 04, 2023**	(1946936)
Item 79	August 10, 2023**	(1933959)
Item 80*	August 29, 2023**	(1924415)
Item 81*	September 06, 2023**	(1869040)
Item 82	September 09, 2023**	(1940098)
Item 83*	September 14, 2023**	(1925912)
Item 84*	October 04, 2023**	(1931923)
Item 85	November 13, 2023**	(1952624)
Item 86*	November 16, 2023**	(1879745)
Item 87*	December 10, 2023**	(1962397)
Item 88	January 11, 2024**	(1924914)
Item 89*	February 15, 2024**	(1978051)
Item 90	February 23, 2024**	(1949732)
Item 91*	March 20, 2024**	(1984624)
Item 92	April 13, 2024**	(1991147)
Item 93	May 13, 2024**	(1997602)
Item 94	June 14, 2024**	(2004565)
Item 95	July 08, 2024**	(1996249)
Item 96*	July 12, 2024**	(2012111)
Item 97	July 19, 2024**	(1909004)
Item 98	July 22, 2024**	(1988734)
Item 99*	August 13, 2024**	(2017703)
Item 100	September 12, 2024	(2024741)
Item 101*	October 12, 2024	(2030854)
Item 102*	November 09, 2024	(2037171)
Item 103	November 26, 2024	(2009630)
Item 104*	December 14, 2024	(2043556)

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2019 and 08/31/2024.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	**TEXAS COMMISSION ON**
BRASKEM AMERICA, INC.	**§**	
RN102888328	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2024-1241-AIR-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Braskem America, Inc. (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a chemical manufacturing plant located at 8811 Strang Road in La Porte, Harris County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

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

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

4. An administrative penalty in the amount of $23,263 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid $11,632 of the penalty. Pursuant to TEX. WATER CODE § 7.067, $11,631 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

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

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

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

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

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

   a. On November 1, 2023, updated the tubing installation procedure to include detailed multi-step directions to ensure secure assembly and tightening in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 400391;

   b. By November 1, 2024, replaced differential pressure transmitters and implemented measures designed to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment is operated;

   c. On March 10, 2025, submitted a revised deviation report for the February 3, 2023 through August 2, 2023 reporting period to report the deviation for failing to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment was operated; and

   d. On March 10, 2025, submitted a revised deviation report for the August 3, 2023 through February 2, 2024 reporting period to report the deviation for failing to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment was operated.

II. ALLEGATIONS

1. During a record review for the Plant conducted on June 26, 2024, an investigator documented that the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 5572B, Special Conditions ("SC") No. 1, Federal Operating Permit ("FOP") No. O1424, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") No. 11, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 10.17 pounds ("lbs") of carbon monoxide , 1.76 lbs of nitrogen oxides , and 841.91 lbs of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 400391) that occurred on May 11, 2023 and lasted 56 minutes.

2. During a record review for the Plant conducted from September 23, 2024 through November 20, 2024, an investigator documented that the Respondent:

a. Failed to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment is operated over the previous rolling 12-month period, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 5572B, SC No. 12.B, FOP No. O1424, GTC and STC No. 11, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the valid differential pressure data loss ranged from 5.81% to 21.71% based on a rolling 12-month period for the 12-month periods ending from May 2023 through August 2024 for the Elutriator Bag Filter.

b. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A) and (C), FOP No. O1424, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the February 3, 2023 through August 2, 2023 reporting period did not include the deviation for failing to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment was operated.

c. Failed to report all instances of deviations, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A) and (C), FOP No. O1424, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the deviation report for the August 3, 2023 through February 2, 2024 reporting period did not include the deviation for failing to prevent the loss of valid differential pressure data by more than 5% of the time when the pellet transport equipment was operated.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Braskem America, Inc., Docket No. 2024-1241-AIR-E" to:

   Financial Administration Division, Revenue Operations Section
   Attention: Cashier's Office, MC 214
   Texas Commission on Environmental Quality
   P.O. Box 13088
   Austin, Texas 78711-3088

2. The Respondent shall implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of $11,631 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.

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

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

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

6. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

7. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

8. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

_____	_____
For the Commission	Date
Kristin Mello-Jurach	03/08/2026
For the Executive Director	Date

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

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

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

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

Jeremy C Holton	12-3-25
Signature	Date
Jeremy C Holton	Site Leader
Name (Printed or typed) Authorized Representative of Braskem America, Inc.	Title

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

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

Attachment A

Docket Number: 2024-1241-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Braskem America, Inc.**
Payable Penalty Amount:	**$23,263**
SEP Offset Amount:	**$11,631**
Type of SEP:	**Contribution to a Third-Party Administrator SEP**
Third-Party Administrator:	**Barbers Hill Independent School District**
Project Name:	***Alternative Fuel School Bus Replacement***
Total Project Budget:	**$1,590,000**
Location of SEP:	**Chambers County**

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to **Barbers Hill Independent School District** for the *Alternative Fuel School Bus Replacement* program (the "Project"). The Project is to reduce carbon monoxide ("CO"), nitrogen oxides ("NO_x"), particulate matter ("PM"), and volatile organic compounds ("VOCs") emissions by replacing older school buses with new propane-fueled buses. The Third-Party Administrator is obligated to ensure that each Replacement Bus purchased has an engine that meets 2010 EPA Standards. The Project will be performed in accordance with all federal, state, and local environmental laws and regulations.

The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and the TCEQ. All dollars contributed will be used solely for the direct cost of implementing the Project, including but not limited to supplies, materials, and equipment. Any portion of this contribution that is not able to be spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

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

B. Environmental Benefit

This SEP will directly benefit air quality by reducing harmful exhaust emissions that contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma. For example, by replacing a 1989 diesel bus with a new 2010 ultra-low emission model, passengers' exposures to NO_x may be reduced by 98 percent; VOCs by 93 percent; CO by 83 percent; and PM by 99 percent.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Barbers Hill ISD SEP** and shall mail the contribution with a copy of the Agreed Order to:

Megan Gallien, Chief Financial Officer
Griffith, Moseley, Johnson & Associates, Inc.
2901 Turtle Creek Drive, Suite 445
Port Arthur, Texas 77642

3. Records and Reporting

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

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

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to “Texas Commission on Environmental Quality;” and shall mail it to:

Texas Commission on Environmental Quality
Office of Legal Services Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that **the Project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

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

7. Other SEPs by TCEQ or Other Agencies

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