Executive Summary – Enforcement Matter – Case No. 67799
Intercontinental Terminals Company LLC
RN100210806
Docket No. 2025-0661-AIR-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
AIR
Small Business:
No
Location(s) Where Violation(s) Occurred:
Intercontinental Terminals Deer Park Terminal, 1943 Independence Parkway South, La Porte, Harris County
Type of Operation:
Bulk liquid storage terminal
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 16, 2026
Comments Received: No

Penalty Information

Total Penalty Assessed: $14,100
Amount Deferred for Expedited Settlement: $2,820
Total Paid to General Revenue: $11,280
Total Due to General Revenue: $0
Payment Plan: N/A
Compliance History Classifications:
Person/CN - Satisfactory
Site/RN - Satisfactory
Major Source: Yes
Statutory Limit Adjustment: N/A
Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: April 10, 2025 through April 11, 2025
Date(s) of NOE(s): April 14, 2025

Executive Summary – Enforcement Matter – Case No. 67799
Intercontinental Terminals Company LLC
RN100210806
Docket No. 2025-0661-AIR-E

Violation Information

Failed to prevent unauthorized emissions. Specifically, the Respondent released 339.00 pounds ("lbs") of volatile organic compounds, 44.60 lbs of carbon monoxide, 33.50 lbs of nitrogen oxides, 1.70 lbs of particulate matter, and 1.80 lbs of sulfur dioxide as fugitive emissions, during an emissions event (Incident No. 424847) that began on May 17, 2024 and lasted 316 hours [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review Permit No. 1078, Special Conditions No. 1, Federal Operating Permit No. O1061, General Terms and Conditions and Special Terms and Conditions No. 15, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days, submit written documentation that demonstrate actions taken to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 424847; and

b. Within 45 days, submit written certification to demonstrate compliance with a.

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Johnnie Wu, Enforcement Division, Enforcement Team 2, MC 219, (512) 239-2524; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548
Respondent: Carl Holley, Vice President of Environmental, Health, and Safety Regulatory, Intercontinental Terminals Company LLC, P.O. Box 698, Deer Park, Texas 77536
Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

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

DATES						
Assigned	23-Apr-2025					
PCW	12-Nov-2025	**Screening**	23-Apr-2025	**EPA Due**		

RESPONDENT/FACILITY INFORMATION

Respondent	Intercontinental Terminals Company LLC		
Reg. Ent. Ref. No.	RN100210806		
Facility/Site Region	12-Houston	**Major/Minor Source**	Major

CASE INFORMATION

Enf./Case ID No.	67799	**No. of Violations**	1
Docket No.	2025-0661-AIR-E	**Order Type**	1660
Media Program(s)	Air	**Government/Non-Profit**	No
Multi-Media		**Enf. Coordinator**	Johnnie Wu
		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*** **$7,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **88.0%** Adjustment — ***Subtotals 2, 3, & 7*** **$6,600**

Notes: Enhancement for one NOV with same or similar violations, three NOVs with dissimilar violations, and four orders containing a denial of liability. Reduction for one notice 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*** **$0**

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

Total EB Amounts $796
Estimated Cost of Compliance $10,000

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — ***Final Subtotal*** **$14,100**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$14,100**

STATUTORY LIMIT ADJUSTMENT — ***Final Assessed Penalty*** **$14,100**

DEFERRAL **20.0%** Reduction — ***Adjustment*** **-$2,820**

Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$11,280**

Screening Date	23-Apr-2025	**Docket No.** 2025-0661-AIR-E	**PCW**
Respondent	Intercontinental Terminals Company LLC		*Policy Revision 5 (January 28, 2021)*
Case ID No.	67799		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100210806		
Media	Air		
Enf. Coordinator	Johnnie Wu		

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	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*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)*	1	-1%
	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) 88%

>> 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 same or similar violations, three NOVs with dissimilar violations, and four orders containing a denial of liability. Reduction for one notice of intent to conduct an audit and one disclosure of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 88%

>> Final Compliance History Adjustment

Final Adjustment Percentage ****capped at 100%*** 88%

Screening Date	23-Apr-2025	**Docket No.** 2025-0661-AIR-E	**PCW**
Respondent	Intercontinental Terminals Company LLC		*Policy Revision 5 (January 28, 2021)*
Case ID No.	67799		*PCW Revision February 11, 2021*
Reg. Ent. Reference No.	RN100210806		
Media	Air		
Enf. Coordinator	Johnnie Wu		

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review Permit No. 1078, Special Conditions No. 1, Federal Operating Permit No. O1061, General Terms and Conditions and Special Terms and Conditions No. 15, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 339.00 pounds ("lbs") of volatile organic compounds, 44.60 lbs of carbon monoxide, 33.50 lbs of nitrogen oxides, 1.70 lbs of particulate matter, and 1.80 lbs of sulfur dioxide as fugitive emissions, during an emissions event (Incident No. 424847) that began on May 17, 2024 and lasted 316 hours.

Base Penalty $25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 30.0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

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

Adjustment $17,500

$7,500

Violation Events

Number of Violation Events 1 — 14 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

0.0% Reduction $0

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

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

Violation Subtotal $7,500

Economic Benefit (EB) for this violation

Estimated EB Amount $796

Statutory Limit Test

Violation Final Penalty Total $14,100

This violation Final Assessed Penalty (adjusted for limits) $14,100

Economic Benefit Worksheet

Respondent Intercontinental Terminals Company LLC
Case ID No. 67799
Reg. Ent. Reference No. RN100210806
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	17-May-2024	19-Dec-2025	1.59	$796	n/a	$796
Notes for DELAYED costs	Estimated cost to submit written documentation that demonstrate actions taken to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 424847. The Date Required is the date the emissions event began and the Final Date is the estimated date of compliance.						
Avoided Costs	**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/Equipment				0.00	$0	$0	$0
Financial Assurance				0.00	$0	$0	$0
ONE-TIME avoided costs				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	$10,000	TOTAL	$796

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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 CN601470222, RN100210806, Rating Year 2025 which includes Compliance History (CH) components from September 1, 2020, through August 31, 2025.

Customer, Respondent, or Owner/Operator: CN601470222, Intercontinental Terminals Company LLC **Classification:** SATISFACTORY **Rating:** 4.40

Regulated Entity: RN100210806, INTERCONTINENTAL TERMINALS DEER PARK TERMINAL **Classification:** SATISFACTORY **Rating:** 4.02

Complexity Points: 34 **Repeat Violator:** NO

CH Group: 14 - Other

Location: 1943 INDEPENDENCE PKWY S, LA PORTE, HARRIS COUNTY, TX

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0403N
AIR OPERATING PERMITS PERMIT 1061
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1011622
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0403N
AIR NEW SOURCE PERMITS REGISTRATION 76266
AIR NEW SOURCE PERMITS AFS NUM 4820100153
AIR NEW SOURCE PERMITS PERMIT 1078
AIR NEW SOURCE PERMITS REGISTRATION 91627
AIR NEW SOURCE PERMITS REGISTRATION 95093
AIR NEW SOURCE PERMITS REGISTRATION 116651
AIR NEW SOURCE PERMITS REGISTRATION 168196
AIR NEW SOURCE PERMITS REGISTRATION 169562
AIR NEW SOURCE PERMITS REGISTRATION 165710
AIR NEW SOURCE PERMITS REGISTRATION 169162
AIR NEW SOURCE PERMITS REGISTRATION 147713
AIR NEW SOURCE PERMITS REGISTRATION 176117
AIR NEW SOURCE PERMITS REGISTRATION 177780
IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION # (SWR) 30966
STORMWATER PERMIT TXR05EX41
WASTEWATER PERMIT WQ0001984000
WASTEWATER EPA ID TX0068349
PETROLEUM STORAGE TANK NON REGISTERED ID NUMBER LGL100210806
AIR EMISSIONS INVENTORY ACCOUNT NUMBER HG0403N
POLLUTION PREVENTION PLANNING ID NUMBER P00342
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD073912974
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 30966

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

Date Compliance History Report Prepared: November 10, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 10, 2020 to November 10, 2025

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

Name: Johnnie Wu **Phone:** (512) 239-1000

Site and Owner/Operator History:

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

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

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

1 Effective Date: 07/23/2024 ADMINORDER 2022-0766-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: O1061, GTC and STC No. 15 OP

Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on November 19, 2021, TCEQ/STEERS Incident No. 370365. Specifically, the Respondent released 172.0 pounds ("lbs") of volatile organic compounds as fugitive emissions, during an emissions event (Incident No. 370365) that occurred on November 19, 2021 and lasted 22 minutes.

Classification: Moderate

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

Rqmt Prov: O1061, GTC and STC No. 15 OP
Special condition 1 PERMIT

Description: Failure to prevent unauthorized emissions to the atmosphere during an emissions event that was discovered on February 5, 2022, TCEQ/STEERS Incident No. 373963. Category A12.i.(6).
Specifically, the Respondent released 36.0 lbs of benzene as fugitive emissions, during an emissions event (Incident No. 373963) that occurred on February 5, 2022 and lasted three hours and 45 minutes. The emissions event occurred due to corrosion on a one-inch valve nipple attached to the product transfer piping.

2 Effective Date: 11/13/2024 ADMINORDER 2022-0827-IWD-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

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

Rqmt Prov: Eff Lim & Mon Req No 1 PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	November 20, 2020	(1714903)
Item 2	December 19, 2020	(1714904)
Item 3	February 20, 2021	(1727968)
Item 4	March 18, 2021	(1727969)
Item 5	May 20, 2021	(1741278)
Item 6	June 19, 2021	(1748015)
Item 7	June 30, 2021	(1735913)
Item 8	August 09, 2021	(1690649)
Item 9	August 18, 2021	(1757941)
Item 10	September 07, 2021	(1755176)
Item 11	September 18, 2021	(1767174)
Item 12	October 20, 2021	(1777644)
Item 13	November 19, 2021	(1784443)
Item 14	December 20, 2021	(1791473)
Item 15	January 18, 2022	(1799315)
Item 16	May 02, 2022	(1789383)
Item 17	May 28, 2022	(1829604)
Item 18	June 20, 2022	(1835901)
Item 19	August 19, 2022	(1849270)
Item 20	September 20, 2022	(1857032)
Item 21	October 20, 2022	(1863389)
Item 22	November 19, 2022	(1870301)
Item 23	December 20, 2022	(1876150)
Item 24	January 20, 2023	(1882970)
Item 25	February 17, 2023	(1805808)
Item 26	February 20, 2023	(1890780)
Item 27	March 19, 2023	(1899349)
Item 28	April 03, 2023	(1894318)

Item 29	April 20, 2023	(1906153)
Item 30	April 21, 2023	(1888693)
Item 31	May 19, 2023	(1913309)
Item 32	June 20, 2023	(1919917)
Item 33	July 20, 2023	(1926885)
Item 34	August 17, 2023	(1933841)
Item 35	September 20, 2023	(1939985)
Item 36	December 14, 2023	(1924883)
Item 37	December 19, 2023	(1962287)
Item 38	January 19, 2024	(1968877)
Item 39	February 20, 2024	(1977942)
Item 40	March 21, 2024	(1984516)
Item 41	April 19, 2024	(1991038)
Item 42	May 20, 2024	(1997493)
Item 43	June 20, 2024	(2004445)
Item 44	July 20, 2024	(2012002)
Item 45	August 01, 2024	(1989546)
Item 46	August 20, 2024	(2017596)
Item 47	September 19, 2024	(2001755)
Item 48	September 20, 2024	(2024633)
Item 49	October 22, 2024	(2030741)
Item 50	November 19, 2024	(2037063)
Item 51	December 17, 2024	(2043444)
Item 52	January 16, 2025	(2050001)
Item 53	February 20, 2025	(2057566)
Item 54	March 19, 2025	(2066127)
Item 55	March 31, 2025	(2046303)
Item 56	April 19, 2025	(2072943)
Item 57	June 19, 2025	(2086431)
Item 58	August 19, 2025	(2100110)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1 Date: 02/27/2025 (2009571)

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 8E PERMIT
Special Term and Condition 15 OP
Special Term and Condition 1A OP

Description: Failure to prevent open-ended lines (OELs) (Category C10)

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 Kb 60.113b(a)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6B PERMIT
Special Term and Condition 15 OP
Special Term and Condition 1A OP

Description: Failure to conduct tank inspection within the required timeframe for Tank 36-5 (EPN: ST 35-5) (Category B1).

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 24A(3) PERMIT
Special Term and Condition 15 OP
Special Term and Condition 1A OP

Description: Failure to route VOC emissions from tank (EPN ST 100-10) to control device within 48 hours of landing the tank roof (Category B17).

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 24A(3) PERMIT
Special Term and Condition 15 OP
Special Term and Condition 1A OP

Description: Failure to route xylene emissions from tank (EPN ST 100-28) to control device within 48 hours of landing the tank roof (Category B17).

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 Kb 60.113b(a)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6B PERMIT
Special Term and Condition 15 OP
Special Term and Condition 1A OP

Description: Failure to conduct tank inspection within the required time frame for Tank 100-20 (EPN: ST 100-20) (Category B1).

2 Date: 04/30/2025 (2079330)

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: 06/30/2025 (2093535)

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: 08/19/2025 (2029587)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.61
40 CFR Chapter 262, SubChapter I, PT 262, SubPT M 262.255

Description: Failure to maintain enough aisle space. The large quantity generator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.

F. Environmental audits:

Notice of Intent Date: 05/17/2024 (1987999)

Disclosure Date: 04/03/2025

Viol. Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Description: Failed to report Item Nos. 1 and 2 as deviations in prior Title V deviation reports.

Disclosure Date: 08/27/2025

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT J 61.112(a)
40 CFR Part 61, Subpart V 61.242-2
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7

Rqmt Prov: PERMIT SC8, 9
OP STC 15

Description: Failed to conduct Leak Detection and Repair (LDAR) inspections when Tank 100-23 and associated piping were returned to service and failed to conduct inspections for components subject to LDAR program (EPNs FUG, FUG-M) on Line 37 and at Tank 36.2.

Viol. Classification: Minor

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 Kb 60.115b(a)

Rqmt Prov: PERMIT SC 3.D

OP STC 15

Description: Failed to submit notification for Internal Floating Roof (IFR) deficiency for Tank 100-6 (EPN ST 100-6) and Tank 12-16 (EPN ST 12-16).

Viol. Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT J 61.112(a)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.247(b)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT Y 61.275(a)

Description: Failed to submit NESHAP subpart J and V applicability notification for Tank 100-23 (EPN ST 100-23) and associated equipment following change of service to benzene and submit NESHAP Subpart Y compliance inspection notifications for tanks in benzene service (EPNs ST 100-4; ST 100-8; ST 100-9).

Viol. Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT SC 14.D

OP STC 15

Description: Failed to maintain records to confirm completion of audible, olfactory, and visual checks for leaks once every 8 hours for on-shore equipment and on board the ship during inert ship loading.

Viol. Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)

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)

Description: Failed to consistently conduct and maintain records of visible emissions source observations for Flares at the site.

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

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: DEER PARK TERMINAL

Reg Entity Add: FM 1495 3/10M S HWY 288

Reg Entity City: LA PORTE ***Reg Entity No:*** **RN100210806**

EPA Case No: 06-2025-0921 ***Order Issue Date (yyyymmdd):*** 20250410

Case Result: Administrative Penalty Ord ***Statute:*** RCRA ***Sect of Statute:*** 3002

Classification: Minor ***Program:*** RCRA Small Quantity Ge ***Citation:***

Violation Type: ***Cite Sect:*** ***Cite Part:***

Enforcement Action:

Reg Entity Name: INTERCONTINENTAL TERMINALS CO.

Reg Entity Add: 1943 INDEPENDENCE PKWY S

Reg Entity City: DEER PARK ***Reg Entity No:*** **RN100210806**

EPA Case No: 06-2023-1710 ***Order Issue Date (yyyymmdd):*** 20230120

Case Result: ***Statute:*** CWA ***Sect of Statute:*** 301/402

Classification: Minor ***Program:*** NPDES - Base Program ***Citation:***

Violation Type: ***Cite Sect:*** ***Cite Part:***

Enforcement Action: Administrative Compliance Orders

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	**TEXAS COMMISSION ON**
INTERCONTINENTAL TERMINALS	**§**	
COMPANY LLC	**§**	
RN100210806	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2025-0661-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 Intercontinental Terminals Company LLC (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a bulk liquid storage terminal located at 1943 Independence Parkway South in La Porte, Harris County, Texas (the "Site"). The Site 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 $14,100 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid $11,280 of the penalty and $2,820 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

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

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

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

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

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

II. ALLEGATIONS

During a record review for the Site conducted from April 10, 2025 through April 11, 2025, 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 Permit No. 1078, Special Conditions No. 1, Federal Operating Permit No. O1061, General Terms and Conditions and Special Terms and Conditions No. 15, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 339.00 pounds ("lbs") of volatile organic compounds, 44.60 lbs of carbon monoxide, 33.50 lbs of nitrogen oxides, 1.70 lbs of particulate matter, and 1.80 lbs of sulfur dioxide as fugitive emissions, during an emissions event (Incident No. 424847) that began on May 17, 2024 and lasted 316 hours

III. DENIALS

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

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Intercontinental Terminals Company LLC, Docket No. 2025-0661-AIR-E" to:

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

2. The Respondent shall undertake the following technical requirements:

a. Within 30 days after the effective date of this Order, submit written documentation that demonstrate actions taken to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 424847.

b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

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

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

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

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

jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

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

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date
Kristie Mello-Jurack	03/14/2026
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.

Signature	Date
Carl Holley	VP SHES & Regulatory
Name (Printed or typed) Authorized Representative of Intercontinental Terminals Company LLC	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.