

APPLICATION BY FORMOSA PLASTICS CORPORATION, TEXAS FOR AIR QUALITY PERMIT NOS. 140763, 19871, 91780, 19200, 19168, 107518, 20203, 40157, 19201, PSDTX1500M1, PSDTX1236M1, PSDTX1240M1, PSDTX1237M1 PSDTX1226M1, PSDTX1383M2 PSDTX1224M1, PSDTX1222M1 PSDTX1232M1, GHGPSDTX46M1 GHGPSDTX221, GHGPSDTX223 GHGPSDTX218, GHGPSDTX224 GHGPSDTX48M1, GHGPSDTX222 GHGPSDTX225, AND GHGPSDTX219, CALHOUN AND JACKSON COUNTIES, TEXAS

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

Formosa Plastics Corporation, Texas (“**FPC**”) files this Response to San Antonio Bay Estuarine Waterkeeper’s (“**Waterkeeper**”) November 3, 2025 Motion for Leave to File Reply Out of Time and Motion for Continuance (the “**Motion**”). Based on counsel's representations that it made a good faith attempt to timely file Waterkeeper's reply brief on October 24, 2025—and because the reply brief was timely served on all relevant parties—FPC does not believe any party will be prejudiced by the technical filing deficiency and does not oppose the TCEQ Commissioners’ consideration of the late-filed reply brief. However, because further continuance of this matter will prejudice FPC, FPC opposes continuance of the applications to a date later than the Commission’s scheduled agenda meeting tomorrow, November 5, 2025 (the “**scheduled agenda meeting**”). For the reasons stated below, Waterkeeper’s motion for continuance should be denied.

I. WATERKEEPER HAS NOT DEMONSTRATED GOOD CAUSE FOR A TWO-WEEK CONTINUANCE

Through TCEQ's e-filing system, the TCEQ Chief Clerk routinely provides a confirmation email for each filing. Thus, Waterkeeper's unsuccessful filing was apparent when Waterkeeper did not receive a confirmation email the evening of October 24, 2025. Conceding it never received a filing confirmation, Waterkeeper offers no documentation or other explanation related to the incomplete filing attempt other than to cite "unknown reasons." *See* Motion at 2. Waterkeeper does not explain why this mistake was not corrected on October 24, 2025, or the next business day, more than a week ago and offers no justification for this failure of diligence. Waterkeeper continued to act without diligence on November 1, 2025, after purportedly discovering that its reply brief was not timely filed by failing to initiate communications with FPC until the afternoon of November 3, 2025—less than 48 hours before the Commission's scheduled agenda meeting. These actions do not demonstrate good cause for asking the Commission, the TCEQ Executive Director, or FPC for more time for a set of permit applications that have been pending before the Commission for nearly four years.

II. FPC WILL BE PREJUDICED BY FURTHER DELAY

Waterkeeper's assertion in its Motion that "no parties will be prejudiced by additional time to review briefing" is false and inaccurately presumes parties' positions. First, the timeline for FPC's project continues to be impacted. As described in FPC's September 15, 2025 Response to Hearing Requests brief, issuance of the Draft Permits will enhance FPC's compliance with federal rules, improve smokeless flare capacity, and operational reliability. Thus, FPC objects to delayed implementation of the project.

Second, Ms. Tammy Lasater, FPC's Corporate Air Permitting Director, and Mr. Erc Quiat, FPC's air permitting consultant, who both reside out of state, have commenced travel and incurred

expenses to attend the Commission's scheduled agenda meeting. *See* Lasater Trip Itinerary, attached as **Exhibit A**; Quiat Trip Itinerary, attached as **Exhibit B**. Ms. Lasater arrived in Austin from Philadelphia on Sunday, November 2, 2025, and rented a car. Mr. Quiat departs Denver this afternoon, and his hotel and car rental are also non-refundable. As depicted in Exhibits A and B, FPC's combined travel expenses total \$2,338.18, which cannot be recuperated at this late stage.

III. TCEQ MAY REFUSE TO CONSIDER THE DOCUMENTS.

FPC does not oppose TCEQ's consideration of Waterkeeper's late-filed reply brief. However, if the Commissioners are not able to sufficiently consider the late-filed reply brief before its scheduled agenda meeting, the Commission should exercise its authority to not consider the late-filed reply brief.

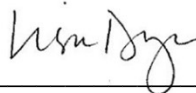
TCEQ may properly decline consideration of documents that are untimely and improperly filed. Under 30 Tex. Admin. Code §§1.10 and 1.11, all documents intended for consideration at a Commission meeting must be properly filed and served. 30 Tex. Admin. Code § 10.9. Counsel for Waterkeeper served the individuals on the service list but failed to file the document with the Chief Clerk by the date set by the General Counsel's October 7, 2025 letter for this docket. Waterkeeper's failure to file timely does not satisfy the filing requirement and partially invalidates Waterkeeper's certificate of service. 30 Tex. Admin. Code § 1.10(a); *see* Waterkeeper's October 24, 2025, Certificate of Service (stating certification of service to the TCEQ Chief Clerk via efiling).

When filing requirements are not followed, the Commission has the discretion and authority to exclude such documents from consideration. 30 Tex. Admin. Code § 1.10(g). Additionally, 30 Tex. Admin. Code § 1.10(h) allows the Commission to refuse consideration of documents filed within two days of a meeting unless the Commission waives the filing requirement. *Id.* § 1.10(h).

CONCLUSION

Waterkeeper's own lack of diligence created the need for leave to late-file its reply brief. While FPC has extended professional courtesy to Waterkeeper in not opposing consideration of its late-filed reply brief, FPC should not incur undue and unnecessary prejudice in delaying the Commission's consideration of its long-pending permit application. FPC opposes Waterkeeper's efforts to create further delay as a remedy for its own failure to comply with TCEQ rules.

Respectfully Submitted,



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ATTORNEYS FOR
FORMOSA PLASTICS CORPORATION, TEXAS

CERTIFICATE OF SERVICE

I hereby certify that I filed a true and correct copy of the foregoing Formosa Plastics Corporation, Texas's Response to San Antonio Bay Estuarine Waterkeeper's Motion for Continuance through TCEQ's efile system and served a copy on the following persons via electronic mail on November 4, 2025:

/s/ Lisa Uselton Dyar

Lisa Uselton Dyar

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CHIEF CLERK

Docket Clerk

Texas Commission on Environmental
Quality

Office of Chief Clerk MC-105

P.O. Box 13087

Austin, Texas 78711-3087

<https://www14.tceq.texas.gov/epic/eFiling/>

Attachment A

From: [United Airlines](#)
To: [Tammy Lasater / FPC Environmental](#)
Subject: eTicket Itinerary and Receipt for Confirmation BMD0MQ
Date: Monday, October 20, 2025 8:38:25 AM

CAUTION: This email originated from an External Source. Do not click links or open attachments unless you recognize the sender and know the content is safe.

- IT/Management Center



Mon, Oct 20, 2025

Thank you for choosing United.

A receipt of your purchase is shown below. Please retain this email receipt for your records.

Get ready for your trip: [Visit the Travel-Ready Center](#), your one-stop digital assistant, to find out about important travel requirements specific to your trip.

Confirmation Number:

BMD0MQ

Flight 1 of 4 UA2611

Class: United Economy (Q)

Sun, Nov 02, 2025

08:15 AM

Philadelphia, PA, US (PHL)

Sun, Nov 02, 2025

11:00 AM

Houston, TX, US (IAH)

Flight 2 of 4 UA1859

Class: United Economy (Q)

Sun, Nov 02, 2025

12:10 PM

Houston, TX, US (IAH)

Sun, Nov 02, 2025

01:14 PM

Austin, TX, US (AUS)

Flight 3 of 4 UA685

Class: United Economy (V)

Fri, Nov 07, 2025

04:18 PM

Austin, TX, US (AUS)

Fri, Nov 07, 2025

05:25 PM

Houston, TX, US (IAH)

Flight 4 of 4 UA1663

Class: United Economy (V)

Fri, Nov 07, 2025

06:30 PM

Houston, TX, US (IAH)

Fri, Nov 07, 2025

10:46 PM

Philadelphia, PA, US (PHL)

Traveler Details

WACKER/TAMARAGRIFFITH

eTicket number: **0162341677267**

Frequent Flyer: **UA-XXXXX296 Premier 1K®**

Seats: **PHL-IAH 08C**

IAH-AUS 07C

AUS-IAH 07B

IAH-PHL 08D

Purchase Summary

Method of payment:

Visa ending in 6275

Date of purchase:

Mon, Oct 20, 2025

Airfare:	848.57
U.S. Transportation Tax:	63.64
U.S. Flight Segment Tax:	20.80
Passenger Civil Aviation Security Service Fee:	11.20
U.S. Passenger Facility Charge:	18.00

Total Per Passenger: **962.21 USD**

Total: **962.21 USD**

Fare Rules

Additional charges may apply for changes in addition to any fare rules listed.

REFUNDABLE

MileagePlus Accrual Details

Tamaragriffith Wacker					
Date	Flight	From/To	Award Miles	PQP	PQF
Sun, Nov 02, 2025	2611	Philadelphia, PA, US (PHL) to Houston, TX, US (IAH)	4708	428	1
Sun, Nov 02, 2025	1859	Houston, TX, US (IAH) to Austin, TX, US (AUS)	506	46	1
Fri, Nov 07, 2025	685	Austin, TX, US (AUS) to Houston, TX, US (IAH)	396	36	1
Fri, Nov 07, 2025	1663	Houston, TX, US (IAH) to Philadelphia, PA, US (PHL)	3751	341	1
MileagePlus accrual totals:			9361	851	4

Baggage allowance and charges for this itinerary

Origin and destination for checked baggage	1st bag charge	2nd bag charge	1st bag weight and dimensions	2nd bag weight and dimensions
Sun, Nov 02, 2025 Philadelphia, PA, US (PHL) to Austin, TX, US (AUS)	0.00 USD	0.00 USD	70lbs(32kg) - 62in(157cm)	70lbs(32kg) - 62in(157cm)
Fri, Nov 07, 2025 Austin, TX, US (AUS)	0.00 USD	0.00 USD	70lbs(32kg) - 62in(157cm)	70lbs(32kg) - 62in(157cm)



Reservation Confirmed

Confirmation Number: 1388170372

Pick-up Nov 2, 2025 1:30 PM Austin-Bergstrom International Airport 3819 Presidential Blvd Austin, TX 78719 8335161182	→	Return Nov 7, 2025 2:00 PM Austin-Bergstrom International Airport 3819 Presidential Blvd Austin, TX 78719 8335161182
Directions from Terminal Exit the Barbara-Jordan Terminal and take one of the marked pedestrian crosswalks across the garage to the Rental Car Facility.		

Rental Details

Renter

Driver Name: TAMARA WACKER
Email Address: t.....l@fdde.fpcusa.com
Phone Number:3359
Age: 25+

Flight Details

Airline Name: UNITED AIRLINES, INC.

Flight Number: 1859

Vehicle

Vehicle Class: Full Size

Chevrolet Malibu or similar
Automatic

Time & Distance 1 Week(s) @\$ 275.49 / week \$ 275.49*
Vehicle Mileage: Unlimited Mileage Included

Miscellaneous

ENTERPRISE PLUS (5.0%) \$ -13.77*

Taxes & Fees

ABIA RENTAL CAR FACILITY FEE 6 Day(s) @ \$6.75 / Day \$ 40.50*
AUSTIN EVENTS VENUE TAX 5 PCT (5.0%) \$ 17.16*
CONCESSION RECOVERY FEE (11.11%) \$ 30.27*

Rental Checklist

- Familiarize yourself with your Pick-Up and Return location(s).
- Bring a valid driving license for each driver.
- Provide an acceptable method of payment in the renter's name. See your pick-up location's policies for details.
- For additional policy or deposit information, please refer to the Rental Policies section below, or within your email confirmation.

VLF REC 6 Day(s) @ \$1.79 / Day	\$ 10.74*
TX MOTOR VEH RENTAL TAX (10.0%)	\$ 34.32*

Estimated Total

Estimated Total Due at the Counter: **\$ 394.71***

*Rates, taxes and fees do not reflect rates, taxes and fees applicable to non-included optional coverages or extras added later.

Attachment B

Trip ID: 4157543574 • 3 bookings • Generated: Oct 20, 2025 at 09:20 UTC

Nov 04, 2025 Multi city trip

Eric Quiat • \$981 (Estimated)

Trip details can be found below

View trip

Nov 4, 2025

Flight from Denver to Austin

WN3012 • Confirmation: CRVQ6A

4:45 PM

Denver (DEN)

2h 05m

7:50 PM

Austin (AUS)

3 day car rental

NATIONAL • Confirmation: 66263788AISLE

Nov 4, 2025

Pick up: 7:45 PM

3 day

Nov 7, 2025

Drop off: 4:00 PM

1-night stay in Austin

Hilton Garden Inn Austin Downtown • Confirmation: 3355499965

3:00 PM

Nov 4, 2025

1d

12:00 PM

Nov 5, 2025

Nov 7, 2025

Flight from Houston to Denver

WN1218 • Confirmation: CRVQ6A

4:30 PM

Houston (HOU)

2h 35m

6:05 PM

Denver (DEN)

Need help?

General Contact

United States
+1 800 480 8080

Canada
+1 208 288 6470

Before you travel

Are you REAL ID Ready?

Effective May 2025, US travelers must be REAL ID compliant to board DOMESTIC flights and access certain federal facilities. If your drivers license or ID is not compliant, a passport will be required for domestic travel in the US.

[Learn more](#)

Travel Data

Flight: DEN → AUS

Field	Response
Job Type	Business Development (BD)
Project Number (do not enter sub-tasks or special characters in this field)	0100356
Activity Code (ex: BAAN12345678)	BAAN2093458

Car: NATIONAL

Field	Response
Activity Code (ex: BAAN12345678)	BAAN2093458
Project Number (do not enter sub-tasks or special characters in this field)	0100356
Job Type	Business Development (BD)

Hotel: Hilton Garden Inn Austin Downtown

Field	Response
Project Number (do not enter sub-tasks or special characters in this field)	0100356
Activity Code (ex: BAAN12345678)	BAAN2093458
Job Type	Business Development (BD)

Flight: HOU → DEN

Field	Response
Job Type	Business Development (BD)
Project Number (do not enter sub-tasks or special characters in this field)	0100356
Activity Code (ex: BAAN12345678)	BAAN2093458

Flight from Denver to Austin

Nov 4, 2025



Southwest Airlines • WN3012 •

Confirmation CRVQ6A Booking ID: 2626356284

In policy

Nov 4, 2025

4:45 PM

Denver (DEN)



2h 05m

Nov 4, 2025

7:50 PM

Austin (AUS)

Name

Eric J Quiat

✓ Loyalty added ✓ KTN added

Seat

Not selected (Economy)

Baggage

1 carry-on bag, 1 checked bag, 23 kgs (35 USD), +1 checked bag, 23 kgs (45 USD)

Fare rules

✗ Non-refundable ✓ Changes allowed

CO₂ Emissions

DEN → AUS 175kg CO₂

3 day car rental

Nov 4, 2025



NATIONAL

Confirmation 66263788AISLE Booking ID: 7472764844

In policy

Nov 4, 2025

Pick up: 7:45 PM



3 day

Nov 7, 2025

Drop off: 4:00 PM

Pick up address

3819 Presidential Blvd, Austin, TX 78719-0000, United States
Follow signs to counter

Drop up address

7600 Airport Blvd, Houston, TX 77061-4005, United States
Follow signs to counter

Name

Eric Quiat

✓ Loyalty

Car type

Automatic

Capacity

5 seats, 1 bags

Mileage

Unlimited mileage

1-night stay in Austin

Nov 4, 2025

 **Hilton Garden Inn Austin Downtown**
Confirmation 3355499965 Booking ID: 4832455239

In policy

3:00 PM

Nov 4, 2025

 1d

12:00 PM

Nov 5, 2025

Contact details
500 N Ih 35, Austin, TX 78701, United States

Name	Room type	Number of rooms
Eric J Quiat	Standard 2 Queen Room	1
✓ Loyalty		

Rate type
CORPORATE

Fare rules

✓ Cancel by Nov 3, 2025, 11:59 PM local time for a refund of 28.05 USD
Please see last page for additional information.

Flight from Houston to Denver

Nov 7, 2025

 **Southwest Airlines • WN1218 •**
Confirmation CRVQ6A Booking ID: 2626356284

In policy

Nov 7, 2025

4:30 PM

Houston (HOU)

 2h 35m

Nov 7, 2025

6:05 PM

Denver (DEN)

Name	Seat	Baggage
Eric J Quiat	Not selected (Economy)	1 carry-on bag, 1 checked bag, 23 kgs (35 USD), +1 checked bag, 23 kgs (45 USD)
✓ Loyalty added ✓ KTN added		

CO₂ Emissions
HOU → DEN 199kg CO₂

Payment Details

Nov 04, 2025 Multi city trip

Trip ID 4157543574

Bill to Sold by

Transaction history

Hotel booking

Property Name	Hilton Garden Inn Austin Downtown
Rate type	Corporate
Lead traveler	Eric Quiat
Booking ID	4832455239
Confirmation	3355499965
Booker name	Eric Quiat

Price & payment details

Date of transaction	Oct 20, 2025
November 4, 2025	\$165.00
Avg. nightly rate	\$165.00
Base amount	\$165.00
Taxes & fees	\$28.05
Est. total (incl. tax)	\$193.05
Due now	\$0.00
Due later	\$193.05
Payment Method	Credit card (Visa *2929)
Status	Guarantee

TMC fee

Fee type	Fee
Travelers	Eric Quiat
Booking ID	4832455239
Ticket Number	eb9e1d06-5e5e-4110-8786-60fd4777c7d6

Price & payment details

Date of transaction	Oct 20, 2025
Base amount	\$40.00
Total (incl. tax)	\$40.00
Payment Method	Credit card (Visa *2929)
Status	Issued
Amount	\$40.00

Car booking

Vendor	NATIONAL
Car type	Mid size
Travelers	Eric Quiat
Booking ID	7472764844
Confirmation	66263788AISLE
Booker name	Eric Quiat

Price & payment details

Date of transaction	Oct 20, 2025
November 4, 2025	\$74.00
November 5, 2025	\$74.00
November 6, 2025	\$74.00
Avg. daily rate	\$103.00
Base amount	\$309.00
Taxes & fees	\$115.99
Est. total (incl. tax)	\$424.99
Payment Method	Credit card (Visa *2929)
Status	Guarantee

Flight booking

Flight(s)	DEN - AUS Southwest Airlines WN3012 - Economy Nov 4, 2025 HOU - DEN Southwest Airlines WN1218 - Economy Nov 7, 2025
Traveler(s)	Eric Quiat
Booking ID	2626356284
Ticket number	5262397728938
Invoice number	SPOT-RCPT-486142
Booker name	Eric Quiat

Price & payment details

Date of transaction	Oct 20, 2025
Base amount	\$272.20
Taxes & fees	\$51.02
Total (incl. tax)	\$323.22
Payment Method	Credit card (Amex *1030)
Status	Charged
Amount	\$323.22

Terms & conditions



Hotel: Hilton Garden Inn Austin Downtown

Rate disclaimer information

Includes taxes and surcharges

Cancellation information

Cancel by 11.59pm on 3rd November, else 1 night fee

Miscellaneous information

Elevated amenities and familiar comforts
