

TCEQ Interoffice Memorandum

To: Mary Smith, General Counsel

Thru: Megan Hamilton, Assistant Deputy Director
Enforcement Division

From: Michael Parrish, Agenda Special Assistant
Enforcement Division

Date: May 15, 2026

Subject: **Supplemental Information**
June 3, 2026, Commission Agenda
Item No. N/A, Equistar Chemicals
Docket No. 2025-1207-AIR-E

Enclosed please find the following:

Compliance History:

- EPA Compliance History Addendum

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

cc: David Timberger, Acting Public Interest Counsel
Melissa Schmidt, Public Interest Counsel
Gill Valls, Office of General Counsel
Katherine McKenzie, Agenda Coordinator, Litigation Division
Amy Settemeyer, Deputy Director, Enforcement Division
Megan Hamilton, Assistant Deputy Director, Enforcement Division
Michael Parrish, Agenda Special Assistant, Enforcement Division
Johnny Bowers, Manager, Air, Enforcement Division
Caleb Martin, Team Leader, Air, Enforcement Division
John Burkett, Enforcement Coordinator Air, Enforcement Division

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: **EQUISTAR CHEMICALS LA PORTE COMP**

Reg Entity Add: 1515 MILLER CUT OFF RD

Reg Entity City: LA PORTE

Reg Entity No: **RN100210319**

EPA Case No: **07-2022-3395**

Order Issue Date (yyyymmdd): 20211013

Case Result:

Statute: CAA **Sect of Statute:** 110

Classification: Major

Program: Federal Implementation **Citation:**

Violation Type: National Emission Standard
For Hazardous Air Pollutant

Cite Sect: **Cite Part:**

Enforcement Action: Consent Decree or Court Order Resolving a Civil

Executive Summary - Enforcement Matter - Case No. 68316

Equistar Chemicals, LP

RN100210319

Docket No. 2025-1207-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Equistar Chemicals La Porte Complex, 1515 Miller Cut Off Road, La Porte, Harris County

Type of Operation:

Industrial organic chemical plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket Nos. 2025-1226-AIR-E, 2025-1763-IWD-E, 2024-1068-AIR-E, 2024-0274-AIR-E, and 2022-1063-AIR-E

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: February 20, 2026

Comments Received: No

Penalty Information

Total Penalty Assessed: \$21,875

Amount Deferred for Expedited Settlement: \$4,375

Total Paid to General Revenue: \$8,750

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$8,750

Name of SEP: Houston-Galveston Area Council-AERCO (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: July 21, 2025

Executive Summary – Enforcement Matter – Case No. 68316

Equistar Chemicals, LP

RN100210319

Docket No. 2025-1207-AIR-E

Date(s) of NOE(s): July 29, 2025

Violation Information

Failed to prevent unauthorized emissions. Specifically, the Respondent released 15,823.86 pounds ("lbs") of carbon monoxide, 1,662.54 lbs of nitrogen oxides, and 6,511.31 lbs of volatile organic compounds from the Elevated Flare, Emissions Point Number QE8050B, during an emissions event (Incident No. 416302) that began on January 24, 2024 and lasted 13 hours [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c) and 122.143(4), New Source Review Permit Nos. 18978, PSDTX752M5, and N162M1, Special Conditions No. 1, Federal Operating Permit No. O2223, General Terms and Conditions and Special Terms and Conditions No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By August 22, 2024, the Respondent compiled system performance indicators to monitor operating performances of the condensate stripper system, revised process alarm limits for pressure and steam conditions on the condensate stripper system, and revised process alarm limits for process flows and differential pressure on the acetylene absorber tower in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 416302.

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: John Burkett, Enforcement Division, Enforcement Team 2, MC R-12, (512) 239-4169; 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: Houston-Galveston Area Council-AERCO, Emission Reduction Credit Corporation, 3555 Timmons Lane, Suite 120, Houston, Texas 77027

Respondent: Mark Bookmyer, Site Manager, Equistar Chemicals, LP, 1515 Miller Cut Off 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	6-Aug-2025	Screening	6-Aug-2025	EPA Due	
	PCW	10-Oct-2025				

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

CASE INFORMATION			
Enf./Case ID No.	68316	No. of Violations	1
Docket No.	2025-1207-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	John Burkett
		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	\$12,500
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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	\$12,500
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Notes: Enhancement for one NOV with the same or similar violations, nine NOVs with dissimilar violations, four orders containing a denial of liability and one consent decree containing a denial of liability. Reduction for four notice of intent to conduct an audit and four disclosures of violations.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$3,125
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$289
 Estimated Cost of Compliance: \$10,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$21,875
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0% Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$21,875
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$21,875
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DEFERRAL	20.0% Reduction	Adjustment	-\$4,375
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$17,500
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Screening Date 6-Aug-2025

Docket No. 2025-1207-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 5 (January 28, 2021)

Case ID No. 68316

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN100210319

Media Air

Enf. Coordinator John Burkett

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 (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	9	18%
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	4	80%
Orders	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%
	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	1	30%
Judgments and Consent Decrees	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%
	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Convictions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Emissions	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	4	-4%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	4	-8%
	Environmental management systems in place for one year or more		0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program		0%
	Participation in a voluntary pollution reduction program		0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 121%

>> 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 or similar violations, nine NOVs with dissimilar violations, four orders containing a denial of liability and one consent decree containing a denial of liability. Reduction for four notice of intent to conduct an audit and four disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 121%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 6-Aug-2025
Respondent Equistar Chemicals, LP
Case ID No. 68316
Reg. Ent. Reference No. RN100210319
Media Air
Enf. Coordinator John Burkett

Docket No. 2025-1207-AIR-E

PCW

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.115(c) and 122.143(4), New Source Review Permit Nos. 18978, PSDTX752M5, and N162M1, Special Conditions No. 1, Federal Operating Permit No. O2223, General Terms and Conditions and Special Terms and Conditions No. 20, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 15,823.86 pounds ("lbs") of carbon monoxide, 1,662.54 lbs of nitrogen oxides, and 6,511.31 lbs of volatile organic compounds from the Elevated Flare, Emissions Point Number QE8050B, during an emissions event (Incident No. 416302) that began on January 24, 2024 and lasted 13 hours.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual		x		50.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes

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

Adjustment \$12,500

\$12,500

Violation Events

Number of Violation Events 1 Number of violation days 1

daily	
weekly	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$12,500

One weekly event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction \$3,125

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	

Notes

The Respondent completed the corrective measures by August 22, 2024, prior to the Notice of Enforcement dated July 29, 2025.

Violation Subtotal \$9,375

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$289

Violation Final Penalty Total \$21,875

This violation Final Assessed Penalty ad usted for limits \$21,875

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 68316
Reg. Ent. Reference No. RN100210319
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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	24-Jan-2024	22-Aug-2024	0.58	\$289	n/a	\$289

Notes for DELAYED costs

Estimated cost to compile system performance indicators to monitor operating performances of the condensate stripper system, revise process alarm limits for pressure and steam conditions on the condensate stripper system, and revise process alarm limits for process flows and differential pressure on the acetylene absorber tower in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 416302. The Date Required is the date the emissions event began 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 \$289



Compliance History Report

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

Customer, Respondent, or Owner/Operator:	CN600124705, Equistar Chemicals, LP	Classification: SATISFACTORY	Rating: 8.38
Regulated Entity:	RN100210319, EQUISTAR CHEMICALS LA PORTE COMPLEX	Classification: SATISFACTORY	Rating: 18.11
Complexity Points:	43	Repeat Violator: NO	
CH Group:	05 - Chemical Manufacturing		
Location:	1515 MILLER CUT OFF RD, LA PORTE, HARRIS COUNTY, TX		
TCEQ Region:	REGION 12 - HOUSTON		

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0770G
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1012680
AIR NEW SOURCE PERMITS PERMIT 4477
AIR NEW SOURCE PERMITS PERMIT 18978
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0770G
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX752
AIR NEW SOURCE PERMITS REGISTRATION 53387
AIR NEW SOURCE PERMITS PERMIT 83822
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX752M2
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX752M5
AIR NEW SOURCE PERMITS EPA PERMIT N162
AIR NEW SOURCE PERMITS EPA PERMIT N190
AIR NEW SOURCE PERMITS PERMIT 114809
AIR NEW SOURCE PERMITS REGISTRATION 134079
AIR NEW SOURCE PERMITS REGISTRATION 153696
AIR NEW SOURCE PERMITS REGISTRATION 168302
AIR NEW SOURCE PERMITS REGISTRATION 166297
AIR NEW SOURCE PERMITS EPA PERMIT N162M2
AIR NEW SOURCE PERMITS REGISTRATION 165070
AIR NEW SOURCE PERMITS EPA PERMIT N190M2
AIR NEW SOURCE PERMITS PERMIT AMOC162
AIR NEW SOURCE PERMITS EPA PERMIT N162M1
AIR NEW SOURCE PERMITS REGISTRATION 159535
AIR NEW SOURCE PERMITS EPA PERMIT N190M1
AIR NEW SOURCE PERMITS REGISTRATION 173350
AIR NEW SOURCE PERMITS REGISTRATION 170140
AIR NEW SOURCE PERMITS REGISTRATION 173179
AIR NEW SOURCE PERMITS REGISTRATION 177748
IHW CORRECTIVE ACTION PERMIT 50383
WASTEWATER PERMIT WQ0004013000
AIR EMISSIONS INVENTORY ACCOUNT NUMBER HG0770G
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXR000025809
TAX RELIEF ID NUMBER 21120

AIR OPERATING PERMITS PERMIT 2223
AIR NEW SOURCE PERMITS PERMIT 19109
AIR NEW SOURCE PERMITS PERMIT 5226
AIR NEW SOURCE PERMITS REGISTRATION 46127
AIR NEW SOURCE PERMITS AFS NUM 4820100055
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX818
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX752M3
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX752M1
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX752M4
AIR NEW SOURCE PERMITS REGISTRATION 102494
AIR NEW SOURCE PERMITS REGISTRATION 133377
AIR NEW SOURCE PERMITS REGISTRATION 138607
AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX12
AIR NEW SOURCE PERMITS REGISTRATION 152172
AIR NEW SOURCE PERMITS REGISTRATION 168057
AIR NEW SOURCE PERMITS REGISTRATION 166468
AIR NEW SOURCE PERMITS REGISTRATION 168301
AIR NEW SOURCE PERMITS REGISTRATION 166298
AIR NEW SOURCE PERMITS REGISTRATION 151085
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1574
AIR NEW SOURCE PERMITS REGISTRATION 154421
AIR NEW SOURCE PERMITS REGISTRATION 155981
AIR NEW SOURCE PERMITS REGISTRATION 152926
AIR NEW SOURCE PERMITS REGISTRATION 168047
AIR NEW SOURCE PERMITS REGISTRATION 171882
AIR NEW SOURCE PERMITS REGISTRATION 173850
AIR NEW SOURCE PERMITS REGISTRATION 179911
AIR NEW SOURCE PERMITS REGISTRATION 179849
STORMWATER PERMIT TXR05N516
WASTEWATER EPA ID TX0119792
POLLUTION PREVENTION PLANNING ID NUMBER P00553
INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 85436

Compliance History Period: September 01, 2020 to August 31, 2025 **Rating Year:** 2025 **Rating Date:** 09/01/2025
Date Compliance History Report Prepared: October 29, 2025
Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: October 29, 2020 to October 29, 2025

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

Name: John Burkett

Phone: (512) 239-4169

Site and Owner/Operator History:

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

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

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

- 1 Effective Date: 08/19/2021 ADMINORDER 2020-0778-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.1555
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT HHHHHHH 63.11880(b)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms and Conditions OP
Special Condition 9 PERMIT
Special Term and Condition 15 OP
Description: Failed to maintain the differential pressure at or above the minimum pressure drop across each filter vent
Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms and Conditions OP
Description: Failed to report all instances of deviations
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms and Conditions OP
Special Conditions No. 7.C PERMIT
Special Term and Condition 15 OP
Description: Failed to maintain the concentration limit at or above the measured concentration of the most recent stack test performed
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms and Conditions OP
Special Condition 2 PERMIT
Special Term and Condition 15 OP
Description: Failed to comply with the concentration limit for the polyethylene powder exiting the product purge bin
- 2 Effective Date: 08/25/2021 ADMINORDER 2020-1140-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GTC OP
Special Conditions No. 1 PERMIT
Standard Permit No. 118577 PERMIT

STC No. 18 OP

Description: Failed to prevent unauthorized emissions. The Respondent released 3,296.30 pounds ("lbs") of sulfur dioxide, 36.94 lbs of nitrogen oxides ("NOx"), 168.87 lbs of carbon monoxide ("CO"), and 59.55 lbs of volatile organic compounds ("VOC") from the Elevated Flare, Emissions Point Number ("EPN") QE8050B, during an emissions event (Incident No. 298464) that began on November 26, 2018 and lasted 19 hours and 50 minutes.

Classification: Minor

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

Rqmt Prov: GTC OP
STC 2.F OP

Description: Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 298464 was due by November 27, 2018 at 10:40 a.m., but was not submitted until December 7, 2018 at 3:39 p.m.

Classification: Minor

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

Rqmt Prov: GTC OP
STC 2.F OP

Description: Failed to identify all required information on the final record for a reportable emissions event. Specifically, the Respondent did not identify the compounds or mixtures and the total estimated quantities for those compounds or mixtures on the final record for Incident No. 298464.

Classification: Minor

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

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

Description: Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 298464 was due by December 11, 2018, but was not submitted until December 13, 2018.

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

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

Classification: Moderate

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

Rqmt Prov: WQ0004013000 PERMIT

Description: Failed to prevent the unauthorized discharge of wastewater.

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

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

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

Classification: Moderate

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

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

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 2,687.00 lbs of VOC as fugitive emissions, during an emissions event (Incident No. 308508) that occurred on May 14, 2019 and lasted seven hours.

Classification: Moderate

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

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

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

Classification: Minor

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

5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP 1606, GTC OP

FOP 1606, STC No. 2.F OP

Description: Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event. Specifically, the initial notification for Incident No. 346469 was due by November 21, 2020 at 3:28 p.m., but was not submitted until November 23, 2020 at 2:59 p.m.

Classification: Moderate

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

Rqmt Prov: FOP No. 1606, GTC OP

FOP No. 1606, STC No. 15 OP

NSR Permit No. 4477, SC No. 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: FOP No. 1606, GTC OP

FOP No. 1606, STC No. 15 OP

NSR Permit No. 4477, SC No. 1 PERMIT

Standard Permit Registration No. 159535 PERMIT

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

Classification: Minor

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

Rqmt Prov: FOP 2223, GTC OP

FOP 2223, STC No. 2.F OP

Description: Failed to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event. Specifically, the final record for Incident No. 340129 was due by August 18, 2020, but was not submitted until August 19, 2020.

Classification: Moderate

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

Rqmt Prov: FOP 2223, GTC OP

FOP 2223, STC No. 1.A OP

FOP 2223, STC No. 20 OP

NSR Permit No. 4477, SC No. 1 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1606, GTC OP

FOP 1606, STC No. 1.A OP

FOP 1606, STC No. 15 OP

NSR Permit No. 4477, SC No. 1 PERMIT

Standard Permit Registration No. 159535 PERMIT

Description: Failed to prevent unauthorized emissions and failed to limit highly reactive volatile organic compounds ("HRVOC") emissions to 1,200 lbs or less per one-hour block period. Specifically, the Respondent released 12,674.89 lbs of HRVOC as fugitive emissions and released 34.82 lbs of CO, 5.41 lbs of NOx, and 57.58 lbs of VOC from the Flare, EPN L3FLARE, during an emissions event (Incident No. 352371) that occurred on March 8, 2021 and

lasted 10 minutes.

Classification: Moderate

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

Rqmt Prov: FOP 1606, GTC OP

FOP 2223, GTC OP

FOP, Special Term and Condition 15 OP

FOP, Special Term and Condition 20 OP

NSR Permit Nos. 114809 and N190, SC 1 PERMIT

NSR Permit Nos. 114809 and N190M1, SC 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: FOP 2223, GTC OP

FOP 2223, STC No. 1.A OP

FOP 2223, STC No. 20 OP

NSR Permit No. 4477, SC No. 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: FOP 1606, GTC OP

FOP 1606, STC No. 15 OP

NSR Permit No. 4477, SC No. 1 PERMIT

Standard Permit Registration No. 159535 PERMIT

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

Classification: Moderate

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

Rqmt Prov: FOP 2223, GTC OP

FOP 2223, STC No. 18 OP

NSR Permit No. 18978, SC No. 1 PERMIT

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

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 1606, GTC OP

FOP 1606, STC No. 15 OP

NSR Permit No. 4477, SC No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, the Respondent released 5,255.00 lbs of VOC and 473.00 lbs of PM as fugitive emissions and released 80.00 lbs of CO, 105.00 lbs of VOC, and 13.00 lbs of NOx from the Flare, EPN L3FLARE, during an emissions event (Incident No. 328019) that began on January 11, 2020 and lasted eight hours.

Classification: Moderate

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

Rqmt Prov: FOP 1606, GTC OP

FOP 1606, STC No. 15 OP

NSR Permit No. 4477, SC No. 1 PERMIT

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

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	(1717797)
Item 2	December 18, 2020	(1717798)
Item 3	January 20, 2021	(1717799)
Item 4	January 29, 2021	(1698935)
Item 5	February 20, 2021	(1730843)
Item 6	February 25, 2021	(1699741)
Item 7	April 20, 2021	(1730845)
Item 8	April 30, 2021	(1686501)
Item 9	May 18, 2021	(1742699)
Item 10	May 20, 2021	(1722598)
Item 11	May 30, 2021	(1724228)
Item 12	June 18, 2021	(1748498)
Item 13	July 20, 2021	(1753455)
Item 14	August 20, 2021	(1758844)
Item 15	September 10, 2021	(1690876)
Item 16	September 14, 2021	(1762479)
Item 17	September 20, 2021	(1768182)
Item 18	October 20, 2021	(1778719)
Item 19	October 31, 2021	(1686165)
Item 20	November 19, 2021	(1785386)
Item 21	December 13, 2021	(1792425)
Item 22	January 20, 2022	(1800272)
Item 23	February 16, 2022	(1808102)
Item 24	May 06, 2022	(1812152)
Item 25	June 17, 2022	(1836859)
Item 26	July 20, 2022	(1844045)
Item 27	July 22, 2022	(1832571)
Item 28	August 12, 2022	(1761888)
Item 29	August 19, 2022	(1850204)
Item 30	September 20, 2022	(1857974)
Item 31	October 20, 2022	(1864328)
Item 32	November 17, 2022	(1871236)
Item 33	January 23, 2023	(1861870)
Item 34	March 16, 2023	(1900287)
Item 35	March 30, 2023	(1894899)
Item 36	May 24, 2023	(1855092)
Item 37	May 25, 2023	(1896133)

Item 38	August 18, 2023	(1934776)
Item 39	October 20, 2023	(1947750)
Item 40	October 26, 2023	(1932030)
Item 41	November 17, 2023	(1953439)
Item 42	December 14, 2023	(1963222)
Item 43	December 18, 2023	(1878808)
Item 44	January 10, 2024	(1879748)
Item 45	January 18, 2024	(1969799)
Item 46	February 19, 2024	(1978878)
Item 47	March 29, 2024	(1982322)
Item 48	April 18, 2024	(1991982)
Item 49	May 05, 2024	(1975666)
Item 50	May 20, 2024	(1998416)
Item 51	June 05, 2024	(1973375)
Item 52	June 18, 2024	(2005381)
Item 53	September 19, 2024	(2014911)
Item 54	October 17, 2024	(2031660)
Item 55	December 20, 2024	(2044369)
Item 56	March 10, 2025	(2046290)
Item 57	March 30, 2025	(2061911)
Item 58	March 31, 2025	(2046989)
Item 59	July 22, 2025	(2063655)

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: 10/31/2024 (2037980)
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: 12/31/2024 (2050928)
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: 01/31/2025 (2058477)
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: 02/28/2025 (2067040)
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: 03/31/2025 (2073858)
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: 04/30/2025 (2080236)
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: 05/31/2025 (2087350)
Self Report? YES Classification: Moderate

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

8 Date: 06/30/2025 (2094447)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

9 Date: 07/25/2025 (2047295)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.345(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1575(k)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 17A PERMIT
Special Term and Condition 20 OP
Description: Failure to perform relative accuracy test audit (RATA) for boilers (EPNs: UTBLRS, UTBLRN) (CATEGORY B3 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(e)
5C THSC Chapter 382 382.085(b)
Special Condition 13 PERMIT
Special Term and Condition 20 OP
Description: Failure to maintain net heating value of 270 BTU/Scf for Flare (EPN: L3FLARE) (CATEGORY B12 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.670(e)
5C THSC Chapter 382 382.085(b)
Attachment D, Special Condition 13 PERMIT
Special Term and Condition 20 OP
Description: Failure to maintain net heating value of 270 Btu/scf for Flare (EPN: LBFLARE) (CATEGORY B12 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.348(a)(1)(i)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(1)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 20 OP
Description: Failure to collect monthly Zimpro and 1603J NESHAP samples (CATEGORY B1 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Condition I(H) PERMIT
Special Condition 17C PERMIT
Special Term and Condition 1A OP
Special Term and Condition 20 OP
Description: Failure to prevent visible emissions from the ARU Flare (EPN: QE3050B) (CATEGORY B17 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 6E PERMIT
Special Term and Condition 20 OP
Description: Failure to prevent ammonia (NH3) exceedances for Furnace 11 (EPN: QE1011B) (CATEGORY B13 Violation).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 20 OP
 Description: Failure to submit an initial 24-hour notification of a reportable emissions event for Main Flare (EPN: QE8050B) (CATEGORY B3 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 25G PERMIT
 Special Term and Condition 20 OP
 Description: Failure to prevent the 5% downtime exceedance for the Vent (EPN: QEUNITEM) (CATEGORY B18g1 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Condition I(H) PERMIT
 Special Condition 17C PERMIT
 Special Term and Condition 1A OP
 Special Term and Condition 20 OP
 Description: Failure to prevent visible emissions from the Main Flare (EPN: QE8050B) (CATEGORY B17 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 21E PERMIT
 Special Term and Condition 20 OP
 Description: Failure to timely report olfactory, visual, and/or audio (OVA) leak from the Process Fugitives (EPN: QEFUG) (CATEGORY B3 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 20 OP
 Description: Failure to prevent the operation of Emergency Generator (EPN: QE1ADMINGEN) between 6:00 AM and 12:00 PM (CATEGORY B18g1 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 25G PERMIT
 Special Term and Condition 20 OP
 Description: Failure to prevent the 5% downtime exceedance for Pyrolysis Furnace 3 (EPN: QE1003B) (CATEGORY B18g1 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 25G PERMIT
 Special Term and Condition 20 OP
 Description: Failure to prevent the 5% downtime exceedance for Pyrolysis Furnace 4 (EPN: QE1004B) (CATEGORY B1 Violation).
 Self Report? NO Classification: Moderate
 Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 Condition I(A)(4)(B) PERMIT
 Special Condition 17B PERMIT
 Special Term and Condition 1A OP
 Special Term and Condition 20 OP
 Description: Failure to maintain pilot flame for the ARU Flare (EPN: QE3050B) (CATEGORY B18g1 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Special Condition 1 PERMIT
 Special Term and Condition 20 OP
 Description: Failure to prevent the hourly carbon monoxide (CO) permit limit for Furnace 10 (EPN: QE1010B) (CATEGORY C4 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 6C PERMIT
 Special Term and Condition 20 OP
 Description: Failure to prevent an exceedance of the pounds per million British thermal units (lb/MMBtu) limit for nitrogen oxide (NOx) from Furnace 11 (EPN: QE1011B) (CATEGORY B13 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 6E PERMIT
 Special Term and Condition 20 OP
 Description: Failure to maintain the Ammonia (NH3) hourly average concentration limit for Furnace 11 (EPN: QE1011B) (CATEGORY B13 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2450(e)(6)(iii)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 20 OP
 Description: Failure to prevent unauthorized venting of Vent (EPN: L3L4205) to the atmosphere (CATEGORY B17 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2450(e)(6)(iii)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 20 OP
 Description: Failure to prevent unauthorized venting of Maintenance Vent (EPN: L3SILOS) to the atmosphere (CATEGORY B17 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Term and Condition 20 OP
 Description: Failure to maintain the Ammonia (NH3) hourly emissions limit for the Utility Boilers (EPNs: UTBLRN and UTBLRS) (CATEGORY B13 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 8D PERMIT
 Special Term and Condition 20 OP
 Description: Failure to maintain the differential pressure (dP) drop for Scalperator Vent Fines Collectors (EPN: Q1F15004) (CATEGORY B18g1 Violation).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13 PERMIT
 Special Term and Condition 20 OP
 Description: Failure to maintain the 30-day rolling sample collection for the Mixer Feed Hopper (EPN: Q1F01324) (CATEGORY B1 Violation).

10 Date: 07/31/2025 (2101022)
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits:

Notice of Intent Date: 04/01/2021 (1707742)

Disclosure Date: 04/27/2021

Viol. Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(b)

Rqmt Prov: PERMIT Special Condition No. 21

Description: Failed to maintain a fugitive component as out-of-service and free of VOCs. Specifically, a fugitive component was identified as out-of-service and free of VOCs was unintentionally returned to VOC service due to a leaking isolation valve.

Viol. Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 116, SubChapter F 116.615(2)

Rqmt Prov: PERMIT Standard Permit Registration

Description: Failed to comply with standard permit representations. Specifically, improper paperwork was submitted to authorize boilers for permanent operation under the Air Quality Standard Permit for Boilers.

Viol. Moderate

Citation: 30 TAC Chapter 106, SubChapter S 106.433(4)(C)
30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failed to register the PBR. Specifically, the Facility exceeded the exempted emissions limit of 0.25 lb/hr VOC listed in the PBR for surface coating facilities without complying with the requirements in 30 Tex. Admin. Code § 106.433 (5) - (9), including registration of the PBR.

Viol. Moderate

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

Description: Failed to include deviations discovered during the audit that occurred during previous Title V reporting periods but were not included in the corresponding deviation reports.

Disclosure Date: 04/29/2021

Viol. Moderate

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

Rqmt Prov: PERMIT Special Conditions No. 8.D

Description: Failed to operate filtered vents Q1F15004 and Q1FEEDVC within the minimum and maximum pressure drops listed in Permit No. 19109, SC No. 8.D intermittently.

Viol. Moderate

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

Description: Failed to include deviations discovered during the audit that occurred during previous Title V reporting periods but were not included in the corresponding deviation reports.

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

Disclosure Date: 04/17/2023

Viol. Minor

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

Rqmt Prov: PERMIT SC 6

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

Viol. Minor

Viol.

Citation:

Classification: 30 TAC Chapter 122, SubChapter B 122.142

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

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT SC1

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

Viol. Minor

Classification:

Citation: 30 TAC Chapter 106, SubChapter S 106.433(8)
30 TAC Chapter 106, SubChapter A 106.8(c)

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

Viol. Moderate

Classification:

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

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

Viol. Minor

Classification:

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

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

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT SC4

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

Disclosure Date: 10/18/2023

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

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

Viol. Moderate

Classification:

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

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

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

Viol. Moderate

Classification:

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

Rqmt Prov: PERMIT Part III, Section B.5

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

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

Disclosure Date: 02/07/2024

Viol. Moderate

Classification:

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)

Rqmt Prov: PERMIT Att A, Par 11, and AMOC 162 ID
PERMIT SC 7.E

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

Disclosure Date: 03/22/2024

Viol. Moderate

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

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

Viol. Minor

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

Rqmt Prov: PERMIT SC 21.E
Description: Failed to close or monitor within 72 hours an isolated pump awaiting repair with three open-ended lines.
Viol. Minor
Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)(1)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)

Description: Failed to inspect ancillary equipment without secondary containment when inspections of tanks systems are being performed.
Viol. Minor
Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(c)(4)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)

Description: Failed to identify on inspections forms the precipitation in hazardous waste tank secondary containment areas and remove the precipitation within 24 hours.
Disclosure Date: 06/11/2024
Viol. Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)

Description: Failed to ensure the diesel engine has a functioning non-resettable run time totalizer meter needed to comply with 30 Tex. Admin. Code § 117.340(j).
Disclosure Date: 09/05/2024
Viol. Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC 8.D

Description: Failed to monitor downtime tracking meeting intent of NSR Permit No. 19109, Special Condition No. 8.D. Specifically, downtime calculation did not consider periods of operation only in the methodology. After correcting the downtime tracking methodology, periods of operation where loss of valid data occurred due to monitor malfunction, repair, and maintenance exceeded the 5 percent of time the source is in operation for a 12 month rolling period.
Disclosure Date: 10/28/2024
Viol. Minor
Citation: 30 TAC Chapter 115, SubChapter E 115.421(8)(A)

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

Notice of Intent Date: 11/12/2024 (2023632)
Disclosure Date: 03/26/2025
Viol. Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT SC1

Description: Failed to modify permit representation and associate MAER to reflect the 2002 modification where the IFR on Tank No. V4367 (EPN L3V4367) primary and secondary seal system was removed and replaced with standalone primary seal system.
Disclosure Date: 06/23/2025
Viol. Minor

Classification:
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP STC 3.A(iv)(1)

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

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EQUISTAR CHEMICALS, LP
RN100210319

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2025-1207-AIR-E

I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owns and operates an industrial organic chemical plant located at 1515 Miller Cut Off Road in La Porte, Harris County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$21,875 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$8,750 of the penalty and \$4,375 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.

Pursuant to TEX. WATER CODE § 7.067, \$8,750 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 by August 22, 2024, the Respondent compiled system performance indicators to monitor operating performances of the condensate stripper system, revised process alarm limits for pressure and steam conditions on the condensate stripper system, and revised process alarm limits for process flows and differential pressure on the acetylene absorber tower in order to prevent the recurrence of emissions events due to the same or similar causes as Incident No. 416302.

II. ALLEGATIONS

During a record review for the Plant conducted on July 21, 2025, an investigator documented that the Respondent failed to prevent unauthorized emissions in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c) and 122.143(4), New Source Review Permit Nos. 18978, PSDTX752M5, and N162M1, Special Conditions No. 1, Federal Operating Permit No. O2223, General Terms and Conditions and Special Terms and Conditions No. 20, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released 15,823.86 pounds ("lbs") of carbon monoxide, 1,662.54 lbs of nitrogen oxides, and 6,511.31 lbs of volatile organic compounds from the Elevated Flare, Emissions Point Number QE8050B, during an emissions event (Incident No. 416302) that began on January 24, 2024 and lasted 13 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: Equistar Chemicals, LP, Docket No. 2025-1207-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 an SEP as set forth in Section I, Paragraph No. 4. The amount of \$8,750 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

Krista Melo-Jurack

04/13/2026

For the Executive Director

Date

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

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

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

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

Mark R. Bookmyer

Signature

1/5/2026

Date

Mark Bookmyer

Name (Printed or typed)
Authorized Representative of
Equistar Chemicals, LP

Site Manager

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: 2025-1207-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Equistar Chemicals, LP
Payable Penalty Amount:	\$17,500
SEP Offset Amount:	\$8,750
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Houston-Galveston Area Council-AERCO
Project Name:	<i>Clean Vehicles Partnership Project</i>
Location of SEP: Angelina, Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Hardin, Harris, Houston, Jasper, Jefferson, Liberty, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Trinity, Tyler, Walker, Waller, and Wharton Counties	

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for 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 the **Houston-Galveston Area Council-AERCO** for the *Clean Vehicles Partnership Project*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the SEP Offset Amount will be used to replace old, higher emission buses that do not meet 2010 Environmental Protection Agency (“EPA”) emissions standards (“Old Buses”) with new, lower emission buses that meet the most recent EPA emissions standards (“New Buses”) or to retrofit or convert Old Buses with emissions reducing equipment. The Third-Party Administrator shall allocate the SEP Offset Amount to public entities such as school districts, local governments, and public transit authorities (“SEP Administrators”) that apply for replacement, retrofit, or conversion of buses.

The SEP Offset Amount may also be used for retrofit or conversion technology that brings an Old Bus up to current EPA emissions standards. New Buses may be alternative-fueled. The SEP Offset Amount may be used for up to 100% of the replacement, conversion, or retrofit cost. The SEP Offset Amount will be used only for purchase of New Buses or conversion or retrofit equipment and contract labor for installation of equipment. The SEP Offset Amount will not be used for financing such a purchase through a lease-purchase or similar agreement.

Retrofitting means reducing exhaust emissions to current standards by installing devices that are verified or certified by the EPA or the California Air Resources Board as proven retrofit technologies. Converting means replacing an engine system with an alternative fuel engine system to bring the Old Bus within the current EPA emissions standards.

Equistar Chemicals, LP
Docket No. 2025-1207-AIR-E
Agreed Order - Attachment A

Buses to be replaced, retrofitted, or converted must be in regular use (driven at least five hundred miles per year for at least the past two years) by the SEP Administrator and must not already be scheduled for replacement in the following twenty-four months.

All replaced buses must be fully decommissioned. The Third-Party Administrator shall provide proof of decommissioning to TCEQ for each replaced vehicle by submitting a copy of the TCEQ SEP Vehicle Replacement Disposition Form. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

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 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 the Respondent has no prior commitment to make this contribution and that it is being contributed to settle this enforcement action. The Respondent shall not profit 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 many respiratory diseases, including asthma. For example, by replacing a 1989 diesel bus with a 2010 ultra-low emission model, passengers' exposure to nitrogen oxides may be reduced by 98 percent; volatile organic compounds by 93 percent; carbon dioxide by 83 percent; and particulate matter by 99 percent. In addition, by encouraging less bus idling, this SEP contributes to public awareness of air pollution and air quality.

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 **Houston-Galveston Area Council-AERCO SEP** and shall mail the contribution with a copy of the Agreed Order to:

Houston-Galveston Area Council-AERCO
Emission Reduction Credit Corporation
Attn: Air Quality Program Manager
3555 Timmons Lane, Suite 120
Houston, Texas 77027

3. **Records and Reporting**

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement 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 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

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 the 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
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. **Publicity**

Any public statements concerning this SEP and/or project, 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 Attachment A and in the attached 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.