

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 22, 2022

PRENTICE C. JAMES
REGIONAL EH&S MANAGER
UNION CARBIDE CORPORATION
332 SH 332E, APB2A1
LAKE JACKSON, TEXAS 77566
Via email

Subject: Use of Discrete Emission Credits
Union Carbide Corporation
Union Carbide
Customer Number: CN601688781
Regulated Entity Number: RN100219351
EBT Portfolio Number: P1148
Project Number: 417501

Dear Prentice C. James:

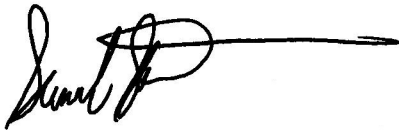
This letter is in response to the Notice of Use of Discrete Emission Credits submitted on November 3, 2022, regarding the use of nitrogen oxides (NO_x) discrete emission reduction credits (DERCs) for compliance with the Mass Emissions Cap and Trade (MECT) Program. The Texas Commission on Environmental Quality (TCEQ) is approving the DERC use as summarized below. Any retained certificates are now available for future use or trade as allowed under 30 Texas Administrative Code (TAC) Chapter 101, Subchapter H, Division 4.

Pollutant	Use Period	Set Aside Certificate	Amount Set Aside (tons)	Amount Used (tons)	Retained Certificate	Amount Retained (tons)
NO _x	1/1/2021 - 12/31/2021	D2545	375.4	0.0	D2545	375.4

Please note that 30 TAC §101.356(h)(5) requires submission of the Notice of Use of Discrete Emission Credits by March 31 with the site's annual compliance report. Your application was submitted on November 3, 2022. Failure to comply with the requirements in 30 TAC Chapter 101, Subchapter H, may result in enforcement action.

Additional information regarding this project and the site's portfolio is available online at https://www2.tceq.texas.gov/airperm/index.cfm?fuseaction=ebt_dpa.start. If you have questions concerning this project or the EBT program, please contact David Lampton at David.Lampton@tceq.texas.gov, or write to the TCEQ, Office of Air, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

Sincerely,

A handwritten signature in black ink, appearing to read 'Samuel Short', followed by a long horizontal line extending to the right.

Samuel Short, Deputy Director
Air Permits Division
Office of Air

cc: Director of Environmental Health Programs, Air and Water Pollution Services, Galveston County
Health District, La Marque

11/22/2022 ----- EBTP IMS- PROJECT RECORD -----

PROJECT#: 417501 STATUS: C DISP CODE: _____
RECEIVED: 11/03/2022 PROJTYPE: BUSE ISSUED DT: _____
SUP-DISP DATE: 11/22/2022

STAFF ASSIGNED TO PROJECT:

LAMPTON, DAVID

PROJECT NOTES:

.NOTICE OF USE WAS SUBMITTED LATE. COMPANY COULD NOT PROVIDE DOCUMENTATION TO SHOW APPLICATION WAS SUBMITTED BY THE MARCH 31, 2022, DUE DATE. APPLICATION WILL BE PROCESSED, BUT COMPANY WILL BE REMINDED OF THE DEADLINE FOR FUTURE SUBMISSIONS.

.ZERO DERC USE

PROJECT TRANSACTIONS

COMPANY DATA

COMPANY NAME: UNION CARBIDE CORPORATION
CUSTOMER REGISTRY ID: CN601688781

PORTFOLIO DATA

NUMBER: P1148 NAME: UNION CARBIDE - RN100219351

SITE DATA

ACCOUNT: GB0076J
REG ENTITY ID: RN100219351
SITE NAME: UNION CARBIDE
COUNTY: GALVESTON NEAREST CITY: TEXAS CITY
LOCATION: 3301 5TH AVE S

CONTACT DATA

NAME: PRENTICE C.JAMES TITLE: REGIONAL EH&S MANAGER
ROLE: AAR
STREET: 332 SH 332E, APB2A1
CITY/STATE, ZIP: LAKE JACKSON, TX , 77566-
PHONE: 979-238-1443 -
EMAIL: PCJAMES@DOW.COM

TRANSACTION DATA

TRANSACTION TYPE: DERC_RET
DATE ENTERED: 2022-11-07 00:00:00.0 DELETED DATE: EFFECTIVE YEAR:
CONTAMINATE: **NOX** TONS: **375.40** DOLLARS: **0**
ALLOWANCE0 CERTIFICATE NO.: **D2545** COUNTY : **GALVESTON**

TRANSACTION DATA

TRANSACTION TYPE: DERC_USE
DATE ENTERED: 2022-11-07 00:00:00.0 DELETED DATE: EFFECTIVE YEAR: 2021
CONTAMINATE: **NOX** TONS: **0** DOLLARS: **0**
ALLOWANCE1 CERTIFICATE NO.: **0** COUNTY : **GALVESTON**

TRACKING ACTIVITES

PROJECT SUBMITTED : 11/03/2022 PROJECT RECEIVED BY PM : 11/07/2022 TEAM LEAD REVIEW : 11/15/2022
SECTION MANAGER REVIEW : 11/17/2022

Portfolio Detail

Portfolio Number: P1148
Portfolio Name: UNION CARBIDE - RN100219351
Company Name: UNION CARBIDE CORPORATION

Actual Allowances for Pollutant NOX

Balance/Year	2018	2019	2020	2021	2022	2023	2024
Penalty from last year	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Certified Allocation	<u>483.5</u>	<u>483.5</u>	<u>483.5</u>	<u>483.5</u>	<u>483.5</u>	<u>483.5</u>	<u>483.5</u>
Allowances for Offsets	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>
Future Trade In	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Future Trade Out	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>
Stream Traded In	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Stream Traded Out	<u>-483.5</u>	<u>-483.5</u>	<u>-483.5</u>	<u>-483.5</u>	<u>-483.5</u>	<u>-483.5</u>	<u>-483.5</u>
Current Traded In	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Current Traded Out	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>
Total Reported Emissions	-53.2	-43.8	-43.7	-44.6	0	0	0
Quantification Penalty	-0	-0	-0	-0	-0	-0	-0
Current Used for Compliance	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>
Vintage From Previous Year	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Vintage Traded In	<u>120</u>	<u>100</u>	<u>75</u>	<u>48.6</u>	<u>0</u>	<u>0</u>	<u>0</u>
Vintage Traded Out	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>
Vintage Used for Compliance	<u>-53.2</u>	<u>-43.8</u>	<u>-43.7</u>	<u>-44.6</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>
DERC Intent	37.54	0	37.54	37.54	0	0	0
DERC Use	0	0	0	0	0	0	0
ERC Converted to Allowances	0	0	0	0	0	0	0
CURRENT ALLOWANCE BALANCE	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
VINTAGE ALLOWANCE BALANCE	<u>66.8</u>	<u>56.2</u>	<u>31.3</u>	<u>4</u>	<u>0</u>	<u>0</u>	<u>0</u>

Allowable Allowances

Balance/Year	2018	2019	2020	2021	2022	2023	2024
Starting Allowance for	0	0	0	0	0	0	0
Deficit	0	0	0	0	0	0	0
Actual Emissions	-0	-0	-0	-0	-0	-0	-0
Quantification Penalty	0	0	0	0	0	0	0
BALANCE	0	0	0	0	0	0	0
Starting Allowance for **	0	0	0	0	0	0	0

Deficit	0	0	0	0	0	0	0
Actual Emissions	-0	-0	-0	-0	-0	-0	-0
Quantification Penalty	0	0	0	0	0	0	0
BALANCE	0	0	0	0	0	0	0

** This fin was recertified.

Flexible Allowances for Pollutant NOX

Balance	2018	2019	2020	2021	2022	2023	2024
Flexible Allowance	0	0	0	0	0	0	0
Penalty	0	0	0	0	0	0	0
Associated Annual Emissions	-0	-0	-0	-0	-0	-0	-0
BALANCE	0	0	0	0	0	0	0

Sb7 Allowances for Pollutant NOX

Balance/Year	2018	2019	2020	2021	2022	2023	2024
Previous Year Deficit	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Allowances Remaining from Previous Year	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Allocation	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Current Traded In	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Current Traded Out	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>
Stream Traded In	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Stream Traded Out	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-0</u>
Total Reported Emissions	-0	-0	-0	-0	-0	-0	-0
Remaining Balance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

DERC >

Certificate Num	Cont Code	Avail Tons	Transaction Type	Inactive Date	Gen Start Date	Gen End Date	County	Parent Cert Num
D2270	NOX	1000.00	DERC_BUY	10/26/2010	12/31/1994		BRAZORIA	D2190
D2421	NOX	1000.00	DERC_INTEN	10/26/2010	12/31/1994		BRAZORIA	D2282
D1045	NOX	13.00	DERC_RET	01/14/2010	12/30/3000		GALVESTON	D1045
D1045	NOX	13.00	DERC_GEN	01/14/2010	12/30/3000		GALVESTON	D1045
D2421	NOX	1000.00	DERC_BUY	10/26/2010	12/31/1994		BRAZORIA	D2282
D2545	NOX	375.40	DERC_RET	12/30/3000	01/01/2001	12/31/2001	BRAZORIA	D1023
D2545	NOX	375.40	DERC_BUY	12/30/3000	01/01/2001	12/31/2001	BRAZORIA	D1023
D2586	NOX	1000.00	DERC_RET	09/09/2010	12/31/1994		BRAZORIA	D2422
D1045	NOX	13.00	DERC_SELL	01/14/2010	12/30/3000		GALVESTON	D1045
D2270	NOX	1000.00	DERC_INTEN	10/26/2010	12/31/1994		BRAZORIA	D2190
D2422	NOX	1000.00	DERC_INTEN	10/26/2010	12/31/1994		BRAZORIA	D2274
D2590	NOX	1000.00	DERC_RET	09/09/2010	12/31/1994		BRAZORIA	D2421
D2545	NOX	375.40	DERC_INTEN	12/30/3000	01/01/2001	12/31/2001	BRAZORIA	D1023

D2583	NOX	250.00	DERC_RET	09/09/2010	12/31/1994		BRAZORIA	D2270
D2422	NOX	1000.00	DERC_BUY	10/26/2010	12/31/1994		BRAZORIA	D2274
D2436	NOX	750.00	DERC_RET	09/09/2010	01/01/1993	12/31/1994	BRAZORIA	D2270

ERC

Certificate Num	Cont Code	Avail Tons	Transaction Type	Active/Inactive	Gen Date	Exp Date	County	Parent Cert Num
2874	NOX	3.80	ERC_GEN	09/17/2018	10/03/2013	10/03/2018	GALVESTON	0
2889	NOX	1.90	ERC_SELL	03/01/2019	04/02/2014	04/02/2019	GALVESTON	0
2889	NOX	1.90	ERC_GEN	03/01/2019	04/02/2014	04/02/2019	GALVESTON	0
2874	NOX	3.80	ERC_SELL	09/17/2018	10/03/2013	10/03/2018	GALVESTON	0



Form DEC-3 (Page 1)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

I. COMPANY IDENTIFYING INFORMATION			
A. Company Name: Union Carbide Corporation			
Mailing Address: P.O. Box 471			
City: Texas City	State: TX	Zip: 77592-0471	
Telephone: 979-238-1443		Fax: 979-238-0352	
B. TCEQ Customer Identification Number (CN): CN601688781			
C. Site Name: Union Carbide Texas City			
Street Address (If no street address, give driving directions to site): 3301 5th Avenue South			
Nearest City: Texas City	Zip Code: 77592	County: Galveston	
D. TCEQ Regulated Entity Number (RN): RN100219351			
E. TCEQ Account Number (if applicable): GB0076J			
F. Primary SIC:		Air Permit Number:	
II. TECHNICAL CONTACT IDENTIFYING INFORMATION			
A. Technical Contact Name: (☒ Mr. ☐ Mrs. ☐ Ms. ☐ Dr.) : Prentice C. James			
Technical Contact Title: Regional Emissions Manager			
Mailing Address: 322 SH 322 E, APB2A1			
City: Lake Jackson	State: TX	Zip Code: 77566	
Telephone: 979-238-1443	Fax:	E-mail: pcjames@dow.com	
III. COMPANY CONTACT IDENTIFYING INFORMATION			
A. Company Contact Name: (☒ Mr. ☐ Mrs. ☐ Ms. ☐ Dr.) Prentice C. James			
Technical Contact Title: Regional Emissions Manager			
Mailing Address: 322 SH 322 E, APB2A1			
City: Lake Jackson	State: TX	Zip Code: 77566	
Telephone: 979-238-1443	Fax:	E-mail: pcjames@dow.com	
IV. Mass Emission Cap and Trade Program (MECT)			
Is the DERC use for compliance with 30 TAC Chapter 101, Subchapter H, Division 3? ☒ Yes ☐ No			
Year DERC Generated: <u>1999</u> Year of use: <u>2021</u> Ratio of DERC to Allowance: <u>10</u> to <u>1</u>			
<i>Note: If DERC use is to comply with MECT then go to Section X</i>			
V. Use Period			
Use Start Date: <u>01/ 01/2021</u> Use End Date: <u>12/ 31/2021</u>			



Form DEC-3 (Page 1)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

VI. State and Federal Requirements

Applicable State and Federal requirements that the DERCs will be used for compliance: **n/a**

VII. Most Stringent Emission Rate

Describe basis for most stringent allowable emission rate:

☐ Permit : _____ ☐ RACT : _____ ☐ Other: _____

Notes:

VIII. PROTOCOL

Protocol used to calculate DERC:

Note: Attach the actual calculations that were used to determine the amounts of DERCs needed to this form



Form DEC-3 (Page 1)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

X. TOTAL DERCS REQUIRED FOR USE (round up to the nearest tenth of a ton)

Tons of DERCS required (from Sect. VI.)	CO: _____	NO _x : <u>0.0</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Offset Ratio (if required)	CO: _____	NO _x : _____	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Environmental Contribution (+ 10%)	CO: _____	NO _x : _____	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Total DERCS Used	CO: _____	NO _x : <u>0.0</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____

XI. DERC INFORMATION

Name of the DERC Generator: Dow Texas Operations Freeport

DERC Generator Regulated Entity Number: 100225945

Certificate number of the DERCS acquired or to be acquired: D2545

Note: The certificate number is assigned by the TCEQ

XII. CERTIFICATION BY RESPONSIBLE OFFICIAL

I, Prentice C. James, hereby certify, to the best of my knowledge and belief, that this application is correct and the use strategy claimed on this notice has met the requirements of all applicable state and federal rules and regulations. I further state that to the best of my knowledge and belief the information in this certification is not in any way in violation of 30 TAC, Subchapter H, Division 4, §101.370-101.379 or any applicable air quality rule or regulation of the Texas Commission on Environmental Quality and that intentionally or knowingly making or causing to be made false material statements or representations in this certification is a CRIMINAL OFFENSE subject to criminal penalties. I hereby also waive the Federal statute of limitations defense in regards to the generation and use of discrete emission credits.

Signature: P. C. James Date: March 28, 2022

Title Regional Emissions Manager

Central Registry Internal Reporting

Main Query Page

Program Area Search

Regulated Entity Detail					
Regulated Entity Name:	UNION CARBIDE			RN:	RN100219351
Status:	Active	Status Comment:		Stand Alone:	N
Physical Address:	3301 5TH AVE S TEXAS CITY, TX 77590-8121			County:	GALVESTON
Physical Location:					
Nearest City:	TEXAS CITY	State:	TX	Zip Code:	77590
Latitude:	29° 22 min 39 sec (29.377500)		Longitude:	94° 56 min 35 sec (-94.943055)	

1-3 of 3 Records

Affiliated Customers					List All
CN Number	Customer* 	Role	Begin Date	End Date	RE Comp Hist
CN600130645	LINDE INC	OWNER OPERATOR	07/10/2007	12/31/3000	HIGH
CN600356976	THE DOW CHEMICAL COMPANY	OWNER OPERATOR	01/1/1800	12/31/3000	HIGH
CN601688781	UNION CARBIDE CORPORATION	OWNER OPERATOR	01/1/1800	12/31/3000	HIGH

Page 1 [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) > 1-50 of 457 Records

Program Interests									
Program	RE Type	ID Type	Addn ID	Addn ID Status	Alt RE Name	Role	Customer Name (CN)	Begin Date - End Date	View 'Issued To' History
AIR EMISSIONS INVENTORY	SITE	ACCOUNT NUMBER	GB0076J	ACTIVE					View
AIR EMISSIONS INVENTORY	SITE								
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	71866	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	70444	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	72683	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	92940	TRANSFER	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	The Dow Chemical Company (CN600356976)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	73594	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	74297	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	70510	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	77191	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	73654	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	92679	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	52924	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	EPA PERMIT	PSDTX841	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	74073	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE	SITE	REGISTRATION	92645	CANCELLED	UNION CARBIDE	OWNER OPERATOR	Union Carbide Corporation	01/01/1800 - 12/31/3000	View

[illegible]

SOURCE PERMITS					CARBIDE TEXAS CITY	OPERATOR	Corporation (CN601688781)	12/31/3000	
AIR NEW SOURCE PERMITS	SITE	PERMIT	6733	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	PERMIT	6733A	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View
AIR NEW SOURCE PERMITS	SITE	REGISTRATION	73157	CANCELLED	UNION CARBIDE TEXAS CITY	OWNER OPERATOR	Union Carbide Corporation (CN601688781)	01/01/1800 - 12/31/3000	View

Program Interests: (Page [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [>](#) 1-50 of 457 Records)

*The Customer Name displayed may be different from the Customer Name associated with the Additional ID. This name may be different due to ownership changes, legal name changes, or other administrative changes.

.....
[Site Help](#) | [Disclaimer](#) | [Web Policies](#) | [Accessibility](#) | [Our Compact with Texans](#) | [TCEQ Homeland Security](#) | [Contact Us](#) | [Central Registry](#)
Statewide Links: [Texas.gov](#) | [Texas Homeland Security](#) | [TRAIL Statewide Archive](#) | [Texas Veterans Portal](#)

© 2002-2022 Texas Commission on Environmental Quality
Last Modified 2021-10-20 - Production v2.0.12

From: [James, Prentice \(P\)](#)
To: [David Lampton](#)
Subject: RE: Action Required by 11/3/2022: Notice of Deficiency for Union Carbide's DERC Intent to Use
Date: Thursday, November 3, 2022 9:06:28 AM
Attachments: image001.png
2021_TCO_DEC3.docx.pdf

Good morning David,

Hope all is well. Thanks for the notification. I looked through my records, and looks like I submitted an intent to use for Bayport twice instead of including the document for Union Carbide. Apologies.

I've attached the documentation. Again, thanks for the notification.

Kind regards,

Prentice

Prentice C. James
Texas Regional Emissions Manager
The Dow Chemical Company
Office# 979.238.1443
pcjames@dow.com

General Business

From: David Lampton <David.Lampton@tceq.texas.gov>
Sent: Thursday, October 27, 2022 4:38 PM
To: James, Prentice (P) <pcjames@dow.com>
Subject: Action Required by 11/3/2022: Notice of Deficiency for Union Carbide's DERC Intent to Use

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

Dear Prentice C. James,

This e-mail is in response to the DERC Intent to Use application submitted to the Texas Commission on Environmental Quality (TCEQ) on 9/29/2022 (EBT Project Number 417479).

This Intent project requests that DERC certificate D2545 be set aside for potential compliance with the MECT program. This certificate is currently still tied into another project, DERC Intent project 416542, because no corresponding DERC Use project was received.

1. A DERC Intent project setting aside 375.4 tons from D2545 has been submitted each year since 2010. A corresponding DERC Use of 0 tons has been submitted for each of these Intent

projects, returning this certificate to Union Carbide Corporation. No DERC Use project was received for the 2021 MECT reporting period. Was a DERC Use submitted for this reporting period? If so, please provide proof of submission (e.g., certified mail tracking number, copy of email sent to EBT inbox, etc.).

2. DERC Uses for MECT compliance are due along with the MECT report by the annual March 31 deadline; the deadline for 2021 was March 31, 2022. If Union Carbide Corporation's DERC Use was not submitted by this date, it can be submitted now. It will be considered late by rule but the EBT team can still process it.

Once a DERC Use for 2021 has been submitted and processed, certificate D2545 will be available to be set aside in project 417479.

- If any DERCs are used in 2021, additional certificates may need to be acquired because the amount of DERCs available in D2545 will fall below the requested amount in 417479.
- If no DERCs are used in 2021, D2545 will retain the required amount to cover project 417479.

Please provide this information by 11/3/2022. Contact me if you have any questions.

Sincerely,



David Lampton
Emissions Banking and Trading
Texas Commission on Environmental Quality
E-mail: David.Lampton@tceq.texas.gov

From: [APDDIR](#)
To: [Beryl Thatcher](#); [APDDIR](#)
Cc: [PSSMGR](#); [EBTTL](#); [David Lampton](#)
Subject: RE: For Review and Approval by November 22: DERC Use 417501
Date: Monday, November 21, 2022 10:18:15 AM

Approved

Samuel Short
Deputy Director, Air Permits Division
Texas Commission on Environmental Quality
512 239-5363
Samuel.short@tceq.texas.gov



www.tceq.texas.gov/customersurvey

From: Beryl Thatcher <Beryl.Thatcher@Tceq.Texas.Gov>
Sent: Monday, November 21, 2022 8:27 AM
To: APDDIR <APDDIR@tceq.texas.gov>
Cc: PSSMGR <PSSMGR@tceq.texas.gov>; EBTTL <EBTTL@tceq.texas.gov>; David Lampton <David.Lampton@tceq.texas.gov>
Subject: FW: For Review and Approval by November 22: DERC Use 417501

From: PSSMGR <PSSMGR@tceq.texas.gov>
Sent: Friday, November 18, 2022 1:29 PM
To: Beryl Thatcher <Beryl.Thatcher@Tceq.Texas.Gov>
Cc: EBTTL <EBTTL@tceq.texas.gov>; David Lampton <David.Lampton@tceq.texas.gov>
Subject: FW: For Review and Approval by November 22: DERC Use 417501

Please see the attached documents for DERC Use 417501. This notice of use was submitted late; notices of use of DERCs for MECT compliance are due by March 31st each year with the site's annual report. The company reported zero DERCs used; therefore we did not write a technical review but language has been added to the letter regarding the late submission.

From: [David Lampton](#)
To: pcjames@dow.com
Cc: rschultz@gchd.org
Subject: TCEQ EBT Documents - DERC Use - Union Carbide
Date: Tuesday, November 22, 2022 8:18:00 AM
Attachments: 417501 DERC Use Letter.pdf

Please see the attached EBT document(s) for project number 417501. If you have any questions, please see the contact information in the last paragraph of the attached letter.

Texas Commission on Environmental Quality

EBT Programs

(512) 239-4900

ebt@tceq.texas.gov

Sign up to receive e-mail updates on EBT programs at

<https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new>. Select *Emissions Banking and Trading (EBT) Program* under the *Air Quality* heading