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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 5, 2025

MR BRYAN CANFIELD
SENIOR VICE PRESIDENT MANUFACTURING
CHEVRON PHILLIPS CHEMICAL COMPANY LP
10001 SIX PINES DR
THE WOODLANDS TX 77380-1498

Re: Notice of Proposed Permit and Executive Director's Response to Public Comment
Significant Revision
Permit Number: O2151
Chevron Phillips Chemical Company, LP
Sweeny Complex, Olefins and NGL Assets
Sweeny, Brazoria County
Regulated Entity Number: RN100825249
Customer Reference Number: CN600303614

Dear Mr. Canfield:

The Texas Commission on Environmental Quality (TCEQ) executive director's proposed action is to issue a Significant Revision of federal operating permit (FOP) No. O2151 for the Sweeny Complex, Olefins and NGL Assets in Brazoria County. Prior to taking this action, all timely public comments have been considered and are addressed in the enclosed Executive Director's Response to Public Comment (RTC). The executive director's RTC also includes resulting modifications to the FOP, if applicable.

As of June 10, 2025, the proposed permit is subject to an EPA review for 45 days, ending on July 25, 2025.

If the EPA does not file an objection to the proposed FOP, or the objection is resolved, the TCEQ will issue the FOP. If you are affected by the decision of the Executive Director (even if you are the applicant) you may petition the EPA within 60 days of the expiration of the EPA's 45-day review period in accordance with Texas Clean Air Act § 382.0563, as codified in the Texas Health and Safety Code and the rules [Title 30 Texas Administrative Code Chapter 122 (30 TAC Chapter 122)] adopted under that act. This paragraph explains the steps to submit a petition to the EPA for further consideration. The petition shall be based only on objections to the permit raised with reasonable specificity during the public comment period, unless you demonstrate that it was impracticable to raise such objections within the public comment period, or the grounds for such objections arose after the public comment period. Additional requirements for the content and formatting of petitions are specified in Title 40 Code of Federal Regulations Part 70 (40 CFR § 70.12). The EPA may only object to the issuance of any proposed permit which is not in compliance with the applicable requirements or the requirements of 30 TAC Chapter 122. The 60-day public petition period begins on July 26, 2025 and ends on September 23, 2025. Public petitions should be submitted to the TCEQ, the applicant and the EPA. Instructions on submitting a public petition to the EPA are available at the EPA website:

<https://www.epa.gov/title-v-operating-permits/title-v-petitions>

Public petitions should be submitted during the petition period to the TCEQ and the applicant at the following addresses:

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

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Mr. Bryan Canfield
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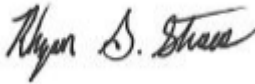
Texas Commission on Environmental Quality
Office of Air
Air Permits Division, MC-163
P.O. Box 13087
Austin, Texas 78711-3087

Mr. Bryan Canfield
Senior Vice President Manufacturing
Chevron Phillips Chemical Company, LP
10001 Six Pines Dr
The Woodlands TX 77380-1498

Copies of the RTC, Proposed Permit and SOB may be found at the TCEQ Regional Office, TCEQ's Central File Room (CFR) located in Building E, Room 103 at TCEQ's Campus in Austin, Texas, or at TCEQ Records Online website https://records.tceq.texas.gov/cs/idcplg?IdcService=TCEQ_SEARCH. Guidance documents for conducting air permit related searches on TCEQ Records Online can be accessed at https://www.tceq.texas.gov/permitting/air/nav/air_status_permits.html.

Thank you for your cooperation in this matter. If you have questions concerning the processing of this permit application, please contact Ms. Carolyn Maus, P.E. at (512) 239-6204.

Sincerely,



Rhyen Stone, Manager
Operating Permits Section
Air Permits Division
Texas Commission on Environmental Quality

cc: Mrs. Fuyan Liang, Environmental Engineer, Chevron Phillips Chemical Company, LP, Sweeny
Mr. Jose L. Trevino, Plant Manager, Chevron Phillips Chemical Company, LP, Sweeny
Ms. Sarah N. Thom, P.E., Managing Consultant, Trinity Consultants, Austin
Director, Environmental Health, Brazoria County Health Department, Angleton
Air Section Manager, Region 12 - Houston
Air Permit Section Chief, U.S. Environmental Protection Agency, Region 6-Dallas (Electronic copy)

Enclosure: Executive Director's Response to Public Comment
Proposed Permit
Statement of Basis

Project Number: 34858

EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT

The Executive Director (ED) of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Public Comment (RTC or Response) on the application for a Federal Operating Permit (FOP) Permit No. 02151 filed by Chevron Phillips Chemical Company, LP (Applicant).

As required by Title 30 Texas Administrative Code (TAC) § 122.345, the ED shall send a notice of the proposed final action, which includes a response to any comments submitted during the comment period, to any person who commented during the public comment period, the Applicant, and to EPA. The Office of Chief Clerk (OCC) timely received comments from several Commenters that are listed in Appendix A of this response. If you need more information about this permit application or the permitting process, please call the TCEQ Public Education Program at 1-800-687-4040. General information about TCEQ can be found on our web site at www.tceq.texas.gov.

BACKGROUND

Procedural Background

The Texas Operating Permit Program requires that owners and operators of sites subject to 30 TAC Chapter 122 obtain a FOP that contains all applicable requirements to facilitate compliance and improve enforcement. The FOP does not authorize construction or modifications to facilities, nor does the FOP authorize emission increases. To construct or modify a facility, the facility must have the appropriate new source review authorization. If the site is subject to 30 TAC Chapter 122, the owner or operator must submit a timely FOP application for the site and ultimately must obtain the FOP in order to operate. Chevron Phillips Chemical Company, LP applied to TCEQ for a significant revision of the FOP for an All Other Basic Organic Chemical Manufacturing plant located in Sweeny, Brazoria County. Notice of Draft Federal Operating Permit was published on August 1, 2024. Notice and Comment Hearing was published on December 5, 2024 and held at the Columbus Club Hall Brazoria, 20632 N. Highway 36, Brazoria, Texas 77422 on January 14, 2025, at 7:00 pm. The public comment period ended on January 14, 2025. The permit application, statement of basis, and draft permit was available for viewing and copying online at <http://www.tceq.texas.gov/goto/tvnotice>, and in person at the TCEQ Central Office, 12100 Park 35 Circle, Building E, First Floor, Austin, Texas 78753; TCEQ's Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452; and the Brazoria County Department of Environmental Health, 111 E Locust St Bldg A-29, Angleton, Texas 77515-4642. During the comment period starting August 1, 2024, and ending January 14, 2025, written and oral comments were received from Commenters listed in Appendix A. Upon submittal of the notice of proposed final action to Commenters, Applicant, and EPA, the version of the FOP is referenced as the Proposed Permit.

Description of Site

Chevron Phillips Chemical Company, LP has applied to TCEQ for an FOP Significant Revision that would authorize Applicant to operate the Sweeny Complex, Olefins and NGL Assets permit area (part of the Sweeny Old Ocean Facilities site). The facility is located at 21441 Loop 419 (new street name: Freedom Lane) in Sweeny, Brazoria County, Texas 77480-1426.

The Sweeny Complex, Olefins and NGL Assets permit area includes chemical manufacturing operations that produce ethylene, propylene, propane products, and other chemical products from natural gas liquids. The natural gas liquids enter the process and undergo various forms of treatment (such as removal of sulfur compounds and acid gases). The natural gas liquids are then separated into individual components that are either the final products or used later in the process to produce the final products. The separation and production involves using multiple distillation columns, also referred to as fractionation columns, and cracking furnaces, where chemical reactions take place. More details about the process units are described below:

Unit 10.2 receives natural gas liquids (NGL) from several main pipelines and removes sulfur compounds using diethanol amine (DEA) and caustic wash processes. The treated NGL is then sent to the fractionation section where ethane and propane are separated and used as charge for the ethylene units.

Unit 10.1 is an NGL fractionation facility which receives partially depropanized NGL from unit 10.2. Acid gases are removed by amine scrubbers and caustic wash columns. A water wash column removes any entrained caustic. The stream is then condensed, dried, chilled, and charged to the deethanizer which separates propane and ethane.

Unit 10.3 is a Merox treatment unit used to remove mercaptans from a mixed pentanes stream from the NGL fractionation units. The pentane splitter separates the gases into isopentanes and n-pentane.

Unit 12 produces ethylene. The unit can use propane, butane, pentane, hexane or an ethane/propane mixture as feedstocks. All are first preheated and then cracked with steam in gas-fired furnaces. The cracked gas is then cooled, compressed, and treated to remove hydrogen, methane and ethane. Ethane and lighter components are separated and yielded overhead to the ethylene fractionator where the ethane is separated from ethylene and acetylene and recycled back as furnace charge. Products and byproducts are ethylene, debutanized aromatic concentrate (DAC), 1,3-butadiene and other butanes, light oil and fuel oil, tail gas to **Unit 26.2** and a mixed propane/propylene stream to **Unit 18**.

Unit 18 fractionates propane/propylene (PP) mix into propylene and propane products for sale. Ethylene unit depropanizer overhead is charged to the unit 18 feed surge drum, along with refinery and purchased PP. Liquid from the surge drum is dried to remove entrained water. The dry feed is then charged to the C3 splitter where high purity propylene is taken as a side draw and compressed. After heat exchange, the overhead stream is partially condensed and subsequently routed to the Propylene Accumulator. The vent from the accumulator is used to remove ethane and other light components from the system. A small column situated on top of the accumulator is used to recover propylene otherwise lost in the vent gas. The vent gas is normally routed to the second stage suction drum for the cracked gas compressor at unit 12. The bottoms propane products are routed to sales.

Unit 21 is an NGL fractionation facility used to remove ethane from NGL. In addition, an ethane/propane (E/P) mix can be fed to this unit instead of NGL.

NGL is charged to the dryers to remove any entrained water. The NGL is then charged to a deethanizer. The deethanizer bottoms stream is routed to storage. The ethane is contacted with diethanol amine (DEA) from **Unit 28** to remove hydrogen sulfide and carbon dioxide. The treated ethane is yielded to **Ethylene Unit 2** as feedstock. The rich DEA is sent back to **Unit 28**.

The only difference between charging E/P instead of NGL is that the E/P is fed directly to the deethanizer, and the deethanizer bottoms are sold as propane.

Unit 22 takes ethane from NGL units and cracks it at high temperatures to ethylene. The cracked gas is then quenched, caustic treated, dried, chilled and fractionated. Products and byproducts include ethylene, light oil, deethanizer bottoms to other ethylene units and tail gas stream to **unit 26.2**.

A gas fired turbine drives the propylene compressor (Unit ID: 22-16-120). Hot combustion gas from the turbine is routed to a boiler where further heat is supplied by fuel gas combustion. The boiler is routed to another boiler where further heat is supplied by fuel gas combustion. The boiler is used to generate steam which is used at **Unit 22** or by the rest of the complex.

Unit 22 also contains a propylene and an ethylene refrigeration system. These refrigeration systems remove heat from the process and help facilitate the cryogenic conditions necessary for light hydrocarbon separation. Each system contains a compressor that takes the cold, low-pressure ethylene and propylene and compresses it. The hot vapor is then condensed and is ready to be used as a refrigerant.

Unit 24 is designed to produce ethylene and propylene by cracking ethane and propane (E/P) in high temperature cracking furnaces. The cracked gas is then quenched, caustic treated, dried, chilled and fractionated. Products and by-products include ethylene, raw gasoline, tail gas, 1,3-butadiene, and other butanes and debutanized aromatic concentrate (DAC).

Unit 24 also contains a propylene and an ethylene refrigeration system. These refrigeration systems remove heat from the process and help facilitate the cryogenic conditions necessary for light hydrocarbon separation. Each system contains a compressor that takes the cold, low-pressure ethylene and propylene and compresses it. The hot vapor is then condensed and is ready to be used as refrigerant.

Unit 24.1 - DAC Hydrotreated processes raw gasoline and DAC to make dicyclopentadiene (DCPD), benzene/toluene/xylene (BTX), amlenes, and fuel oil. The operation consists of demerization of cyclopentadiene, fractionation of DCPD, two stage hydrotreating and stabilization the BTX product.

DCDP product is stored in pressure tanks and loaded into tank cars as product. BTX products are stored in tanks and sent to the Freeport Terminal for barge loading. The fuel oil is fed to a fuel oil manifold for blending. Amylenes product is sent to storage tanks for eventual re-use in the refinery.

Emissions originate from a gas fired process heater, process fugitives, and compressor engines.

Unit 33 is designed to produce ethylene and propylene by cracking gas feedstocks in high temperature cracking furnaces. There are two alternate feed design cases: an ethane/propane mixed feedstock with recycle ethane to all furnaces, and a butane feedstock with ethane/propane mixed feed and ethane recycle making up the feed to one of the furnaces. The cracked gas is then quenched, caustic treated, dried, chilled and fractionated. Products and byproducts include ethylene, raw gasoline, tail gas, 1,3-butadiene and other butanes, and DAC.

Unit 33 also contains a propylene and an ethylene refrigeration system similar to the other units.

The unit contains equipment in benzene service. Emissions include gas fired process heaters, fugitives, a VOC/water separator, and a cooling tower. Process upsets are routed to a flare.

COMMENTS AND RESPONSES

Comments received by TCEQ are listed below except all footnotes, images, and diagrams included in the comments are not included. An in-line comment-response format is used in this document. This format assigns a number to each comment received followed by a corresponding TCEQ response. Comments submitted by individuals are summarized and may be grouped into categories.

A complete set of public comments (both written and oral) received by TCEQ are posted and archived on TCEQ's OCC Website <https://www14.tceq.texas.gov/epic/eCID/> for Chevron Phillips Chemical Company, LP, FOP O2151/project 34858, Regulated Entity Number RN100825249.

COMMENT 1: Health Impacts

Several commenters expressed concern about the health impacts of the existing emissions from the permit area as well as the proposed increases, stating that "approval of this permit will exacerbate environmental and public health inequities in a community already overburdened by industrial pollution. The Sweeny Complex, located near the Phillips 66 Refinery, operates ethane crackers emitting significant greenhouse gases and air pollutants. These emissions contribute to extreme heat events, which threaten the health of outdoor workers, young children, and elderly residents. Moreover, the highly flammable materials used at this facility increase the risk of catastrophic accidents and explosions, endangering nearby populations. I urge the TCEQ to prioritize Brazoria County residents' health, safety, and well-being by rejecting this permit and holding Chevron accountable for its environmental impacts."

(Ann Bailey, Staci Danielle Childs, Janet Delaney, Alice Dorsey, Ty Grant, Julia Landress, Kate M., James S. Roberts, and Shawn Turner)

Several commenters requested a public meeting, a contested case hearing, and that the permit be denied. Commenters who provided oral comments at the Notice and Comment Hearing also stated that the area around this site has a population with high rates of cancer, asthma, cardiovascular diseases, and other chronic illnesses. Commenters are also concerned about the potential impacts to digestive, respiratory, endocrine, reproductive, and immune systems. They described experiencing headaches, dizziness, and other symptoms. Their concern is that these conditions will worsen with increased emissions. They also requested further health impact assessments be conducted for the proposed increases and for the general geographic area. Commenters are also concerned about adverse impacts to air quality.

(Omer Ahmed (Coalition for Environmental Equity and Resilience), Riley Bennington, Trevor Carroll, Aubree Contreras, Micah Hayes, Patrina Hayes, Matthew Kennedy (Texas Campaign for the Environment), Natalie LaFont (Healthy Gulf), Haley Shulz (Public Citizen), and Erandi Trevino (The Raices Collab Project))

Gwendolyn Jones stated the following: "[a]ccording to the EPA's EJScreen, the area around this facility experiences 90-95% worse particulate matter than the nation and 95-99% worse Toxic Releases to the Air... Sweeny residents experience a high rate of cancer, asthma, and other illnesses that can be attributed to the surrounding industry."

(Gwendolyn Lolita Jones (Climate Conversation Brazoria County))

In a form letter submitted by Climate Conversation Brazoria County, signatories commented about a number of health concerns:

“Health and Pollution

- Particulate Matter: [t]he community around Chevron Sweeny has worse particulate matter than over 95% of the US. Breathing in particulate matter increases the risk of heart disease, asthma, and low birth rate.
- Toxic Air: The residents around Chevron Sweeny breathe more toxic air than 95-99% of the US population.”

“Chemicals from Chevron Sweeny:

- In 2023 Chevron Sweeny emitted 424,000+ lbs of toxic air pollution, including:
 - Ethylene (238,000 lbs+): highly flammable; causes headache, dizziness, fatigue
 - Hydrogen sulfide (46,500+ lbs): known for bad “rotten egg” odor; highly flammable and toxic, even at low concentrations
 - Benzene (6,800+ lbs): highly flammable; causes cancer, especially acute myeloid leukemia
 - Ammonia (6,300+ lbs): toxic and flammable, can cause chronic respiratory illness with long term exposure; high levels cause immediate, severe lung damage
 - 1,3 Butadiene (5,800+ lbs/year): long term exposure shown to cause heart disease; likely carcinogen associated with lymph and blood cancer
 - Plus chemicals such as: propylene, hexane, xylene, methanol, toluene, naphthalene, styrene, ethylbenzene, and more”
- (Alonzo Baugh, Cheryl Baugh, Johnny R. Brooks, Desmond Burnett, Dora Burnett, Concerned Citizen, Marsha Davis, Oddie Fields, Owanda Fields, Diane S. Francis, Clyde J. Hendricks, Willie Jennings, C. E. Jones, Gwendolyn Lolita Jones, Walter Robinson, Ronald Simple, Charles Smith, Rheda Valrey, and Stephanie Woodard)

Haley Schulz stated “[b]etween 2021 and 2023, the top three emissions from this facility were Ethylene, Benzene, and propylene with over 1,000,000 pounds of ethylene pumped out over that time. With long-term exposure to these emissions, you have respiratory and central nervous system impacts, including damage to the brain. Benzene specifically is a well-documented carcinogen, which exposure can lead to reproductive immunological and developmental damage. Compared to Texas and even the country, the community surrounding the facility shows a higher presence of heart disease, asthma, cancer, and even having a lower life expectancy.”

(Haley Schulz)

Natalie Lafont from Healthy Gulf commented “[t]he proposed emissions from the project are substantial, with annual increases projected at 527,632 tons of CO₂, 9.66 tons of PM_{2.5} – fine particulate matter linked to heart and lung diseases, 24.25 tons of VOCs (volatile organic compounds) which can cause permanent lung damage, 85.05 tons of SO₂, associated with reduced lung function and aggravated cardiovascular conditions, and 243.81 tons of CO (carbon monoxide). Additionally, emissions include substantial quantities of toxic substances: ethylene, a highly flammable gas causing headaches, dizziness, and fatigue; hydrogen sulfide, which can cause chronic respiratory illnesses and neurological effects, benzene, a known carcinogen; ammonia, a respiratory toxin that can cause severe lung damage; and 1,3-butadiene, a likely carcinogen associated with heart disease and blood cancers. The site would also emit chemicals such as propylene, hexane, xylene, methanol, toluene, naphthalene, styrene, and ethylbenzene, all of which pose additional health and environmental risks.”

Ms. Lafont’s comment also included the following:

“Public Health Impacts:

1. Pollution and Health Risks:
 - o Studies have shown that exposure to air pollutants such as particulate matter and NO₂ is linked to adverse effects on respiratory and cardiovascular health. The community surrounding the facility has a significantly higher-than-average prevalence of heart disease, within the 83rd percentile, and therefore is particularly vulnerable to these risks.

- o The health risks of these pollutants are exacerbated for the elderly, those with preexisting disabilities, and low-income residents. With 51% of the 1-mile radius population over 65 years old and 17.7% with disabilities, these groups are at higher risk of long-term health effects.

2. Long-Term Health Costs:

- o The potential long-term health costs, including cancer, asthma, and cardiovascular disease, could be significant for this already overly burdened community.”

(Natalie Ann LaFont (Healthy Gulf))

RESPONSE 1: First, the ED respectfully notes that a notice and comment hearing was held on January 14, 2025, to receive public comments on FOP O2151. (A contested case hearing is not available in the permitting processing for applications under 30 TAC Chapter 122.) Under the two-permit system in Texas, only new source review (NSR) permits authorize air emissions under 30 TAC Chapter 116. The Proposed Permit issued under 30 TAC Chapter 122 (or Title V program) does not authorize any emission limits, or changes to emission limits, for various emission sources. The establishment of authorized air emissions limits for each pollutant, evaluation of best available control technology (BACT), and a health impact analysis of air emissions occurs during an NSR permit project review and not during a Title V permit review. In particular, evaluation of BACT and health impact analysis, including air dispersion modeling for the proposed emissions increases, was addressed during the amendment of NSR Permit 22690/PSD TX751M2/GHG PSD TX226. This amendment, which was issued April 5, 2024, is incorporated by reference in the Proposed Permit (see page 515).

NSR permits do not authorize any emissions from upsets, unscheduled maintenance, shutdowns, and startups that result in unauthorized emissions from an emission point.

Finally, the ED respectfully notes that one comment (from Staci Danielle Childs) was submitted on January 15, 2025, which occurred after the public comment deadline of January 14, 2025, and therefore is considered as being untimely. However, TCEQ has considered and responded to the comment, as noted above.

COMMENT 2: Compliance History

Multiple Commenters expressed concerns about the site’s compliance history. They described past instances of unauthorized emissions and that they felt this could occur again in the future. They also commented that emissions should not be allowed to increase with this permit due to this history.

In a form letter submitted by Climate Conversation Brazoria County, commenters expressed the following concerns about environmental violations:

- “Between 2019 and 2021, Chevron Sweeny went over pollution limits 44 times and dumped cyanide into the Brazos River in Sweeny, TX.”
- “In 2022, Chevron Phillips Chemical Company LP signed a \$118 million settlement with the US Dept. of Justice for violating pollution laws at its plants in Cedar Bayou, Port Arthur, and Sweeney, TX”
- (Owanda Fields, Walter Robinson, Ronald Simple, , Stephanie Woodard, Charles Smith, Marsha Davis, C. E. Jones, , Willie Jennings, Rheda Valrey, (Alonzo Baugh, Cheryl Baugh, Johnny R. Brooks, Desmond Burnett, Dora Burnett, Concerned Citizen, Marsha Davis, Oddie Fields, Owanda Fields, Diane S. Francis, Clyde J. Hendricks, Willie Jennings, C. E. Jones, Gwendolyn Lolita Jones, Walter Robinson, Ronald Simple, Charles Smith, Rheda Valrey, and Stephanie Woodard)

Natalie LaFont commented: "Additionally, during incidents outlined in a TCEQ enforcement docket, the facility released over 169,000 lbs. of unauthorized air pollution during six different incidents. Due to the repeated and preventable nature of these operational errors, Chevron did not assert affirmative defense when faced with these violations."

Ms. LaFont also mentioned the following situations:

"Demonstrated history of noncompliance:

Between 2019 and 2021, Chevron Sweeny went over pollution limits 44 times and dumped cyanide into the Brazos River in Sweeny, TX.

1. Clean Air Act Violations (2022): In March 2022, Chevron Phillips Chemical Company LP agreed to a settlement involving \$118 million in upgrades and compliance measures to resolve Clean Air Act violations at three Texas facilities, including the Sweeny plant. The company also paid a \$3.4 million civil penalty. The violations pertained to improper operation and monitoring of industrial flares, leading to excess emissions of harmful air pollutants.

The EPA reported that this facility did not adequately operate or monitor its industrial flares, leading to excessive emissions of harmful air pollutants at three locations in Texas. The company frequently "oversteamed" the flares and failed to meet critical operational requirements necessary to ensure that volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) in the gases directed to the flares were effectively combusted.

2. Repeated and Preventable Unauthorized Emissions:
 - Over the past decade, this facility has failed multiple times to prevent unauthorized emissions of harmful pollutants. For example:
 - During the incidents outlined in Docket No. 2021-0278-AIR-E (No. 261541, 259703, 276586, 341069, 342054, 343851), the facility released 169,333.23 pounds of unauthorized air pollution in 2017, 2018, and 2020. This included 61,029.23 lbs of CO, 14,683.70 lbs of NOx, and 42,701.61 of highly reactive VOCs (HRVOCs), and 50,918.69 lbs of VOCs and was caused by inadequate operational preparedness and management procedures.

Failure to Meet Regulatory Standards:

- The facility violated the CO concentration limit of 400 ppmvd at 3% O₂ on more than 1,000 occasions over a span of 47 days in 2018. This prolonged noncompliance with established air quality standards indicates a systemic lack of effective monitoring, control, and maintenance practices.

Inadequate Operational and Maintenance Practices:

- Multiple incidents, including those involving flaring and loss of critical steam or power supplies, reveal fundamental weaknesses in the facility's design and management protocols. These failures are consistently attributed to poor operational decisions and preventable equipment malfunctions."

(Natalie Ann LaFont (Healthy Gulf))

Haley Schulz commented "the significant revision being proposed will ultimately result in increases of carbon monoxide, ammonia, sulfur dioxide, particulate matter, hydrogen sulfide, volatile organic compounds, and greenhouse gases. The permit does show a decrease in nitrogen oxide, which is nice except nitrogen oxide isn't reported to the EPA toxics release inventory program at this facility. I don't see how increasing your known top emissions but decreasing one lesser emission makes this permit in compliance. In the lifespan of the current FOP in place, the applicant had some serious violations in compliance. Looking back to 2022, there were high priority violations with the Clean Air Act, violations with the Clean Water Act, Resource Conservation Recovery Act, and the Safe Drinking Water Act back to 2022. The applicant paid the fees in penalties. But companies like Chevron Philips shouldn't be limited to just monetary penalties. There needs to be action, which includes transparency to the public on the installation of air monitors after the 2022 fine. The federal operating permit's purpose 'is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements.' Deny this permit and protect our most precious resource: our people."

(Haley Schulz)

Sue Page commented: "I guess the big question that I had is you said a rating is given to the application and I wondered what those components are for the rating and what are the percentages of each of those components? And then clearly as listening to others here, how much weight does the public comments carry?"

(Sue Page)

Several commenters at the Notice and Comment Hearing commented that pollution rules have been broken 44 times from 2019 to 2021. Commenters also expressed concern that the 2022 fine for \$118 million dollars against Chevron is just the cost of doing business.

(Gwendolyn Jones, Omer Ahmed (Coalition for Environmental Equity Resilience, Gina Biekman, and Patrina Hayes)

RESPONSE 2: The Applicant's and the site's compliance history (CH) rating is determined on an annual basis by TCEQ's Office of Compliance and Enforcement (OCE), which enforces compliance with state's environmental laws and addresses any non-compliance and enforcement issues. OCE considers past emission releases and events to determine an Applicant's CH and the site's CH rating on an annual basis. The following OCE link provides more information on CH, including how CH ratings for regulated entities are calculated, and how compliance histories, ratings, and classifications are assigned and used by TCEQ staff: [Compliance History - Texas Commission on Environmental Quality - www.tceq.texas.gov](https://www.tceq.texas.gov/compliance/history).

An explanation of the factors used in the Site Rating formula to calculate CH rating may be found in 30 TAC § 60.2. Factors include notices of violations, investigations, enforcement order(s), court judgment(s), consent decree(s), criminal conviction(s), and others cited in 30 TAC §60.2.

Based on the factors described above, the Statement of Basis shows the CH classification for this site is 13.24, or "satisfactory." This means that the site generally complies with environmental regulations. The company (CN600303614) has a rating of 6.66, or "satisfactory." This means that the applicant generally complies with environmental regulations. [[TCEQ Compliance History Search \(texas.gov\)](https://www.tceq.texas.gov/compliance/history)].

In addition to providing online access to air permit records, TCEQ's [CFR Online](https://www.tceq.texas.gov/CFROnline) website also provides 24/7 online access to the public for all compliance and enforcement (OCE) records pertaining to a site. To view records pertaining to this facility, select OCE/Air Compliance under Record Series, and under Central Registry RN, search for RN100825249. Resulting records may include (but are not limited to) the following report categories: incident, investigation, audit, compliance, enforcement, certification, deviation, notification, stack test, semi-annual and annual investigations, and others.

Deviation reports are usually processed by TCEQ's regional offices and acted upon as required to address/resolve any potential non-compliance issues. Violations are usually addressed through a notice of violation letter (NOV) that allows the operator a specified period of time to correct the problem. The violation is considered resolved upon timely corrective action. A formal enforcement referral will be made if the cited problem is not timely corrected, if the violation is repeated, or if a violation is causing substantial impact to the environment or neighbors.

FOP assures compliance with all applicable requirements. For example, the permit compliance certification (PCC) forms are required to be submitted annually, and an OP-ACPS form is submitted with the renewal application. If required, any out of compliance units, violation reasons, citations, and action plan will be included in the permit under a Compliance Schedule.

The ED respectfully notes that EPA requires permit holders to electronically file reports and emissions data for the units required under 40 CFR Part 63, Subpart YY, FFFF, DDDDD and others, via Electronic Reporting of Air Emissions, Compliance and Emissions Data Reporting Interface ([CEDRI](https://www.epa.gov/cedri)).

Regarding water pollution from the Chevron Phillips Chemical Company, LP's Sweeny Old Ocean Facilities site, the ED respectfully notes that although the TCEQ is responsible for the environmental protection of air and water, and the safe management of waste, the NSR permits that are incorporated by reference into this Proposed Permit only regulate air emissions. Therefore, issues regarding water quality or water discharge and the handling of waste are not within the scope of this review. However, the Applicant may be required to apply for separate authorizations for water quality, water usage, or the

handling of waste.

In addition, the ED clarifies that the cyanide discharges into the Brazos River from 2019-2021, as cited by multiple Commenters, were determined to be from the neighboring Phillips 66 refinery site and not from Chevron Phillips Chemical Company, LP's Sweeny Old Ocean Facilities site. The refinery is a separate site and, therefore, this item is not relevant for the compliance history of the Sweeny Old Ocean Facilities site that contains FOP 02151.

COMMENT 3: Climate, Environmental, & Ecosystem Impacts

Multiple commenters expressed concerns over the impact of the emissions on climate change, the ecosystem, and the overall air quality in the area. Commenters also indicated that an increase of plastic products has a negative impact on the environment. Finally, some commenters expressed concern about potential plant accidents that could endanger the community.

Gwendolyn Jones commented "[t]his will not only continue to degrade our health in Sweeny but also contribute to greenhouse gas emissions impacting our climate. This expansion will incur over 148 million dollars in climate-related social costs and potentially cause 177 climate change-related deaths. Sweeny is already a nonattainment area for Ozone, a catalyst for more extreme weather. We are still in the recovery process from Hurricane Beryl and need to understand the climate impact of this new permit."

(Gwendolyn Lolita Jones (Climate Conversation Brazoria County))

In a form letter submitted by Climate Conversation Brazoria County, commenters listed these concerns about climate change:

"Climate Change:

- Greenhouse gas: Chevron Sweeny currently puts out as much greenhouse gas as 174,600+ extra cars on the road.
- Flooding and hurricanes: During Hurricane Harvey, Chevron chemical plant blocked two bayous. After the water receded, 150 homes were flooded when the company stopped the temporary blockage they installed.
- Ozone: Ozone is a greenhouse gas, meaning it drives climate change. Ozone also causes asthma and respiratory damage. The community around the Chevron Sweeny plant already has ozone levels that are above the federal limit for air quality. The permit changes would greatly increase ozone levels."
- (Alonzo Baugh, Cheryl Baugh, Johnny R. Brooks, Desmond Burnett, Dora Burnett, Concerned Citizen, Marsha Davis, Oddie Fields, Owanda Fields, Diane S. Francis, Clyde J. Hendricks, Willie Jennings, C. E. Jones, Gwendolyn Lolita Jones, Walter Robinson, Ronald Simple, Charles Smith, Rheda Valrey, and Stephanie Woodard)

Gina Biekman commented that "[p]lastic products are not a net positive for humanity. Pollution, both in the production and a discarding of plastics into our environment is harmful. It doesn't have to be ubiquitous in our world. This is a story sold to get us to accept this industry. This facility pollution creates as much greenhouse gases as 174,000 cars. Flooding was caused by the plant blocking bayous during Harvey. This is a hurricane prone area. It's time to stop damaging our environment. Climate change is here."

(Gina Biekman)

Matthew Kennedy stated "[m]y name is Matthew Kennedy and I'm here with Texas Campaign for the Environment an organization which works with communities fighting pollution, like the pollution that the Chevron Phillips Chemical Sweeny Facility releases every day into the air, water, and lungs of the residents of this county. The representatives from Chevron talked about measures they're taking to mitigate some of the emissions from this new project. But that doesn't change the fact that the company is talking to us about increasing emissions in production while we're already living through the crises of environmental racism, climate catastrophe, and plastic pollution. Which are worsening every day. Emissions from new and recent expansions of this facility total over 868,000 tons per year of greenhouse gases, as well as over 1000 tons per year of criteria air pollutants. This would lead to almost 150 million

dollars in projected climate related social costs. Already Chevron Sweeny's pollution is equal to putting 174,000 extra cars on the road every year. According to the Climate Vulnerability Index, a database using 184 different data sets to determine which US Census tracts have the highest vulnerability to climate change, Sweeny is in the 98th percentile for Texas, meaning it's one of the areas most vulnerable to a change in climate in Texas and in the nation. Given this, Brazoria County should be prioritizing environmental health and community resilience. Instead, Chevron Phillips is attempting to increase its polluting toxic production in an area of Texas prone to more and more extreme weather. During Hurricane Harvey, Chevron blocked two bayous, which led to 150 homes flooding when they remove the blockage. With climate change intensifying every year, we can anticipate that extreme weather events like Harvey will happen more and more often, with more devastating impacts. Any increased production at this facility will make the community more and more vulnerable to climate change. So, TCEQ, what are we asking you to do? Deny the permit changes. TCEQ should deny Chevron's request because the plant is already polluting too much and harming our health and environment. We're also requesting a shorter permit period. Chevron should not be polluting, even at its current levels and hold Chevron accountable. Chevron needs to follow the rules and prove that they care about the health of our community by reducing pollution, not increasing it. Thank you."

(Matthew Kennedy)

Carolina Bustos explained "I am a single mother of two. I try to reduce my plastic use. You know, it's not always the most affordable, but sometimes we just have to make those sacrifices." And "But please, I do as much as I can. I reduce my plastic intake- my plastic usage. I try to set shop second. I try to buy as much things in glass, even if it's more expensive, but it's because of the impacts plastic is taking in our everyday lives and our health, and that is all. Please deny this permit."

(Carolina Bustos)

Natalie LaFont stated:

"Environmental Impacts:

- The facility's emission rates are already high, with pollutants such as particulate matter and NO₂ exceeding state and national averages.
- This expansion will results in the further degradation of air quality in this already overburdened area.

Climate Impacts:

1. Greenhouse Gas Emissions:
 - The facility's operations contribute to significant greenhouse gas emissions, including CO₂, which may exacerbate climate change effects, particularly in this coastal area vulnerable to sea level rise and extreme weather events.
2. Implications for Regional Climate Resilience:
 - The facility's emissions contribute to regional climate vulnerabilities, particularly in light of growing concerns about flooding and the impacts of extreme weather. Climate service and infrastructure gaps further complicate the community's ability to adapt to climate change effects."

(Natalie LaFont)

Haley Schulz stated "For those concerned with wildlife or the thousands of acres of estuaries here in Brazoria, both the San Bernard and Brazoria national wildlife refuges lay just over 16 miles away from this facility. These places of recreation and ecosystems are greatly impacted by chemical manufacturing facilities like this one and are not given nearly enough priority."

(Haley Schulz)

Julia Landress, Alice Dorsey, Ty Grant, Ann Bailey, Kate M, Janet Delaney, Shawn Turner, James S Roberts, and Staci Danielle Childs stated "The Sweeny Complex, located near the Phillips 66 Refinery, operates ethane crackers emitting significant greenhouse gases and air pollutants. These emissions contribute to extreme heat events, which threaten the health of outdoor workers, young children, and

elderly residents. Moreover, the highly flammable materials used at this facility increase the risk of catastrophic accidents and explosions, endangering nearby populations.”

(Ann Bailey, Staci Danielle Childs, Janet Delaney, Alice Dorsey, Ty Grant, Julia Landress, Kate M., James S. Roberts, and Shawn Turner)

RESPONSE 3: As stated in Response to Comment 1, the ED respectfully notes under the two-permit system in Texas, only new source review (NSR) permits authorize air emissions under 30 TAC Chapter 116. The Proposed Permit issued under 30 TAC Chapter 122 (or Title V program) does not authorize any emission limits or changes to emission limits for various emission sources. The establishment of authorized air emissions limits for each pollutant, evaluation of best available control technology (BACT), and health impact analysis of air emissions occurs during an NSR permit project review and not during a Title V permit review. In particular, evaluation of BACT and health impact analysis, including air dispersion modeling for the proposed emissions increases, was addressed during the amendment of NSR Permit 22690, PSDTX751M2, and GHGPSDTX226. This amendment, which was issued April 5, 2024, is incorporated by reference in the Proposed Permit (see page 515). Therefore, determining the impact of the emissions on climate change, the ecosystem, and the overall air quality is outside the scope of review of this FOP project. Similarly, an increase of plastic products which may have a negative impact on the environment in terms of the asserted increased emissions is also outside the scope of review of this FOP project.

EPA has stated that unlike the criteria pollutants for which EPA has historically issued PSD permits, there is no NAAQS or PSD increment for GHGs. The EPA Administrator has recognized that human-induced climate change has the potential to be far-reaching and multi-dimensional. See Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act, 75 Fed. Reg. 66496, 66497 (Dec. 15, 2009). Climate change modeling and evaluations of risks and impacts are typically conducted for changes in emissions that are orders of magnitude larger than the emissions from individual projects that might be analyzed in permit reviews. Quantifying the exact impacts attributable to a specific GHG source obtaining a permit in specific places and points would not be possible with current climate change modeling. Thus, EPA has concluded it would not be meaningful to evaluate impacts of GHG emissions on a local community in the context of a single permit.

While climate change is outside the scope of items that are able to be considered during the permit review, TCEQ takes your environmental concerns seriously, as well as the concern for future extreme weather events. The Proposed Permit meets all federal and state regulatory requirements and is protective of human health and the environment. TCEQ's Office of Compliance and Enforcement (OCE) enforces compliance with state's environmental laws to address any non-compliance and enforcement issues. In the event of an emergency or natural disaster, the Local Emergency Planning Committee and the regulated entity have the primary responsibility of notifying potentially impacted parties regarding the situation. In addition, as set forth in 30 TAC § 101.201(a), regulated entities are required to notify the TCEQ regional office within 24 hours of the discovery of releases into the air and in advance of maintenance activities that could or have resulted in excess emissions.

Regarding greenhouse gas emissions, the Applicant was required to obtain a prevention of significant deterioration (PSD) permit for greenhouse gases as part of the NSR permit review for the amendment of NSR permit 22690, issued April 5, 2024. This amendment is incorporated by reference in the Proposed Permit (see page 515).

Finally, the ED respectfully notes that one comment (from Staci Danielle Childs) was submitted on January 15, 2025, which occurred after the public comment deadline of January 14, 2025, and therefore is considered as being untimely. However, TCEQ has considered and responded to the comment as noted above.

COMMENT 4: Air Monitors from 2022 Consent Decree

Multiple Commenters referred to a settlement in 2022 between Chevron Phillips Chemical Company, LP and the federal government regarding violations at three Texas sites, including the Sweeny Old Ocean Facilities site that includes this permit O2151. They stated that this settlement required Chevron Phillips

Chemical Company, LP to install air monitors. They would like to know if the monitors have been installed.

Gwendolyn Lolita Jones commented: "A settlement with the EPA and DOJ in 2022 requires them to implement an upgrade to their pollution controls and implement an air monitoring system in Sweeny. I want to know the status of this."

(Gwendolyn Lolita Jones (Climate Conversation Brazoria County))

In a form letter submitted by Climate Conversation Brazoria County, commenters stated that:

- "In 2022, Chevron Phillips Chemical Company LP signed a \$118 million settlement with the US Dept. of Justice for violating pollution laws at its plants in Cedar Bayou, Port Arthur, and Sweeney, TX
- The settlement ordered Chevron to put in air monitors in Sweeney. It's unclear what the status of their air monitoring system is."
- (Alonzo Baugh, Cheryl Baugh, Johnny R. Brooks, Desmond Burnett, Dora Burnett, Concerned Citizen, Marsha Davis, Oddie Fields, Owanda Fields, Diane S. Francis, Clyde J. Hendricks, Willie Jennings, C. E. Jones, Gwendolyn Lolita Jones, Walter Robinson, Ronald Simple, Charles Smith, Rheda Valrey, and Stephanie Woodard)

Haley Shulz (Public Citizen) commented that "[i]n the lifespan of the current FOP in place, the applicant has had some serious violations in compliance. Looking back to 2022 were high priority violations with the Clean Air Act. There were violations with the Clean Water Act continuously from Q3 2022 through fall of 2023. There were more violations with the Resource Conservation and Recovery Act and Safe Drinking Water Act back to 2022. The applicant paid the fees in penalties. But companies like Chevron Philips shouldn't be limited to just monetary penalties. There needs to be action, which includes transparency to the public on the installation of air monitors after the 2022 fine."

(Haley Shulz (Public Citizen))

Gina Biekman commented that "[b]y 2022, they broke pollution laws enough times to be fined \$118 million. They were ordered to install air monitors, but there's no proof that this has been done."

(Gina Biekman)

Liza T. Powers (Bullard Center for Environmental and Climate Justice) commented "[a]fter the 2022 consent decree with EPA for Cedar Bayou, Port Arthur, and Sweeny facilities, we haven't really had the transparency that we want [to know] if the air monitors have been installed. All the appropriate measures have been taken. And in the last five years, there's been 191 unplanned emissions events reported by Chevron Sweeny to TCEQ."

(Liza T. Powers)

RESPONSE 4: The 2022 consent decree was lodged in the U.S. District Court for the Southern District of Texas on March 9, 2022, and was approved following a comment period. One of the requirements was to install, maintain, and operate a Fenceline Monitoring Project for benzene, which includes submitting Fenceline Air Monitoring Reports semiannually that contain monitoring data and corresponding meteorological data. The Sweeny Old Ocean Facilities site, referred to as the Sweeny Plant in the consent decree, is located next to a third-party refinery which already has a benzene fenceline monitoring system. This system captures the Sweeny Plant's benzene emissions so the consent decree specifies the Sweeny Plant may use the data from the third-party refinery's system. If the Sweeny Plant is unable to use the neighboring data, they must install and operate their own monitors. The consent decree includes a schedule for monitor installation, commencement of monitoring data collection, and posting the monitor results to a publicly available website included below.

The Applicant has confirmed that they use the data from the third-party refinery's benzene fenceline monitoring system, as allowed by the consent decree. Therefore, it was not necessary for additional monitors to be installed. The data from the benzene monitoring system is available for the public to access at this link: <https://www.cpchem.com/sweeny-plant>. The website includes a map showing the location of each monitor. By selecting any individual monitor on the map, the monitoring results for each 14-day sampling period for the past year may be viewed. The website also includes the latest annual

report, which is a page that lists all the monitoring data together and provides the annual average concentration of benzene measured. The current posted report is dated April 30, 2025. Finally, the website provides general explanations of fence line monitoring, the collection and analysis of monitoring samples, the actions the Applicant must take if the annual average benzene concentration exceeds a specified level, and what the monitoring data is designed to indicate.

The ED respectfully notes that the standard terms and conditions 9-11 and 19, and Applicable Requirements Summary (ARS) table in the Proposed Permit (See Proposed Permit pages 9-10, 11-12, and 50 to 473), includes monitoring, testing, recordkeeping, and reporting (MRRT) requirements for various units subject to 40 CFR Part 61, Subpart FF (NESHAP FF) and 40 CFR Part 63, Subpart YY (MACT YY), for demonstrating compliance with benzene emissions. As part of those requirements, term and condition 9 for NESHAP FF includes periodic reporting requirements:

- § 61.357(d)(2) requires an annual report to update (or confirm no changes) any information from the initial report, such as total annual benzene quantity from facility waste and details about each benzene waste stream present,
- § 61.357(d)(6) requires a quarterly report confirming that all inspections have been completed for equipment needed to comply with the standards, and
- § 61.357(d)(8) requires an annual report summarizing any inspections where detectable emissions or problems that could lead to benzene emissions were identified. That report must also include any repairs or corrective actions taken.

For MACT YY, as seen in term and condition 19, the requirements related to benzene direct the owner/operator to comply with MACT XX, which in turn directs the owner/operator to comply with NESHAP FF.

COMMENT 5: Environmental Justice

Several Commenters expressed environmental justice concerns about the disproportionate burden of pollution on communities of low-income populations and people of color.

Commenters stated that “approval of this permit will exacerbate environmental and public health inequities in a community already overburdened by industrial pollution.”

(Ann Bailey, Staci Danielle Childs, Janet Delaney, Alice Dorsey, Ty Grant, Julia Landress, Kate M., James S. Roberts, and Shawn Turner)

Patrina Hayes stated “[a]pproval of this permit will not only add to the cumulative burden of pollution, but also contribute to health disparities among an already vulnerable population.”

(Patrina Hayes)

Trevor Carroll echoed that “So, yeah, just that the plan is located obviously in a you know it's a low-income community already burdened with disproportionate health and pollution impacts. And this permit would move forward with only worsening those injustices that people are already facing. It's unacceptable to continue prioritizing corporate profits over the health, safety, and dignity of the people living in this area.”

(Trevor Carroll)

Natalie Lafont provided the following information:

“Environmental Justice Concerns:

1. Demographic and Socioeconomic Data:
 - o In the 1-mile radius around the facility 65% of citizens live below the low-income threshold, with 55% of the population identifying as people of color. The area falls within an Environmental Justice (EJ) community due these demographic factors.
2. Disproportionate Pollution Exposure:
 - o The area surrounding the facility is already in the 94th percentile for toxic releases to air and 88th percentile for particulate matter, as well as experiencing high exposure levels to pollutants like nitrogen dioxide (NO₂), and ozone. These levels are in the higher percentiles which suggests an elevated risk for health impacts in this community.

3. Evaluation of Cumulative Impacts:

- o Furthermore, the community faces cumulative exposure from other pollution sources, including nearby industrial facilities and traffic, with significant proximity to hazardous waste facilities and air pollution sources.
- o A comprehensive evaluation of the cumulative impacts of this facility's emissions, along with nearby industrial facilities, is essential to assess the overall burden on this vulnerable community."

(Natalie Lafont (Healthy Gulf))

Liza Powers remarked "I'm Dr. Liza Powers with the Bullard Center for Environmental and Climate Justice, and I'd like for you to deny this permit for human health and safety. First of all, I want to thank you for calling this meeting. Public participation is key in effective governance, so we really do appreciate everyone coming out tonight. Everyone has a natural right to access clean air and clean water, it's required to live. But often times it's treated as a privilege. My boss, Doctor Robert Bullard, is the father of environmental justice, and he spent his career researching this. He has found over and over again that not all ZIP codes have access to clean air and water. Communities of color and low-income ZIP codes shoulder the burden of compromised air and water. Sweeny is, according to the EPA screening tool, they are in air non-attainment and impaired waters. They have higher than the national average of asthma, COPD, heart disease, and cancer according to the CDC. In the three miles around the facility, the toxic air releases are in the 90th percentile. And that means that they are some of the worst in the country. That's also according to EPA."

(Liza Powers (Bullard Center for Environmental and Climate Justice))

RESPONSE 5: At the heart of TCEQ's mission is the goal of protecting public health for all Texans. To accomplish this goal, we strive to ensure that all Texans can participate meaningfully in TCEQ programs and activities. TCEQ aims to work with communities to provide access to decision-making processes and to ensure a healthy environment in which to live, learn, and work.

TCEQ does not allow discrimination on the basis of race, color, national origin, sex, disability, age, sexual orientation, or veteran status, consistent with state and federal law.

In TCEQ's permitting process, the agency follows all federal and state laws and rules to address environmental equity, also known as environmental justice (EJ). Permits issued by TCEQ are protective of human health and the environment and are reviewed without reference to the socioeconomic or racial status of the surrounding communities.

The agency maintains a Title VI Compliance page on its public website, found at <https://www.tceq.texas.gov/agency/decisions/participation/title-vi-compliance>. Here, you can find all the agency's past and ongoing efforts to fully comply with Title VI, including TCEQ's Disability Nondiscrimination Plan, Public Participation Plan, and Language Access Plan as well as information about public participation in the TCEQ permitting process, and grievance procedures.

Finally, the ED respectfully notes that one comment (from Staci Danielle Childs) was submitted on January 15, 2025, which occurred after the public comment deadline of January 14, 2025, and therefore is considered as being untimely. However, TCEQ has considered and responded to the comment as noted above.

COMMENT 6: Community Outreach

Multiple commenters expressed that the Applicant needed to increase their engagement and interactions with the community, and some commenters provided suggestions to address this. Commenters also sought increased communication from TCEQ and the Applicant, regarding the permitting process and Notice and Comment Hearings and asked how seriously public comments are considered.

Thelma Scott addressed the Applicant: "Alrighty, thank you so much. And I just wanted to say how I feel that you can better engage in the community. Where do you get your hair cut at? Where do you get your groceries at? Where do you go to church at? Where do you get your car fixed at? Those are things that

you can engage in, pass out flyers, and let the community know. I know you all do work with food banks and schools. I don't see any of them here tonight, right? So, they're not here, right? Am I correct? You do work with food banks, the schools, and who else do you guys work with? You have to engage in the community. Senior assistance facility, there's a lot of facilities to help people, senior citizens, some of them can't - autism program or some people with learning disabilities to let them know about what's going on. If you don't engage in the community, then word cannot get out. I'm sure if you guys would've did that earlier. I'm sure this room would have been full. OK? That's a question I'm asking. That was my comment to help them to better engage in the community."

(Thelma Scott)

Carolina Bustos explained "I personally would like this permit to be denied. I'm actually questioning how many people have to come here and comment and tell you all that it's not a good idea. I think we could have record numbers, and I'm not too sure if it would still be denied if every single person came up here and recommended the same option. Like I stated before, I'm a single mother of two; I am the sole provider for both of my children. I don't know if everyone has noticed, but both of my children are here. But how many other people of the community have that option? How many other people are here making those same sacrifices? Again, there wasn't- the community outreach wasn't great. I know plenty of people in this community and they're not here because they didn't know about it, because it's not something that you- it's not something that is in the best interest for people to come here and shut it down because I'm not too sure comments are even taking serious. Please deny this permit."

(Carolina Bustos)

Liza Powers stated concerns about the timing of the comment period: "It's also important to see community input in an effective manner. This community felt overtaxed because the comment occurred as Hurricane Beryl had just devastated their community. They had a strict 30-day notice to do those comments in July and then they found out about this meeting during the winter holiday season. I feel like there had been- there would have been more public participation had they not had a hurricane, and it not happened during the holiday season."

(Liza Powers (Bullard Center for Environmental and Climate Justice))

Sue Page asked: "And then clearly as listening to others here, how much weight does the public comments carry? I also wanted to note that alerting the community has been an issue because many of the people that you have heard from tonight are from organizations that are concerned with the environment. And I think that a number of people who live in the area are not here and that should be pause for and concerned. I think about the ways that you might include the community. The ways in which you reach out. And the time of day that you have these meetings. When you think about the community members that you say you serve or that you engage with, I don't see them necessarily here, and certainly not in the numbers that we would expect knowing the kind of pollution that the permit will continue to carry. So, I thank you very much for allowing us to have this opportunity and I sincerely request that you think about, and you act on how you engage the community. The very people who live here not the ones who come for visits." Sue Page also provided suggestions "Alerting the community: Use a variety of facilities to engage with the community in many ways and places. Such as: grocery stores, senior centers, schools, churches, nail shop, shopping centers."

(Sue Page)

Roger Pierce remarked: "I say deny the permit. TCEQ, you talk about impact studies. I've never seen you at my door. You talk about tabletops, beta test, algorithms, and other inputs that you put in to come up with your formulas. Ask the neighbors. It's a nice thing to do. With all of the past violations from Chevron Phillips, all of the other entities out in the plant. Have you made [reparations] for some of the past? How about the flood that connects in the ditch who flooded out people's homes and it was said by that plant manager, "the plants worth a lot more than people's homes are all put together." Have you made any other [reparations] with some of the other people out in the community, with some of the other things that have happened? Even with the change of 524, delay in EMS. Delay in SO, Sheriff's Office. Delay in fire department services from Sweeny to Old Ocean, from Old Ocean to Sweeny. All west Brazos Emergency Service District. You're also talking about your environmental studies. Have you actually lived there at the plant? Breathed the air? Be a part of the community? I challenge each of you to do so. For at least more than five years. Thank you for your time."

(Roger Pierce)

Trevor Carroll remarked "I also just, yeah, I want to touch on the fact that the reason that there's people here who did show up to speak is because of community members that care who've worked with organizations to turn people out to this meeting, like people have mentioned earlier. Like what was y'all's community outreach to try to get people here to talk about the impacts that this plan has had on their lives? It doesn't seem like y'all done any, and it's really troubling just the lack of meaningful outreach that y'all have done to involve the community in the process. Yeah, it seems like y'all made no real effort to engage with people who live here and are directly impacted by the operations. So yeah, that's just another example I think of how Chevron disregards the voices of those that it harms. And then also want to talk about that I understand that like there's workers and plant managers and representatives here who will speak in support of this permit and talk about the good things. But you know these individuals are being used by the plant's owners, who pocket most of the profits, and they leave y'all to clean up their mess and in some cases, like directly mislead the community about the plants impacts. And you know, these workers and representatives are likely concerned about their livelihoods, but it's, you know, it's the owners and the shareholders, not the community who benefit most from the operations here."

(Trevor Carroll)

RESPONSE 6: TCEQ does not have jurisdiction to evaluate the level of community involvement by permit holders or to consider that factor in the permit review process. TCEQ also cannot require permit holders to take any action beyond the publication requirements in 30 TAC for notifying the public of permitting actions. However, the ED appreciates the commenters suggestions for the Applicant to strengthen their relationship with the local community and encourage public's participation in the permitting process.

With regard to TCEQ providing sufficient notice to the public, the ED notes that the Applicant and TCEQ's Office of the Chief Clerk have verified that all public notice requirements and hearing notice requirements in 30 TAC Chapter 122 were followed. Specifically, on January 21, 2025, for the English and Alternative Language public notices and signs, Applicant submitted the public notice verification form. The notice verification form is used for the following:

- 1) verifying required signs were posted in accordance with the regulations and instructions of the TCEQ;
- 2) verifying that proof of publication of the newspaper notices and the requested affidavits were furnished in accordance with the regulations and instruction of the TCEQ; and
- 3) verifying that a copy of the complete air quality application (including any subsequent revisions to the application) and draft permit were available for review and copying at public place throughout the duration of the public comment period.

With regard to scheduling notice and comment hearings, TCEQ must ensure sufficient agency staff are available to attend all notice and comment hearings and that there is time for staff to travel to reach the hearing locations across the state. In addition, TCEQ also must coordinate with the Applicant to secure an available venue for each scheduled hearing. It is not always possible to avoid dates near holidays or to consider special circumstances that may have occurred in each community.

Regarding how written or oral comments submitted by the public are considered by TCEQ, the ED considers and responds to all public comments received in a timely manner during the public comment period. Each comment is evaluated within the framework of the two-permit system in Texas that includes a new source review (NSR) permit is issued under 30 TAC Chapter 116 and a Title V operating permit is issued under 30 TAC Chapter 122 (or Title V program).

A Title V Draft Permit is available for review and comment during the public comment period. Upon submittal of the notice of proposed final action to the EPA, the version of the FOP is referenced as the Proposed Permit.

The Title V Operating Permit codifies all state and federal rules, regulations, and requirements under which major facilities must operate to comply with Clean Air Act air quality standards. The draft permit contains general and site-specific special terms and conditions and Applicable Requirements Summary table that includes monitoring, testing, recordkeeping, and reporting (MRRT) requirements for various emission units subject to the state and federal regulations.

In responding to the comments, relevancy of each comment under the two-permit system in Texas is considered, since only new source review (NSR) permits authorize air emissions under 30 TAC Chapter 116. The Proposed Permit issued under 30 TAC Chapter 122 does not authorize any emission limits or changes to emission limits for various emission sources. In addition, the establishment of authorized air emissions limits for each pollutant and evaluation of best available control technology (BACT) and health impact analysis of air emissions occurs during an NSR permit project review and not during a Title V permit review. NSR permits do not authorize any emissions from upsets, unscheduled maintenance, shutdowns, and startups that result in unauthorized emissions from an emission point.

If comments identify a condition or an applicable requirement that may be missing in the draft permit, then it is evaluated and validated. Any changes required to be made to the Title V draft permit in response to the comments are documented and included in the Proposed Permit. Public comments that may not be directly related to the contents of a Title V draft permit may be referred to the respective divisions within TCEQ for their consideration.

COMMENT 7: Economic Impacts

Manning Rollerson asked “how our economical impacts to their communities and all of these communities are minority communities or farm communities. So those people are insignificant when it comes to y'all guys handling and protecting our safety? At the end of the day, do you work for the people, or you just work for the facilities that's padding your pocket? Because at the end of the day one and not one of these fine dollars come back to these communities, to the people. It goes to you guys, and what you do with it? You don't bring it out here and check test none of us for cancer. You don't come test our water or our children. You take that money; you flip it back into your budget. But you have to continue that the issues that's in our community is still here and you still permitting these people here that doesn't care. It's all about the profit margin. That's all it's about. It's not about not about none of us, or the community. So, when y'all sit back to review this permit, I stand with all of this community and every one of these activists that got up here. I stand in solidarity with them. This permit, you need to deny. Even though they've been here, if they have not done the job that they were supposed to do, and all of the permits that you approve, think about this one. They haven't done it then as they're gonna do it now. Y'all have a good day.”

(Manning Rollerson)

Erandi Treviño commented “I want to address a couple of things. I wanted to ask a question before, but there wasn't enough time. Regarding the annual impact to the regional economy, I know it says 1.7 billion, but what I'm wondering is how much of that goes to execs? How much of that actually stays in Sweeny? Because if it's leaving Sweeny and say, it's going to Houston or Austin or further out, then it's not benefiting the local economy. It just isn't. The second thing I wanted to point out is under community involvement it says that the annual facility and employee charitable giving is \$552,000 a year. It seems like a lot of money because a lot of people, say in my community, make roughly around \$25,000 a year. So, 552,000 seems like a lot, but a quick little math. I had help because I'm actually not very good at math, shows that that amount is approximately 300th of 1% of \$1.7 billion. So, you know, I know it's kind of listed as something that's being done for the community, but truly you're not even reaching 1%. It's a drop in the bucket and it's not enough.”

(Erandi Treviño (The Raices Collab Project))

RESPONSE 7: TCEQ is not authorized to consider a company's financial status, nor its profits or charitable giving in determining whether a permit should be issued.

All FOPs in Texas, including FOP O2151, are issued under the EPA-approved Texas operating permit program listed in 30 TAC Chapter 122. The ED has reviewed the permit application in accordance with the applicable law, policy, procedures, and the Agency's mission to protect the state's public health and natural resources consistent with sustainable economic development. The Proposed Permit includes all applicable terms and conditions and meets all applicable requirements, including sufficient monitoring requirements, to demonstrate compliance with applicable state and federal regulations.

COMMENT 8: Comments in Support of Renewal

FOP O2151 / 34858
Chevron Phillips Chemical Company, LP

"As the State Representative of House District 25, I am writing this letter in support of the Chevron Phillips Chemical Company Project in Sweeny.

This project will improve overall compliance with the rules governing air pollution control by listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) 122.10. Having these proposed upgrades for this facility within Brazoria County will definitely be an asset.

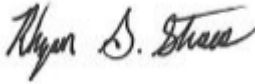
I would appreciate your consideration of the Chevron Phillips Draft Permit No. O2151. Please do not hesitate to contact me if you have any questions or concerns."

(Representative Cody Thane Vasut)

RESPONSE 8: The ED appreciates the consideration provided by Honorable House Representative District 25, Mr. Cody Thane Vasut.

No changes have been made from the Draft Permit to the Proposed Permit in response to the comments received.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rhyen S. Stone". The signature is written in a cursive, flowing style.

Rhyen Stone, Manager
Operating Permits Section
Air Permits Division

APPENDIX A – LIST OF COMMENTERS (IN ALPHABETICAL ORDER)

All public comments (both written and oral) received by TCEQ are posted and archived on TCEQ's OCC Website <https://www14.tceq.texas.gov/epic/eCID/> for Chevron Phillips Chemical Company, LP, FOP 02151/project 34858, Regulated Entity Number: RN100825249.

LAST NAME	FIRST NAME	MIDDLE NAME
AHMED	OMER	
B	JULIA	
BAILEY	ANN	
BAUGH	ALONZO	
BAUGH	CHERYL	
BENNINGTON	RILEY	
BIEKMAN	GINA	
BONNER	SONDRA	
BROOKS	JOHNNY	R
BRUESS	ELENA*	
BURNETT	DESMOND	
BURNETT	DORA	
BUSTOS	CAROLINA	
CARROLL	TREVOR	
CHILDS	STACI	DANIELLE
CITIZEN	CONCERNED	
CONTRERAS	AUBREE	
DAVIS	MARSHA	
DELANEY	JANET	
DORSEY	ALICE	
DUKE	TAYLOR*	
FIELDS	OWANDA	
FIELDS	ODDIE	
FOLLETT	JESSICA*	
FRANCIS	DIANE	S
GIBBONS	BRENDAN*	
GRANT	TY	
HAYES	MICAH	
HAYES	PATRINA	
HENDRICKS	CLYDE	J
JENNINGS	WILLIE	
JONES	C	E
JONES	GWENDOLYN	LOLITA

KENNEDY	MATTHEW	
LAFONT	NATALIA	ANN
LANDRESS	JULIA	
M	KATE	
MCBETH	CHERYL*	
MILLSAP	GLORIA*	
PAGE	SUE	
PIERCE	ROGER	
POWERS	LIZA	T
ROBERTS	JAMES	S
ROBINSON	WALTER	
ROLLERSON	MANNING	NELSON
SCHULZ	HALEY	
SCOTT	DEBRA*	
SCOTT	THELMA	
SIMPLE	RONALD	
SMITH	CHARLES	
TREVINO	ERANDI	
TURNER	SHAWN	
VALREY	RHEDA	
VASUT	CODY	THANE
WOODARD	STEPHANIE	

* These individuals requested to be added to the mailing list but did not provide any comments on the permit.

APPENDIX B – LIST OF ADDITIONAL INDIVIDUALS (IN ALPHABETICAL ORDER)

The following individuals appear in the signatures of the comment/hearing request packet submitted 8/19/2024 and 8/26/2024. However, they did not provide an email address or a complete mailing address. TCEQ is therefore unable to include them in the Commenters List shown in Appendix A.

LAST NAME	FIRST NAME	MIDDLE NAME
ALEXANDER	ALISA	T
DALLY	DENIESHA	
EDWARDS	RAY	
EDWARDS	SANDRA	
FEW	LARRILON	
G	JAMES	
GRAVES	DENNIS	
GROVEY	EDITH	
GROVEY JR	MAURICE	
GROVEY SR	GREGORY	
GROVEY-JULKS	DONNA*	
H	HYCINTHE	
HOLLOWAY	LONETHA	
JONES	GABRIEL	
KEEHN	EMILY	
KEEHN	VICTORIA	
MULCAKE	MEAGAN	
RICKERSON	BARBARA	
TOLBERT	ANNIE	
TOLBERT	CLIFFORD	
TOLBERT	GLEN	
TOLBERT	JACOB	W
TOLBERT	PAUL	
TOLBERT	RUSSELL	
TOLBERT JR	JACOB	
TOLBERT-WHITE	RUBY	J
VALREY	ALVA	B
WEBB	DAVID	
WHITE	DEMETRAL	
WHITE	SHELIA	

FOP O2151 / 34858
Chevron Phillips Chemical Company, LP

WHITE	THORA	
WHITE	TISHA	
WHITE JR	ISREAL	L
WHITE SR	ISREAL	
WHITE-TUCKER	TONYA	L
WHITE-WEBB	TINA	
WILLIAMS	ANGIE	L