

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 7384 24

WESTLAKE CHEMICALS & VINYLs LLC
715 HIGHWAY 25 SOUTH
ABERDEEN, MISSISSIPPI 39730

RESPONDENT

AGREED ORDER

COME NOW the Mississippi Commission on Environmental Quality (Commission), acting through the staff and Executive Director of the Mississippi Department of Environmental Quality (MDEQ), Complainant, and Westlake Chemicals & Vinyls LLC, Respondent, in the above captioned cause and agree as follows:

1.

By letters dated March 6, 2023; August 16, 2023; and October 26, 2023, Respondent was contacted by Complainant and notified of the following alleged violations of Title V Operating Permit No. 1840-00014 (the Permit) at its facility in Monroe County:

- A. Respondent failed to demonstrate compliance with the combined Carbon Monoxide emission limitation of 9.9 pounds per hour (lb/hr) at Emission Points AB-001 and AB-002 during stack tests of the Emission Points on June 8, 2022, in violation of Condition 3.B.4 of the Permit.
- B. Respondent failed to demonstrate compliance with the combined Particulate Matter (PM/PM₁₀) emission limitation of 25.5 lb/hr at Emission Points AB-204, AB-205, AB-206, AB-207, AB-208, AB-209, AB-210, and AB-011 during stack tests of Emission Points AB-205, AB-207, AB-208 on April 25-26, 2023, in violation of

Condition 3.B.6 of the Permit. Respondent, again, failed to demonstrate compliance with the emission limitation during stack tests of Emission Points AB-204, AB-206, AB-209, AB-210, and AB-211 and a retest of Emission Point AB-208, which occurred between May 23, 2023 and June 9, 2023.

- C. Respondent failed to demonstrate compliance with the combined Carbon Monoxide emission limitation of 20.4 lb/hr at Emission Points AB-204, AB-205, AB-206, AB-207, AB-208, AB-209, AB-210, and AB-011 during a stack test of Emission Points AB-205, AB-207, AB-208 on April 25-26, 2023 and Emission Points AB-204, AB-206, AB-209, AB-210, and AB-211 and a retest of Emission Point AB-208 between May 23, 2023 and June 9, 2023, in violation of Condition 3.B.7 of the Permit.
- D. The facility failed to include Alpha Metha Styrene (AMS) in its Leak Detection and Repair (LDAR) Program in violation of Condition 5.B.2(e)(2)(v) of the Permit.
- E. The facility failed to perform weekly visible emissions observations of Emission Points AB-204 through AB-211 from January 1, 2022 to March 3, 2022, in violation of Condition 5.B.17 of the Permit.

Respondent demonstrated compliance with the combined Carbon Monoxide emission limitation required by Condition 3.B.4 of the Permit during a retest of Emission Point AB-002 on September 23, 2022, and a retest of Emission Point AB-001 on November 15, 2022.

Respondent demonstrated compliance with the combined Particulate Matter emission limitation required by Condition 3.B.6 of the Permit during a retest of Emission Point AB-208 on September 7, 2023.

Respondent demonstrated compliance with the combined Carbon Monoxide emission limitation required by Condition 3.B.7 of the Permit during retests of Emission Points AB-204 and AB-207 on September 6, 2023, and a retest of Emission Point AB-209 on November 15, 2023.

By letter dated November 9, 2023, Respondent asserted that Alpha Methyl Styrene was added to the LDAR Program effective January 2023. Additionally, Respondent asserted that the

visible emissions observations required by Condition 5.B.17 of the Permit were performed beginning March 10, 2022.

2.

In lieu of a formal enforcement hearing concerning the violations listed above, Complainant and Respondent agree to settle this matter as follows:

- A. Respondent agrees to pay and Complainant agrees to accept a civil penalty in the amount of \$340,000.00. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director or his designee. The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality
Attn: Accounts Receivable
P.O. Box 2339
Jackson, MS 39225

3.

Nothing in this Agreed Order shall limit the rights of MDEQ or the Commission in the event Respondent fails to comply with this Agreed Order. The Agreed Order shall be strictly construed to apply to those matters expressly resolved herein.

4.

Nothing contained in this Agreed Order shall limit the rights of MDEQ or the Commission to take enforcement or other actions against Respondent for violations not addressed herein and for future violations of environmental laws, rules, and regulations.

5.

The parties agree that, by entering into this Agreed Order and agreeing to the terms and conditions set forth herein, Respondent does not admit any of the allegations listed above and nothing contained herein shall be in any way construed as an admission of liability by Respondent. Without admitting any liability, Respondent consents to entry of this Agreed Order, which the parties agree shall serve as the full resolution of the violations alleged above. The parties further

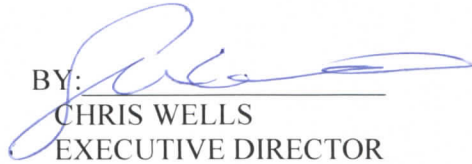
agree that the Commission continues to assert that the matters set forth above were violations of the environmental laws, regulations and/or permits applicable to Respondent.

6.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Miss. Code Ann. § 49-17-31, and that it has made an informed waiver of that right.

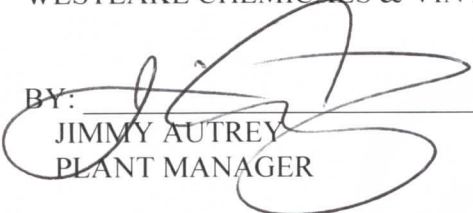
ORDERED, this the 18th day of November, 2024.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY: 
CHRIS WELLS
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 12TH day of NOVEMBER, 2024.

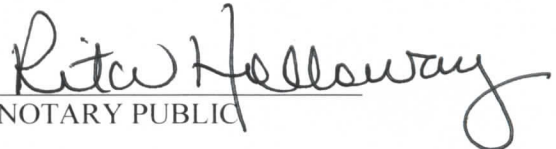
WESTLAKE CHEMICALS & VINYLs LLC

BY: 
JIMMY AUTREY
PLANT MANAGER

STATE OF Mississippi
COUNTY OF Monroe

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named JIMMY AUTREY, who first being duly sworn, did state upon his oath and acknowledge to me that he is the PLANT MANAGER of WESTLAKE CHEMICALS & VINYLs LLC and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 12th day of Nov., 2024.


NOTARY PUBLIC



My Commission expires Feb. 17, 2025