

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING
Lyondell Chemical Company
SOAH Docket No. 582-24-14115
TCEQ Docket No. 2023-0574-IWD
Permit No. WQ0002927000

APPLICATION.

Lyondell Chemical Company, P.O. Box 777, Channelview, Texas 77530, which operates the Lyondell Chemical Channelview facility that manufactures synthetic organic chemicals, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002927000 to use a site-specific hardness for calculating water quality-based effluent limits; to authorize increased copper limits at Outfall 001; to remove limits and monitoring requirements for total aluminum, total zinc, and total xylenes at Outfall 001; to add wastestreams to Outfalls 001, 002, and 008; to modify various wastewater descriptions; to increase the daily maximum pH limit at Outfall 002; to reduce the monitoring frequency at Outfalls 002 and 003 for total organic carbon and oil and grease; to use site-specific partitioning coefficients for aluminum at Outfalls 003, 004, and 005 for calculating water quality-based effluent limits; to update the discharge and monitoring locations for Outfalls 008, 009, and 010; to revise the discharge route description for Outfall 009; to remove Other Requirements Nos. 5, 12, and 14; and to update Other Requirement No. 4. The draft permit authorizes the discharge of process wastewater, Barge Dock wastewater (Tanks 6901 and 6902), hydrostatic test water, laboratory wastewater, cooling tower and boiler blowdown (including maintenance wastewaters), loading area and process area washdown, tank farm wastewater, heat exchanger blasting slab wastewater, water treatment wastes, maintenance wastewater, steam condensate and blowdown, utility wastewater, groundwater from monitoring and recovery wells (onsite and offsite), construction stormwater, and stormwater (including, but not limited to, runoff from production units, landfarm runoff and supernate (from wastewater treatment solids), and stormwater from the adjacent cogeneration facility) at a daily average flow not to exceed 3,200,000 gallons per day (interim phase), 3,800,000 gallons per day (final phase) via Outfall 001; stormwater, utility wastewater, hydrostatic test water, service water, water from maintenance activities, construction stormwater, landfarm runoff and supernate (from wastewater treatment solids), and de minimis quantities from spill cleanup on an intermittent and flow-variable basis via Outfalls 002; stormwater, utility wastewater, hydrostatic test water, service water, water from maintenance activities, construction stormwater, and de minimis quantities from spill cleanup on an intermittent and flow-variable basis via Outfalls 003, 004, 005, 006, 009, and 010; stormwater associated with construction activities from a concrete batch plant on an intermittent and flow-variable basis via Outfall 007; and cooling tower and

boiler blowdown (including maintenance wastewaters), stormwater, utility wastewater, hydrostatic test water, service water, water from maintenance activities, construction stormwater, and de minimis quantities from spill cleanup on a continuous and flow-variable basis via Outfall 008.

The facility is located at 2502 Sheldon Road in the City of Channelview, Harris County, Texas 77530. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd36of816825of&marker=-95.113888%2C29.819444&level=12>

The effluent is discharged via Outfalls 001-006, and 008 to Harris County Flood Control District (HCFCD) ditch G103-02-03; via Outfall 009 to an unnamed ditch, thence to Bear Lake, which is considered to be part of the San Jacinto River Tidal; via Outfall 010 to a Wallisville roadside ditch; thence all to San Jacinto River Tidal in Segment No. 1001 of the San Jacinto River Basin. The unclassified receiving waters have minimal aquatic life use for HCFCD ditch G103-02-03, the unnamed ditch, and the Wallisville roadside ditch. The designated uses for Segment No. 1001 are primary contact recreation and high aquatic life use.

In accordance with Title 30 Texas Administrative Code Section 307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in San Jacinto River Tidal, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ executive director reviewed this action for consistency with the Texas Coastal Management Program (CMP) goals and policies in accordance with the regulations of the General Land Office and has determined that the action is consistent with the applicable CMP goals and policies.

The TCEQ executive director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The executive director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, executive director's preliminary decision, and draft permit are available for viewing and copying at <https://www.lyondellbasell.com/en/channelview-complex/>.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. – June 5, 2024

To join the Zoom meeting via computer:

<https://soah-texas.zoomgov.com/>

Meeting ID: 160 318 1724

Password: TCE445

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 160 318 1724

Password: 770911

**Visit the SOAH website for registration at: <http://www.soah.texas.gov/>
or call SOAH at 512-475-4993.**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on January 29, 2024. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH.”

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information about the TCEQ can be found at our web site at www.tceq.texas.gov.

Further information may also be obtained from S Lyondell Chemical Company at the address stated above or by calling Ms. Nancy Ross, Senior Environmental Engineer, at (281) 452-8722.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: April 19, 2024

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality