



## FAQs on the ITC Deer Park Federal Operating Permit Renewal

### What is ITC Deer Park and why are we concerned?

Intercontinental Terminals Company (ITC) provides storage services to the petrochemical industry. They have two locations: Deer Park and Pasadena. At both locations, they store petrochemical liquids and gasses, fuel oil and bunker oil, and highly toxic chemicals like benzene, 1,3-Butadiene, and Ethylene Oxide. The Deer Park location is considered one of the largest “tank farms” in the country with 227 tanks on-site.

In 2019, ITC Deer Park was the site of a major environmental disaster, which resulted in hazardous air pollution and acute health concerns as well as disruptions to schools, road traffic, and recreation. The investigation for this incident is ongoing, and there has been minimal transparency about ITC’s response.

### What is this *particular* permit application for?

ITC has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of its Federal (Title V) Operating Permit (FOP) for the Deer Park terminal. ITC must have an approved FOP to remain operational. Because it is a federal operating permit, it must also be reviewed by the (EPA) Region 6 located in Dallas.

### What are the core concerns with this permit application?

- **Safety:** ITC Deer Park was the site of a major environmental disaster in March 2019. The chemical fire burned for 5 days and required the community to shelter-in-place, multi-school district closures, freeway closures, recreational activity closures, and water contamination.
- **Air Pollution and Environmental Justice:** During the ITC fire, fenceline communities were exposed to increased levels of Particulate Matter (which is known to contribute to poor health outcomes such as heart attack and asthma). Moreover, higher PM levels were concentrated in areas where predominantly people of color and low-income live.
- **Permit Deficiencies:** ITC Deer Park historically has large deficiencies in their permit applications:
  1. The permit lacks monitoring, recordkeeping, and emissions controls for all of the permits incorporated by reference, Permit-by Rules, or Standard Exemptions. This is an incomplete permit.
  2. The Statement of Basis does not include compliance history, inspections, violations, consent decrees, or corrective action. This is particularly important given the March 2019 disaster.

### What do we want to say to TCEQ about this application?

TCEQ should not renew ITC’s FOP until ITC addresses community concerns regarding safety and health:

- Make information readily available and accessible to the public about both ITC’s shortcomings and remedial measures surrounding the March 2019 incident.
- Analyze the permit for disproportionate impacts to overburdened fenceline communities, including, but not limited to Deer Park and Pasadena, in accordance with federal civil rights law.
- Study the full impact of this facility holistically, considering cumulative impacts such as the number of existing facilities in the area that minimize quality of life and health of communities; and
- Actively work with the permit applicant and communities to ensure another incident like the March 2019 disaster does not happen again.
- Correct deficiencies in the permit related to monitoring, recordkeeping, and emissions controls.

### How is this related to ITC Pasadena and their permit status?

ITC also has a terminal located in Pasadena. The renewal FOP for the Pasadena facility was also submitted to TCEQ earlier this year. EPA Region 6 formally objected to the issuance of the permit. TCEQ has about 90 days to modify the permit application and re-submit. In the meantime, ITC has also applied to the TCEQ for an amendment to and renewal of their *state* Air Quality Permit for the same Pasadena facility.

### Does this permit application have anything to do with the lawsuit against ITC?

No, litigation related to the 2019 disaster is unrelated to permitting. ITC may continue to pursue permits even as they are involved in active litigation. The status of that case is unknown at this time.